

May 27, 2010

**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 383  
New Cingular Wireless PCS, LLC ("AT&T")  
316 Perkins Road, Southbury, 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. 383 and in lieu of a more formal brief given the lack of any formal opposition to the site. The reopened hearing was closed on April 27, 2010 and accordingly 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. This letter supplements the previous letter brief submitted on behalf of AT&T on December 23, 2009 as the first hearing for Docket 383 was closed on November 24, 2009 prior to being reopened.

**Public Need and Proposed Location**

Prior testimony of Mr. John Blevins and information provided to the Council by AT&T demonstrated that existing AT&T sites cannot serve the gap in coverage along South Street, Lower River Road, Brown Brook Road, West Purchase Road and surrounding roads and areas in Southbury and the adjoining town of Roxbury. At the April 27, 2010 hearing, it was also indicated that a facility at the proposed location will serve to be an orderly part of network design meeting coverage needs in the area defined by the challenging topography depicted in the "3D" topography map submitted as Exhibit 8.

In addition, while it was noted that the proposed site would provide marginal handoff to the proposed AT&T site 1876 to the northeast in Roxbury (4/27/20 Tr. p. 47), the area of marginal coverage between these sites has no major roadway, is sparsely developed and is dominated by the large open space owned by the Southbury Training School. 4/27/20 Tr. p. 87. The proposed facility does interact with two sites in development to the north and to the west for AT&T. 4/27/20 Tr. pp. 13-14. In sum, without the proposed facility there would be a significant hole in AT&T's network. 4/27/20 Tr. p. 37.

**Lack of Alternatives**

As provided in AT&T's responses to Interrogatories dated March 29, 2010, AT&T did explore use of western portions of the Southbury Training School property for the location of a wireless facility. 3/29/10 Responses to Interrogatories, A1 and Attachment 1. Facilities at these locations would not provide comparable coverage to the proposed site even at 350' AGL. See 3/29/10

Responses to Interrogatories, A2, 4/27/20 Tr. Pp. 27-28. In large part this is due to the varied and challenging topography of the area. 4/27/10 Tr. p. 29-30.

In addition to the Southbury Training School, at the Siting Council's request AT&T provided information regarding radiofrequency coverage from the proposed site at a lesser height, 120', along with coverage that could be provided in conjunction with an additional hypothetical facility at a number of properties identified in the original site search. 3/29/10 Responses to Interrogatories A6, A7 and A8. Indeed AT&T could not find a reasonable two-site solution that would work in this area as testified by AT&T's two radio frequency engineering witnesses, Mr. Anthony Wells and Mr. John Blevins. 4/27/20 Tr. pp. 32-33.

#### Alternate Height

During the reopened hearing on April 27, 2010, the Siting Council inquired as to the needed height of the proposed Facility. AT&T indicated that it prefers at least 140' in order to achieve coverage to the north. 4/27/20 Tr. p. 16. The total visual footprint of a lower tower at 120' would remain essentially unchanged from that of the proposed Facility. 4/27/20 Tr. p. 19. In addition a 120' tower would limit opportunities for co-location and it was surmised that once other carriers come to the area extensions above that height would be likely. 4/27/20 Tr. pp. 21-22.

#### Conclusion

For all of the foregoing reasons, as well as those set forth in prior submissions, AT&T respectfully submits that the record in this proceeding fully supports the public need for a tower facility to serve South Street, Lower River Road, Brown Brook Road, West Purchase Road and surrounding roads and areas in Southbury and the adjoining town of Roxbury. Moreover, 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,



Daniel M. Laub

cc: Michele Briggs, AT&T  
Mr. Kevin Dey, SAI  
Christopher B. Fisher, Esq.