



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

February 11, 2010

TO: Parties and Intervenors

FROM: S. Derek Phelps, Executive Director

RE: **DOCKET NO. 391** - 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 232 Shore Drive, Old Lyme, Connecticut.

DOCKET NO. 392 - 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 387 Shore Road, Old Lyme, Connecticut.

DOCKET NO. 393 - 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 61-1 Buttonball Road, Old Lyme, Connecticut.

On February 4, 2010, the Connecticut Siting Council (Council) held a public field review of all three sites, an evidentiary hearing for the Docket No. 391 (Self-storage) site, and a public comment session for all three sites. However, the evidentiary record for the Docket 391 self-storage tower proposal remains open for consideration of additional information associated with the height of the tower. Currently, the proposed height of the tower is 100 feet. T-Mobile (Applicant) would locate its antennas at 100 feet, and intervenor Verizon Wireless would locate its antennas at 90 feet.

According to the record for Docket 391, 90 feet is the minimum height that would be feasible for intervenor AT&T. Since the 90-foot and 100-foot positions are not available, AT&T seeks 110 feet for its antenna height. In addition, the Town of Old Lyme seeks to install its municipal antennas at 160 feet according to a Memorandum dated February 2, 2010 that was submitted by the Town at the Docket 391 evidentiary hearing held on February 4, 2010.

Given that the tower proposal has only been noticed for 100 feet, the Council notes that if the Applicant wishes to pursue a taller tower proposal (e.g. 110 feet or 160 feet), adequate notice must be provided and sufficient evidence needs to be submitted into the record to verify its need for such height. In addition, a taller tower will require that additional evidence regarding the environmental impacts be submitted to the Council. In any event, the applicant is asked to clarify the height for which it seeks Council approval, and to ensure sufficient notice is undertaken to facilitate Council consideration of that height.

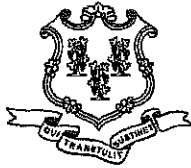
The Council also requests that T-Mobile provide affidavits regarding the three balloon flights to certify the dates, times and most importantly, the heights at which the balloons were flown. Also, the Council requests that additional information and documentation specifically pertaining to Docket 391 that was requested by the Council during the February 4, 2010 evidentiary hearing be submitted on or before March 4, 2010.

February 16, 2010

The Council will continue the evidentiary portion of this public hearing on March 2, 2010 at 11:00 a.m. in Hearing Room 1 at 10 Franklin Square, New Britain. Please note that this continued evidentiary hearing will begin with Docket No. 392. To accommodate this continued hearing date, the pre-file deadlines for Dockets 391 and 392 are hereby revised from the original date of January 28, 2010 to a new date of February 23, 2010. Revised schedules are attached for your convenience.

SDP/MP

Attachments: Revised Schedules



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DATE: February 16, 2010

TO: Council Members

FROM: S. Derek Phelps, Executive Director *SAP*

RE: **DOCKET NO. 393** - 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 61-1 Buttonball Road, Old Lyme, Connecticut.

Revised Schedule

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| Application received | 10/15/2009 |
| Completeness review | 12/18/2009 |
| Pre-hearing Questions | |
| • Set-One Filed | 12/22/2009 |
| • Set-One responses due | 01/05/2010 |
| • Set-Two Filed | 01/12/2010 |
| • Set-Two responses due | 01/26/2010 |
| Joint Pre-hearing Conference D391, D392, D393(10 a.m.) | 01/06/2010 |
| Interrogatory Exchange between Participants | 01/21/2010 |
| Pre-filed testimony due | 01/28/2010 |
| Deadline to request Party/Intervenor status | 02/23/2010 |
| Joint Field Reviews D391, D392, D393 (begin 1:00 p.m.) | 02/04/2010 |
| Joint Hearing D391, D392, D393 (3:00 p.m. & 7:00 p.m.) | 02/04/2010 |
| Pre-filed testimony due | TBD |
| Continued Hearing D393 | TBD |
| Close of Record | TBD |
| Draft Findings of Fact | TBD |
| Draft Findings of Fact, Opinion & Decision & Order | TBD |
| Deadline for Decision | 04/13/2010 |
| 180-day extension date | 10/11/2010 |

Michael Perrone
Siting Analyst

c: Lisa Fontaine, Connecticut Siting Council

**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 |
| Party <i>(granted on December 18, 2009)</i> | <input checked="" type="checkbox"/> U.S. Mail | Town of Old Lyme | The Honorable Timothy C. Griswold Office of the Selectmen Town of Old Lyme 52 Lyme Street Old Lyme, CT 06371 firstselectman@oldlyme-ct.gov |
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