

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION OF MCF
COMMUNICATIONS bg, INC. AND
OMNIPOINT COMMUNICATIONS, INC.
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE CONSTRUCTION, MAINTENANCE AND
OPERATION OF A TELECOMMUNICATIONS
FACILITY AT 237 SANDY HOLLOW ROAD IN THE
TOWN OF GROTON, CONNECTICUT

DOCKET NO. _____

DATE: JULY 11, 2007

APPLICATION FOR CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED

FILED BY:

MCF COMMUNICATIONS bg, INC.
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WILMINGTON, MA 01887
978-658-7360

AND



OMNIPOINT COMMUNICATIONS, INC.
A SUBSIDIARY OF T-MOBILE USA, INC. D/B/A T-MOBILE
35 GRIFFIN ROAD SOUTH
BLOOMFIELD, CT 06002

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I. Introduction

A. Purpose and Authority

Pursuant to Chapter 277a, Sections 16-50g *et seq.* of the Connecticut General Statutes ("CGS"), as amended, and Sections 16-50j-1 *et seq.* of the Regulations of Connecticut State Agencies ("RCSA"), as amended, MCF Communications bg, Inc. ("MCF") and Omnipoint Communications, Inc., a subsidiary of T-Mobile USA, Inc. d/b/a T-Mobile ("T-Mobile") (collectively the "Applicants") hereby submit an application and supporting documentation (collectively, the "Application") for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless communications facility (the "Facility") in the Town of Groton. The proposed Facility is a necessary component in the network plan of T-Mobile to provide personal wireless communications services in the State of Connecticut and New London County. The proposed Facility will provide service in the Town of Groton, along Interstate I-95 as well as in adjacent areas.

B. Executive Summary

MCF and T-Mobile are joint applicants for the proposed Facility. MCF was responsible for the site search in the area. MCF will be the certificate holder and, as such, will be responsible for the construction and maintenance of the Facility. T-Mobile has agreed to serve as a co-applicant and has committed to locating at the Site and will serve as the anchor tenant on the proposed Facility.

The proposed Facility will consist of a 130 foot, self-supporting monopole, antennas, associated equipment and other site improvements integral to a wireless communications facility. MCF identified the property located at 237 Sandy Hollow Road in Groton (the "Property") for the construction and operation of its proposed Facility. The Property consists of 3.35 acres and is currently used by the Mystic River Ambulance Association. The Property is located in a RS-20 zone and is located on the southwest intersection of Allyn Street and Sandy Hollow Road just after the Interstate I-95 Exit 89 exit ramp.

MCF proposes to build a Facility on the area of the Property approximately 240 feet from Sandy Hollow Road on the west side of the existing Ambulance Association Office building (the "Site"). MCF proposes to install a monopole with appurtenances extending to approximately 130 feet in height and an equipment shelter at grade within a 35 foot by 50 foot fenced equipment compound ("Facility"). The monopole and compound area will be designed to accommodate use by all of the wireless carriers active in Connecticut and the Groton public safety communications, if requested. The compound will be enclosed by an 8-foot high security fence with privacy slats.

Vehicular access to the Site is proposed via existing paved access driveway from Sandy Hollow Road. Utility service will extend underground from existing utility service poles on Sandy Hollow Road.

T-Mobile has committed to locating on the Facility and will serve as the anchor tenant. T-Mobile's equipment will be monitored 24 hours a day, 7 days a week from remote locations.

Included in this Application in Exhibit A is a report with a survey-based plans and other information detailing the Facility proposed at the Site and potential environmental impacts associated therewith. MCF respectfully submits that the reports and other supporting documentation included in this Application contain relevant site specific information as required by statute and the regulations of the Connecticut Siting Council (the "Siting Council" or "Council"). A copy of the Council's Community Antenna Television and Telecommunication Facilities Application Guide with page references from this Application is also included in Exhibit B.

