

November 13, 2009

BY ELECTRONIC AND OVERNIGHT DELIVERY

Hon. Daniel F. Caruso, Chairman
and Members of the Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Docket 381
New Cingular Wireless PCS, LLC ("AT&T")
Application for Certificate of Environmental Compatibility and Public Need
at 27 Gungy Road/ 322 Beaver Brook Road, Lyme, Connecticut

Dear Chairman Caruso and Members of the Council:

On behalf of New Cingular Wireless PCS, LLC ("AT&T"), please accept this letter in further support of its Certificate Application in Docket No. 381 and in lieu of a more formal brief given the lack of any opposition to the site. This letter is being submitted in accordance with the 30-day post-hearing time frame established by the Council for the receipt of any written comments, proposed findings of fact or briefs and outlines the reasons why AT&T believes that the record in this proceeding supports the public need for the proposed facility.

Public Need

As part of testimony and information provided to the Council, on behalf of AT&T Mr. John Blevins testified that existing AT&T sites cannot serve the gap in coverage along Grassy Hill Road, Beaver Brook Road, Gungy Road and surrounding areas. AT&T's need for the proposed facility is supported by the coverage maps which were provided to the Council that also clearly demonstrate that there is no reliable service in the area. Indeed, the record demonstrates that the proposed facility is an integral part of AT&T's wireless communications network and is needed by AT&T to provide an adequate level of service to people living in and traveling through this area of the State. In addition to AT&T's demonstrated need, the Town of Lyme emergency services also confirmed their lack of coverage in the area. Accordingly, AT&T has offered to provide space on the tower and within the compound for the installation of Town/emergency service antennas and equipment.

Lack of Alternatives

As set forth in the Application and in the testimony of Mr. David Vivian, a search for existing towers or tall structures for the installation of a facility was conducted. Having not found any opportunities to locate a facility on an existing tower or other tall structure, AT&T conducted a comprehensive search of municipal and private properties available for the siting of a tower. In

total 11 properties were investigated as part of this search and as a result AT&T identified two potential locations for a tower facility. AT&T developed technical information regarding these two potential locations and commenced a technical consultation with the Town. As a result of meeting with the Planning and Zoning Commission, AT&T was advised of the Town's strong preference for siting a Facility at 27 Gungy Road (the Young property) for environmental reasons and also learned of certain access easements on the then alternative site at 482 Grassy Hill Road (the Firgelewski property) which would significantly hinder appropriate development of the site for use as a telecommunications facility. Based on AT&T's agreement with the Town's environmental assessment AT&T submitted an application for only the proposed Facility at the Young property.

Minimal Environmental Effects

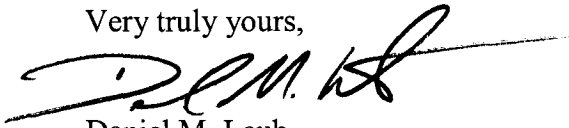
There are no significant adverse environmental effects which would outweigh the need for a facility to provide service in this area of Lyme. The majority of site access uses an existing dirt road. According to the site survey and field investigations conducted at the site, the nearest wetlands /watercourse will be 50' from this existing/proposed access drive and will be 214' from the nearest area of compound grading. 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 construction of the proposed Facility to protect these wetland resources as well as the integrity of the host and neighboring parcels. At the request of the State Historic Preservation Office (SHPO), an archaeological investigation was completed for the proposed Facility. This investigation confirmed that the construction of the proposed Facility would not impact unrecorded prehistoric or historic archaeological resources and no further investigations were warranted. By letter dated May 6, 2009 SHPO confirmed this finding and indicated that it too believes the proposed undertaking will have no effect on Connecticut's cultural heritage.

The proposed Facility was sited to balance and minimize other potential impacts, including visibility of the tower structure, while at the same time providing the opportunity for shared use of the towers by others carriers. The tower would be visible from a local cemetery but would otherwise not visually impact any significant aesthetic or scenic resources including residences in the area. In general, the proposed tower will have limited visual impact on the surrounding area due to the existing mature vegetation in the vicinity of the proposed site.

Conclusion

For all of the foregoing reasons, AT&T respectfully submits that the record in this proceeding fully supports the public need for a tower facility to serve Grassy Hill Road, Beaver Brook Road, Gungy Road and surrounding areas in Lyme and East Lyme and that there are no significant adverse effects from the project as proposed. Accordingly, a certificate for construction of a tower facility should be issued to AT&T to provide its service to the public and for the Town's use to improve their municipal/emergency communications network within the Town.

Very truly yours,

A handwritten signature in black ink, appearing to read "D.M. Laub", with a long horizontal flourish extending to the right.

Daniel M. Laub

cc: Michele Briggs, AT&T
Mr. David Vivian, SAI
Christopher B. Fisher, Esq.