

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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www.ct.gov/csc

November 6, 2009

TO: Parties and Intervenors

FROM: S. Derek Phelps, Executive Director

RE: **DOCKET NO. 386** – T-Mobile Northeast LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 123 Pine Orchard Road, Branford, Connecticut.

At a pre-hearing conference held November 6, 2009, at the Connecticut Siting Council's (Council) office, the Council requested that the following format be used for the public hearing scheduled on Tuesday, December 15, 2009.

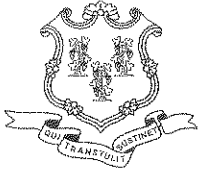
1. Before December 8, 2009, all parties and intervenors are encouraged to exchange and respond to pre-hearing interrogatories and exchange pre-filed testimony, exhibits, witness lists, and items to be noticed administratively with all other parties and intervenors. To save the time and expense of parties, intervenors, and the public, all parties and intervenors are encouraged to resolve discrepancies of these items before the hearing.
2. The 3:00 p.m. hearing session will provide the applicant, parties, and intervenors an opportunity to present exhibits and witnesses, and cross-examine positions. The applicant will be allowed to present its exhibits and witness panel, and then be subject to cross-examination by all parties and intervenors in the order that they were made parties and intervenors. All parties and intervenors will then be allowed to present their exhibits and witness panels in the order in which they were made parties and intervenors, and be subject to cross-examination by the applicant and all other parties and intervenors. The applicant will be allowed a final rebuttal. Arguments will be entertained in writing after the close of the last hearing session.
3. The 7:00 p.m. hearing session will be first reserved for the public to make brief statements into the record.
4. If time remains, the 7:00 p.m. hearing session will provide the applicant, parties, and intervenors an opportunity to complete their presentation and cross-examination.
5. The Council requests that all testimony and exhibits be pre-filed with the Council and all parties and intervenors by December 8, 2009. In accordance with the State Solid Waste Management Plan, the Council is requesting that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators.
6. The Council will provide an opportunity for public officials to make a statement.

7. No repetition of facts will be allowed.
8. A verbatim transcript of the hearing sessions will be made and deposited with the Branford Town Hall, Branford, Connecticut, for the convenience of the public.
9. Parties and intervenors will be allowed to submit briefs and proposed findings of facts within 30 days after the close of the hearing.
10. Members of the public will be allowed to submit public statements into the record within 30 days after the close of the hearing.
11. Deadlines for briefs, proposed findings of fact, and public statements should be considered final and extensions will not be automatically granted.
12. The Council may, at its discretion, provide for the grouping of parties and intervenors with the same interests.
13. Individuals will be encouraged to participate through their elected officials and other party or intervenor groupings.
14. Any person seeking to be admitted as a party or intervenor to the proceeding is requested to file a written petition with the Council on or before December 8, 2009.
15. All participants will be encouraged to be brief, concise, non-repetitious, and courteous of all other participants.
16. Enclosed is a list of items the Council wishes to notice administratively. Objections to any item on the list should be sent to the Council before the hearing.
17. A public field review of the proposed site will be held on Tuesday, December 15, 2009, beginning at 2:00 p.m. The applicant will fly a balloon between the hours of 12:00 p.m. and 4:30 p.m. at the proposed site, weather permitting, during the field review.
18. At least ten business days prior to the public hearing, the applicant shall erect and maintain, in a legible condition, a sign not less than six feet by four feet at the entrance to the property from a public road where the proposed facility is to be located. The sign shall set forth the name of the applicant, the type of facility, the public hearing date, and contact information for the Council (Web site and phone number).
19. All participants are requested to place nameplates on the table in front of each witness at the hearing.

Thank you for your cooperation.

SDP/RDM/laf

Enclosure: Administrative Notice List



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Administrative Notice List

Docket No. 386

1. OET Bulletin No. 56, Questions and Answers About Biological Effects and Potential Hazards of Radiofrequency Electromagnetic Fields, Federal Communications Commission, Office of Engineering and Technology, August 1999. <http://www.ct.gov/csc/oetno56>
2. OET Bulletin No. 65, Evaluating Compliance with FCC-Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields, Federal Communications Commission, Office of Engineering and Technology, August 1997. <http://www.ct.gov/csc/oetno65>
3. ANSI Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz, Revision of ANSI C95.1-1982, American National Standards Institute, November 18, 1992.
4. Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation, Federal Communications Commission's Report and Order, adopted August 1, 1996. <http://www.ct.gov/csc/epa-rf>
5. Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, TIA/EIA-222-F, Electronics Industries Association, June 1996.
6. Connecticut Guidelines for Soil Erosion and Sediment Control, May 2002, as amended. <http://www.ct.gov/csc/ctsoil>
7. Telecommunications Act of 1996. <http://www.ct.gov/csc/telecomact>
8. Conservation and Development Policies Plan for Connecticut 2005-2010, adopted by the Connecticut General Assembly, 2005. <http://www.ct.gov/csc/cdplan>
9. Connecticut Walk Book East, Nineteenth Edition, Connecticut Forest and Park Association, 2005.
10. Atlas of Connecticut Topographical Maps, State of Connecticut Department of Environmental Protection, Natural Resources Center, DEP Bulletin 17, 1992.
11. Connecticut Department of Transportation Policy Statement for Telecommunications Installations Within the State Highway Right of Way, Policy No. E&H.O.-53, dated August 7, 2006
12. Advisory Circular AC 70/7460-1K Obstruction Marking and Lighting, U.S. Department of Transportation, Federal Aviation Administration, August 1, 2000. Website Link: <http://www.ct.gov/csc/faa>
13. Connecticut Siting Council Statewide Plan for Telecommunications Coverage (Public Act 04-226, September 1, 2006). <http://www.ct.gov/csc/stateplan>

14. Siting Council Illustrated Primer on the Siting of Facilities Within Connecticut and Throughout the Nation
<http://www.ct.gov/csc/sitingbook>

15. State of Connecticut Department of Environmental Protection (DEP) letter to Christopher B. Fisher, regarding DEP's written interpretation of State law as it relates to the leasing of state forest and park properties for purposes of developing wireless communications tower facilities, dated August 10, 2009

16. Connecticut Official State Tourism Map, 2007-2009.

17. Mail-A-Map Street Map, (Branford), 2003.

18. Avian Collisions at Communication Towers -- Sources of Information. U.S. Fish and Wildlife Service, Division of Migratory Bird Management.
<http://www.ct.gov/csc/birds>

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> U.S. Mail	T-Mobile Northeast LLC	Julie D. Kohler, Esq. Monte E. Frank, Esq. Jesse A. Langer, Esq. Cohen and Wolf, P.C. 1115 Broad Street Bridgeport, CT 06604 (203) 368-0211 (203) 394-9901 fax jkohler@cohenandwolf.com mfrank@cohenandwolf.com jlanger@cohenandwolf.com
Intervenor (granted 10/08/09)	<input checked="" type="checkbox"/> U.S. Mail	New Cingular Wireless PCS, LLC (AT&T)	Christopher B. Fisher, Esq. Daniel M. Laub, Esq. Cuddy & Feder LLP 445 Hamilton Avenue, 14 th Floor White Plains, NY 10601 (914) 761-1300 (914) 761-5372 fax Cfishe@cuddyfeder.com