C. The Applicants

MCF Communications is a stock corporation organized and existing under the laws of the Commonwealth of Massachusetts with its principal office located at 668 Main Street, Suite 114, Wilmington, MA 01887. MCF Communications, and its subsidiary, MCF Communications bg (the "Applicant" or "MCF") develop, own, manage and market communication sites in the New England states for wireless communication companies, which is its sole business in the state of Connecticut. Based on experience in the radio broadcast industry since the mid 1980's, MCF was established in 1998 to focus on the growing wireless communication industry. It has developed over 30 sites throughout the

New England region, and worked with most of the mobile communication service providers, including co-applicant T-Mobile.

The co-applicant T-Mobile is a Delaware corporation with a Connecticut office at 35 Griffin Road South, Bloomfield, Connecticut, 06002. Correspondence and/or communications regarding this Application shall be addressed to the attorneys for the applicants:

Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
Attention: Julie Kohler, Esq.
Carrie Larson, Esq.

D. Application Fee

Pursuant to RCSA Section 16-50v-1a(b), a check made payable to the Siting Council in the amount of \$1,000.00 accompanies this Application. The estimated total construction cost is approximately \$309,797. As such, the applicable application fee is \$1,000.00 in accordance with RCSA Section 16-50v-1a(b).

E. Compliance with CGS Section 16-50/(c)

Neither MCF nor T-Mobile is engaged in generating electric power in the State of Connecticut. As such, the proposed Facility is not subject to CGS Section 16-50r. The proposed Facility has not been identified in any annual forecast reports. As such, the proposed Facility is not subject to CGS Section 16-50/(c).

II. Service and Notice Required by CGS Section 16-50/(b)

Pursuant to CGS Section 16-50/(b), copies of this Application have been sent by certified mail, return receipt requested, to municipal, regional, State, and Federal officials. A certificate of service, along with a list of the parties served with a copy of the

Application is included in Exhibit C. Pursuant to CGS 16-50/(b), notice of the Applicants' intent to submit this Application was published on two occasions in The Day and The Norwich Bulletin. Copies of the published legal notices are included in Exhibit D. The publishers' affidavits of service will be forwarded upon receipt. Further, in compliance with CGS 16-50/(b), notices were sent to each person appearing of record as owner of a property which abuts the Site. Certification of such notice, a sample notice letter, and the list of property owners to whom the notice was mailed are included in Exhibit E.

III. Statements of Need and Benefits

A. Statement of Need

As the Council is aware, the United States Congress, through adoption of the Telecommunications Act of 1996, recognized the important public need for high quality telecommunication services throughout the United States. The purpose of the Telecommunication Act's overhaul of the Communications Act of 1934 was to "provide for a competitive, deregulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies to all Americans." H.R. Conf. Rep. No. 104-458, 206, 104th Cong., Sess. 1 (1996). With respect to wireless communications services, the Telecommunications Act of 1996 expressly preserved State and/or local land use authority over wireless facilities, placed several requirements and legal limitations on the exercise of such authority and preempted State or local regulatory oversight in the area of emissions as more fully set forth in 47 U.S.C. § 332(c)(7). In essence, Congress struck a balance between legitimate areas of State and/or local regulatory control over wireless infrastructure and the public's interest in its timely deployment to meet the public need for wireless services.

The Facility proposed in this Application is an integral component of T-Mobile's wireless network in this area of the State of Connecticut. Currently, a gap in coverage exists in T-Mobile's networks in the Groton area, specifically along Interstate I-95. The proposed Facility, in conjunction with other existing and future facilities in Groton and surrounding towns, is needed by T-Mobile to provide its wireless services to people living in and traveling through this area of the State.

T-Mobile's specific need for the proposed Facility is detailed the propagation plots, attached hereto as Exhibit F, which identify T-Mobile's specific need for this Facility in the Groton area. Based on the location of the proposed Facility and the lack of coverage in this area, MCF cannot readily predict a point in time at which the Facility might reach maximum capacity.

