

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE: :
 :
APPLICATION OF NEW CINGULAR : DOCKET NO. 376
WIRELESS PCS, LLC (AT&T) FOR A :
CERTIFICATE OF ENVIRONMENTAL :
COMPATIBILITY AND PUBLIC NEED FOR :
THE CONSTRUCTION, MAINTENANCE :
AND OPERATION OF A WIRELESS :
TELECOMMUNICATIONS FACILITY AT :
24 DINGLEBROOK LANE, NEWTOWN, :
CONNECTICUT : JUNE 29, 2009

POST-HEARING BRIEF OF INTERVENOR
CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS

I. INTRODUCTION

On February 13, 2009, New Cingular Wireless PCS, LLC (“AT&T” or the “Applicant”) submitted an application (“Application”) to the Connecticut Siting Council (“Council”) for a certificate of environmental compatibility and public need for the construction, maintenance and operation of a 150-foot telecommunications tower at 24 Dinglebrook Lane, Newtown, Connecticut (“Property”). (Applicant’s Exhibit (“Exh.”) 1).

Cellco Partnership d/b/a Verizon Wireless (“Cellco”) evaluated the AT&T tower proposal and determined that this site could satisfy the coverage objectives of its “Newtown North” search area. (Cellco Exh. 1). Consequently, on March 24, 2009, Cellco filed a petition to intervene in the Application and hearing process (“Petition”) seeking to share the proposed tower by installing antennas at the 140-foot level.

II. THE CELLCO INSTALLATION

The Cellco installation would consist of fifteen (15) panel-type antennas with their centerline at the 140-foot level on the tower. Cellco's equipment would be installed in a 12' x 30' single-story equipment shelter located near the base of the tower within the 50' x 75' compound. Cellco would also install a back-up generator inside its equipment shelter for use during power outages and periodically for maintenance purposes. (Cellco Exh. 1).

A. Cellco's Need

The Docket No. 378 record contains ample, unrefuted evidence that Cellco antennas at the 140-foot level on the AT&T tower would provide reliable wireless telecommunications service and satisfy Cellco's coverage needs in the northerly portion of Newtown. (Cellco Exh. 1; Tabs 1 and 2). Cellco's network currently experiences significant gaps in coverage along Route 133 and local roads in the area, including Dinglebrook Lane and Hanover Road. More specifically, Cellco's network currently experiences gaps in coverage along Route 133 at PCS and cellular frequencies through the area. Cellco has determined that the use of the proposed AT&T tower described in the Application would eliminate these coverage gaps at cellular and PCS frequencies. (Cellco 1, Resp. 9 and 10; Tr. pp. 67-69).

B. Environmental Impact

The Docket No. 376 record contains ample evidence that the AT&T tower and the installation of Cellco's antennas at the 140-foot level would not have a substantial adverse environmental effect. Cellco's equipment shelter would be located on the ground inside the fenced compound at the base of the tower. The installation would not require substantial tree removal or site regrading. (AT&T Exh. 1). The potential environmental impacts from Cellco's proposed installation would be minimal when balanced against the benefits to the public.

III. CONCLUSION

The evidence in the Docket No. 376 record supports Cellco's need for the installation of antennas on the proposed tower at the 140-foot level. The AT&T tower at the Property will provide Cellco with significant coverage relief in the northern Newtown area, in particular, along Route 133 and local roads in the area. This evidence remains unrefuted. Cellco, therefore, respectfully requests that the Council approve the AT&T Application and Cellco's shared use of this facility.

Respectfully submitted,
CELLCO PARTNERSHIP d/b/a VERIZON
WIRELESS

By 

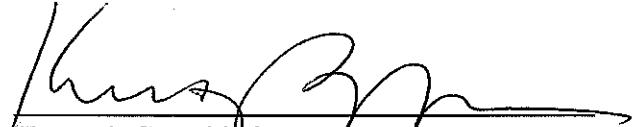
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Its Attorneys

CERTIFICATION

I hereby certify that on this 29th day of June, 2009, a copy of the foregoing was mailed,
postage prepaid, to the following parties and intervenors:

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