B. Statement of Benefits

T-Mobile is a leading provider of advanced wireless voice and data services throughout the United States with over 20 million subscribers. T-Mobile and its corporate predecessors constructed one of the first wireless networks in Connecticut and is actively involved today in the deployment of next generation wireless services. Over the past two decades, T-Mobile has seen the public's demand for traditional cellular telephone services in a highly mobile environment migrate to a demand for anytime-anywhere wireless connectivity with the ability to send and receive voice, text, image and video. People today are using their wireless devices more and more as their primary form of communication for both personal and business needs. Modern devices allow for calls to be made, the internet to be reached and other services to be provided irrespective of whether a user is mobile or stationary and provided network service is available.

Wireless devices have become integral to the telecommunications needs of the public and their benefits can no longer be considered a luxury. Indeed, in an effort to ensure the benefits of wireless technologies to all Americans, Congress enacted the Wireless Communications and Public Safety Act of 1999 (the "911 Act"). The purpose of this legislation was to promote public safety through the deployment of a seamless, nationwide emergency communications infrastructure that includes wireless communications services. In enacting the 911 Act, Congress found that networks that would provide for the rapid, efficient deployment of emergency services would enable faster delivery of emergency care with reduced fatalities and severity of injuries. With each year since passage of the 911 Act, additional anecdotal evidence supports the public safety value of improved wireless communications in aiding lost, ill or injured individuals such as motorists, hikers and boaters.

As an outgrowth of the 911 Act, the FCC mandated wireless carriers, such as T-Mobile, to provide enhanced 911 services ("E911") as part of their communications networks. These services ultimately allow 911 public safety dispatchers to identify a wireless caller's geographical location within several hundred feet. T-Mobile has deployed and continues to deploy network technologies to implement the FCC's E911 mandates. The proposed Facility in Groton will become an integral component of T-Mobile's E911 network in this area of the state. These factors will apply equally to other wireless carriers as they expand their service in the Groton area through the proposed Facility.

C. Technological Alternatives

The FCC licenses granted to T-Mobile and other wireless carriers authorize them to provide cellular and PCS services in this area of the State through deployment of a

network of wireless transmitting sites. The proposed Facility is a necessary component of T-Mobile's wireless network. The proposed Facility will also allow other wireless carriers to provide services in this area.

Repeaters, microcell transmitters, distributed antenna systems and other types of transmitting technologies are not a practicable or feasible means to providing service within the sizeable coverage gap in this area. Significant terrain variations and tree cover in Groton and the surrounding area, as well as other practical considerations limit the use of such technologies. As such, they are not an alternative to the proposed Facility. The Applicants submit that there are no equally effective technological alternatives to construction of a new tower Facility for providing reliable personal wireless services in this area of Connecticut.

IV. Site Selection and Tower Sharing

A. Site Selection

A search area is an area where a coverage and/or capacity problem exists within a carrier's network and where a new wireless facility is needed to provide service to the public. In general, wireless carriers and developers attempt to identify any existing towers or other structures of adequate height in a site search area and the surrounding environs which might accommodate the height and structural requirements for a wireless facility.

Initially, both individual carriers and MCF seek to identify any existing towers or other structures of adequate height in a site search area and the surrounding environs that may accommodate a wireless facility. MCF identified four (4) existing structures within the site search area that could potentially be utilized to provide adequate coverage for T-Mobile. The smokestack on Oral School Road was considered but deemed too far

east to connect the existing gap. The water tank on Nantucket Drive was too far north to connect the existing gap. MCF investigated the church steeple at the Church of God located at 500 Sandy Hollow Road but that was too far west to connect the existing gap. The Fire Department tower located at 295 Cow Hill Road did not have sufficient height and they declined offers to lease space MCF to build a taller tower on the property.

In addition to these existing structures, MCF identified eleven (11) towers, either existing or proposed, within approximately 4 miles of the site search area. All of these surrounding sites are noted in the table of "Surrounding Site Information" included in Exhibit G.

Once it was determined that a new tower facility was required, MCF's goal was to find properties upon which a facility could be constructed and provide service to the public while at the same time minimizing any potential environmental impact to the extent practicable and feasible. The Site Search Narrative and Map in Exhibit H detail and depict the locations reviewed during MCF's search and the narrative details the reasons for elimination from consideration of all but the proposed Site.

B. Tower Sharing

To promote the sharing of wireless facilities in the Groton area, MCF has proposed a Facility that can accommodate up to four antenna platforms and equipment for the wireless carriers in the Connecticut marketplace and the Groton public safety functions. T-Mobile has committed to use the Facility, if approved. Details of the design are included in Exhibit A. MCF has committed to provide, free of charge, space on the proposed monopole for the Groton public safety communications antennas.

V. Facility Design

MCF has leased a 1,750 square foot parcel within the approximately 3.35 acre Property. A redacted copy of the Lease is attached hereto as Exhibit I. The proposed Facility would be constructed as a 130 foot high self-supporting monopole. T-Mobile would install up to nine panel antennas on a platform at 127 feet AGL and an equipment platform within the approximately 35 foot by 50 foot equipment compound. The Lease provides for an additional bump-out space of 15 feet by 15 feet, if needed in the future. The compound would be enclosed by a security fence, 8 feet in height with privacy slats. The monopole and equipment compound are designed to accommodate the facilities of all wireless carriers active in the Connecticut marketplace and Groton emergency services, if requested.

Vehicular access to the Site is proposed via existing paved access driveway from Sandy Hollow Road. Utility service will extend underground from existing utility service poles on Sandy Hollow Road. Exhibit A contains the specifications for the proposed Facility at the Site including a site plan, a compound plan, tower elevation, access map and other relevant information contained in a Site Evaluation Report and Facilities and Equipment Specifications. Exhibit J includes a copy of the Phase I Environmental Assessment that was conducted and Exhibit K includes a computer-based, predictive viewshed map, photosimulations, sightline graphs and visibility analysis taken after a balloon float at the Site. Exhibit L contains a wetlands report. Some of the relevant information included in these exhibits for the Site reveals that:

- The Property has an RS-20 zone, and is located on the southwest intersection of Allyn Street and Sandy Hollow Road just after the Interstate 95 Exit 89 exit ramp;

- No wetlands are found within 51 feet of the proposed site or new access drive and the proposed development will have no impact on the wetlands located on the Property;
- The Property is and will continue to be used by the Mystic River Ambulance Association;
- Minimal clearing and minimal grading would be required for development of the proposed access drive and compound area;
- The proposed Facility will have no effect on historic or architectural resources according to the State Historic Preservation Officer;
- The proposed Facility will have no effect on any endangered species or species of concern according to the U.S. Department of the Interior, Fish and Wildlife Service and the Connecticut Department of Environmental Protection; and
- The proposed Facility will have no impact on water flow, water quality, or air quality and will not emit any noise.

VI. Environmental Compatibility

Pursuant to CGS Section 16-50p, the Council is required to find and to determine as part of the Application process any probable environmental impact of the facility on the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forest and parks, air and water purity and fish and wildlife. As demonstrated in this Application and the accompanying Attachments and documentation, the proposed Facility will have no significant adverse environmental impacts.

A. Visual Assessment

The visual impact of the proposed Facility would vary from different locations around the towers depending upon factors such as vegetation, topography, distance from

the towers, and the location of structures around the towers. The Applicants retained Clough Harbour & Associates LLP (“CHA”) to prepare the visual resources evaluation.

Exhibit K contains a computer-based, predictive viewshed model which depicts the potential impact of the proposed Facility from surrounding views for the Site, a visual methodology report, site line graphs and photosimulations.

In general, the visibility of the proposed tower at the Site is insignificant. The visibility report demonstrates that the Facility would be visible year-round from only 20 acres, which is approximately 0.25 % of the entire study area. In addition, the Facility will be visible seasonally from an additional 56 acres, which is approximately 0.75% of the entire study area. Overall, no residences would have year-round visibility however 8 residences will have seasonal visibility of some portion of the Facility. The visibility of the tower at the proposed Site will be minimized due largely to the topography and extent of tree cover found within the Study Area.

The compound area will have a de minimis visual impact as it will be screened by the proposed fencing (with privacy slats), the existing mature vegetation at the Site, and proposed landscaping.

Weather permitting, MCF will raise a balloon with a diameter of at least three (3) feet at the proposed Site on the day of the Council’s first hearing session from 8 a.m. until 5 p.m., or at a time otherwise specified by the Council.

B. Solicitation of State Agency Comments

MCF submitted requests for review and comment for each site to the Connecticut State Historic Preservation Officer (“SHPO”) and Department of Environmental Protection (“DEP”) representatives responsible for the Natural Diversity Data Base and endangered species review. Copies of the SHPO response letter and DEP response letters are

attached hereto as Exhibit M.¹ SHPO has stated that the proposed Facility will have no effect on historic, architectural or archeological resources of the State of Connecticut. DEP has determined that the proposed Facility will not impact Federal or State listed, threatened or species of special concerns.

C. Power Density Analysis

In August 1996, the FCC adopted a standard for exposure to Radio Frequency (“RF”) emissions from telecommunications facilities like those proposed in this Application. To ensure compliance with applicable standards, T-Mobile has performed maximum power density calculations for the proposed Facility assuming that the antennas were pointed at the base of the tower and all channels were operating simultaneously. The resulting power density for T-Mobile’s operations at the proposed Site would be approximately 3.0980% of the applicable MPE standards. A copy of the power density calculation is attached as Exhibit N.

D. Other Environmental Factors

The proposed Facility would be unmanned, requiring monthly maintenance visits by each carrier that will last approximately one hour. T-Mobile’s equipment at the Facility would be monitored 24 hours a day, 7 days a week from a remote location. The proposed Facility at the Site would not require a water supply or wastewater utilities. No outdoor storage or solid waste receptacles will be needed. Further, the proposed Facility will not create or emit any smoke, gas, dust or other air contaminants, noise, odors or

¹ As can be seen in the DEP and SHPO correspondence, the Applicants originally corresponded with DEP and SHPO in 2006. Subsequent to that correspondence, the location and height of the proposed Facility changed. The Applicants forwarded the revised information to both DEP and SHPO and both agencies again signed off on the proposal and agreed to that the proposed Facility, as re-designed, will still have no impact on historic resources or endangered or listed species of concern.

vibrations. The construction and operation of the proposed Facility will have no significant impact on the air, water, or noise quality at the Site.

MCF has evaluated the Site in accordance with the FCC's regulations implementing the National Environmental Policy Act of 1969 ("NEPA"). The NEPA report is attached hereto as Exhibit O. The Site was not identified as a wilderness area. No National Parks, National Forests, National Parkways or Scenic Rivers, State Forest, State Designated Scenic Rivers or State Gamelands are located in the vicinity of the Site. The Site is not located in or adjacent to any areas identified as a federal wildlife preserve. Further, according to the wetlands report attached as Exhibit L, no federally regulated wetlands or watercourses will be impacted by the proposed Facility. Federal Emergency Management Agency ("FEMA") Flood Insurance Rate Maps of the proposed Site indicated that the Site is not located in the 100 year floodplain . As such, and based on the information contained in other reports included in this Application, the Site is categorically excluded from any requirement for further environmental review by the FCC in accordance with NEPA and no permit is required by that agency prior to construction of the proposed Facility. See 47 C.F.R. §§ 1.1306(b) and 1.1307(a).

VII. Consistency with the Groton Land Use Regulations

Pursuant to the Council's Application Guide, included in this section is a narrative summary of the consistency of the project with the local municipality's zoning and wetland regulations and plan of conservation and development. A description of the zoning classification of the Site and the planned and existing uses of the proposed site locations are also detailed in this section.

A. Groton Plan of Conservation and Development

The Groton Plan of Conservation and Development (the "Plan"), a copy of which is included in the bulk filing, was adopted on December 11, 2001. Wireless communications facilities are addressed in the "Enhance Infrastructure" section of the Plan. The plan specifically encourages improvement of modern communication technology through the Town: "A high priority for the Town should be to encourage the development and implementation of the highest capacity and quality communications technology to meet the needs of local businesses and residents." See Bulk Filing, Plan of Conservation and Development at 143. While the Plan does not have specific directives for addressing cellular communications, one recommendation of the Plan is to promote collocation on communications towers. The current proposal includes room for three other wireless carriers to collocate on the site in addition to an offer for the Town to locate its emergency communications equipment on the tower.

Accordingly, MCF respectfully submits that the proposed Facility, which will provide needed wireless communications service within the Town and a means for upgrading the Town's emergency communications, is consistent with the Town's plan for wireless communications.

B. Groton Zoning Regulations and Zoning Classification

According to the Town's zoning map and municipal tax records, the Site is classified in the RS-20 residential zoning district. Section 7.1-41 of the Town's Zoning Regulations discusses wireless telecommunications facilities and lays out the Town's standards for permitting such facilities. Telecommunications towers are currently not permitted in the RS-20 zone. Nonetheless, the proposed facility complies with all other zoning requirements.

Sections 4.4 and 7.1-41 of the Town’s Zoning Regulations set forth the Town’s recommended zoning requirements for new wireless communications facilities. Consistency of the proposed Facility at the Site with these standards and dimensional requirements are illustrated in the following table.

Standards and Dimensional Requirements

Regulation Section	Requirement of Regulation	Proposal
Section 7.1-41.D	Minimum Lot Area	Site
	20,000 square feet	Lot size is 134,000 square feet
Section 7.4-41.F	Setbacks	Site
	Underlying zone or tower height, whichever is greater	Proposed is 40 feet. However, a pre-engineered fault point has been designed for tower construction
Section 7.1-41.I	Lighting	Site
	None permitted unless required by the FAA	None proposed
Section 7.1-41.C	Telecommunications towers prohibited	Site
	In Town or National Register Historic Districts	Not located within Town or National Register Historic Districts

C. Planned and Existing Land Uses

The proposed Site will be located in the southeastern portion of an approximately 3.35 acre Property. The Property houses an ambulance association on the eastern

portion of the land but the majority of the Property is undeveloped and wooded. Residential development surrounds the Property. Consultation with municipal officials and observations did not indicate any known or planned changes in surrounding land uses.

D. Groton Inland Wetlands and Watercourses Regulations

The Groton Inland Wetlands and Watercourses Regulations (“Local Wetlands Regulations”) regulate certain activities conducted in or adjacent to “wetlands” as defined therein. The Local Wetlands Regulations recommend either a 50 foot or 100 foot buffer to protect the quality of inland wetlands, depending on the type of activity. See Bulk Filing, Section 3, pg 2-4; pg 5-1.

According to the site survey and field investigations conducted at the Site, inland wetlands were delineated approximately 51 feet to the west of the Site, however the construction activities for the proposed Facility and equipment compound will not take place within the wetlands. Field investigations conducted at the Site as well as the wetlands report are attached hereto as Exhibit L. In addition, based upon comments from the Town of Groton’s Environmental Planner, discussed *infra*, the wetland setback distance is sufficient to protect the wetland resources on the Property. In accordance with the Connecticut Soil Erosion Control Guidelines, as established by the Council of Soil and Water Conservation, soil erosion control measures and other best management practices will be established and maintained throughout the construction of the proposed Facility.

VIII. Consultations with Local, State and Federal Officials

A. Local Consultations

CGS Section 16-50/(e) requires an applicant to consult with the local municipality in which a proposed facility may be located. On September 25, 2006, MCF hand-delivered a copy of a technical report to the Town of Groton with respect to the proposed Facility at the Site. The technical report, a copy of which is being bulk filed, included specifics about the proposed Site and addressed the public need for the Facility, the site selection process and the environmental effects of the proposed Facility. On December 11, 2006, Brad Gannon of MCF met with Groton's Planning Director Michael Murphy and Groton's Environmental Planner Deborah Jones wherein he formally introduced the proposed Facility to Town officials. At that meeting, Ms. Jones and Mr. Murphy indicated that they wished to visit the Site and that they would offer comments after the visit. On February 9, 2007, Debroah Jones submitted four requests via email. Those requests included: shifting the monopole as far west as possible; provide evergreen landscaping on the southern fence line; maintain natural drainage to the west of the site; and relocate the handicap ramp. Each of these requests has been integrated into the plans. See Exhibit A.

A copy of the correspondence with Groton officials are attached hereto as Exhibit P.

B. Consultations with State Officials

As noted in Section VI.B of this Application, MCF consulted with and requested review of the proposed Facility from DEP and SHPO. Exhibit M contains DEP and SHPO's correspondence for the proposed Site. Both DEP and SHPO stated that the proposed Facility will have no effect on environmental or historic resources.

C. Consultation with Federal Agencies

MCF has received a preliminary determination from the Federal Aviation Administration (“FAA”) for the Site, which are included in Exhibit Q. The results indicate the proposed Facility would not even require FAA registration, let alone FAA review as a potential air navigation obstruction or hazard. As such, no FAA lighting or marking would be required for the towers proposed in this Application. The final determination from the FAA will be forwarded to the Council upon receipt.

T-Mobile’s FCC license permits it to modify its network by building wireless facilities within its licensed area without prior approval from the FCC provided that a proposed facility does not fall within one of the “listed” categories requiring review under NEPA. The “listed” categories, included in 47 CFR §1.1307, are activities that may affect wilderness areas, wilderness preserves, endangered or threatened species, critical habitats, National Register historic districts, sites, buildings, structures or objects, Indian religious sites, flood plains and federal wetlands. As noted in Section VI.D of this Application, MCF conducted a review for the Site and determined that the Site does not fall under any of the NEPA “listed” categories of 47 CFR §1.1307. Therefore, the proposed Facility does not require review by the FCC pursuant to NEPA.

In addition, CHA forwarded information regarding the Site and Facility to the United States Department of Interior Fish and Wildlife Service (“USFWS”). As part of that correspondence, CHA noted that this area of Groton is identified as a possible habitat for chaffseed (*Scwalbea Americana*), an endangered species, as indigenous to the New London area. CHA noted that the required habitat for the chaffseed, open pine flatwoods and savannas, was not present at the Site. The USFWS has issued a determination that

the proposed Facility is unlikely to adversely affect any federally listed or proposed endangered species, including the chaffseed.

IX. Estimated Cost and Schedule

A. Overall Estimated Cost

The total estimated cost of construction for the proposed Facility is \$309,797. This estimate includes:

- (1) Tower and foundation costs (including installation) of approximately \$62,895;
- (2) Site development costs of approximately \$14,638; and
- (3) Utility installation costs of approximately \$60,825.

B. Overall Scheduling

Site preparation and engineering would commence immediately following Council approval of MCF's Development and Management ("D&M") Plan and is expected to be completed within three (3) to four (4) weeks. Installation of the monopole, antennas and associated equipment is expected to take an additional two (2) weeks. The duration of the total construction schedule is approximately six (6) weeks. Facility integration and system testing is expected to require an additional two (2) weeks after the construction is completed.

X. Conclusion

This Application and the accompanying materials and documentation clearly demonstrate that a public need exists in the Groton area for improved wireless services. The foregoing information and attachments also demonstrate that the proposed Facility will not have any substantial adverse environmental effects. The Applicants respectfully submit that the public need for the proposed Facility outweighs any potential environmental effects resulting from the construction of the proposed Facility at the Site. As such, the Applicants respectfully request that the Council grant a Certificate of Environmental Compatibility and Public Need to MCF for a proposed wireless telecommunication facility at 237 Sandy Hollow Road, Groton, Connecticut.

Respectfully Submitted,

By: 

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