

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

RE: APPLICATION BY T-MOBILE
NORTHEAST, LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED
FOR A TELECOMMUNICATIONS FACILITY
AT 166 PAWCATUCK AVENUE IN THE TOWN
OF STONINGTON, CONNECTICUT

DOCKET NO. _____

Date: January 29, 2010

**APPLICATION FOR CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED**

Pursuant to General Statutes § 16-50g *et seq.* and § 16-50j-1 *et seq.* of the Regulations of Connecticut State Agencies, T-Mobile Northeast, LLC, a subsidiary of T-Mobile USA, Inc. d.b.a. T-Mobile ("T-Mobile"), submits this application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless telecommunications facility ("Facility") at 166 Pawcatuck Avenue in the Town of Stonington ("Application").

I. EXECUTIVE SUMMARY

T-Mobile seeks to construct, maintain and operate a telecommunications facility on property known as 166 Pawcatuck Avenue in Stonington (the "Property"). The Facility would provide needed coverage to Pawcatuck Avenue, River Road and Greenhaven Road, just south of Interstate 95, and residential areas, as well as along the Amtrak rail line that passes through the area. The Facility would consist of a 120 foot monopole structure with antennas mounted thereon with T-arms and related equipment on the ground nearby. The Facility would sit within a 2,100 square foot area leased by T-Mobile, located in the northeasterly portion of the Property, which is a 5.02

acre parcel. An eight-foot high chain link fence would secure and conceal the equipment at the Facility. Vehicle access to the Facility would extend from Pawcatuck Avenue along an existing gravel driveway and across an existing cleared field. T-Mobile would add a gravel driveway, which would connect the existing driveway to the proposed Facility.

Included in this Application are survey-based plans for the proposed Facility, attached hereto as Exhibit B, and other information found detailing the proposed Facility. The reports and supporting documentation included in this Application contain the relevant site specific information required by statute and the Connecticut Siting Council's ("Council") regulations. Included herein as Exhibit D is a copy of the Council's Community Antenna Television and Telecommunication Facilities Application Guide with references to this Application.

II. BACKGROUND INFORMATION

A. The Applicant

T-Mobile is a limited liability company, organized under the laws of Delaware, with a Connecticut office at 35 Griffin Road South, Bloomfield, Connecticut 06002. The company and its affiliated entities are licensed by the Federal Communications Commission ("FCC") to construct and operate a personal wireless services system in Connecticut, which has been interpreted as a "cellular system" within the meaning of General Statutes § 16-50i (a) (6). T-Mobile does not conduct any other business in the State of Connecticut other than the provision of cellular services under FCC rules and regulations. T-Mobile is committed to use the proposed Facility as the anchor tenant.

Correspondence and/or communications regarding this Application should be addressed to the attorneys for the Applicant:

Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
Telephone: (203) 368-0211
Attention: Julie D. Kohler, Esq.
Jesse A. Langer, Esq.

B. Application Fee

The estimated total construction cost for the Facility is \$178,000.00. In accordance with § 16-50v-1a(b) of the Regulations of Connecticut State Agencies, a check made payable to the Council in the amount of \$1,000.00 accompanies this Application.

C. Compliance with General Statute § 16-50/ (c)

T-Mobile is not engaged in generating electric power in the State of Connecticut and, therefore, the proposed Facility is not subject to General Statutes § 16-50r. The proposed Facility has not been identified in any annual forecast reports and, therefore, is not subject to General Statute § 16-50/ (c).

III. SERVICE AND NOTICE REQUIRED BY GENERAL STATUTE § 16-50/ (b)

Pursuant to General Statutes § 16-50/ (b), T-Mobile sent copies of this Application to municipal, regional, State, and Federal officials. A certificate of service, along with a list of the parties served with a copy of the Application is attached hereto as Exhibit E. Pursuant to § 16-50/ (b), T-Mobile caused notice of its intent to submit this Application to be published on two occasions in *The New London Day*. A copy of the

legal notice and the publisher's certificate of publication are attached hereto as Exhibit F. In compliance with § 16-50/ (b), notices were sent to each person appearing of record as owner of a property which abuts the Facility. Certification of such notice, a sample notice letter, and the list of property owners to whom the notice was mailed are included in Exhibit G.

IV. STATEMENT OF NEED AND BENEFIT

A. Statement of Need

In amending the Communications Act of 1934 with the Telecommunications Act of 1996, the United States Congress recognized the important public need for high quality telecommunications services throughout the United States. The purpose of the Telecommunications Act of 1996 was to "provide for a competitive, deregulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies to all Americans." H.R. Conf. Rep. No. 104-458, 206, 104th Cong., Sess. 1 (1996). The Telecommunications Act of 1996 expressly preserved State and/or local land use authority over wireless facilities, placed several requirements and legal limitations on the exercise of that authority, and preempted State or local regulatory oversight of radio frequency emissions as more fully set forth in 47 U.S.C. § 332(c)(7). In doing so, Congress sought a balance between the public interest in deployment of wireless services and legitimate areas of State and/or local regulatory control over wireless infrastructure.

The Facility is an integral component of T-Mobile's wireless network in the Town of Stonington ("Town" or "Stonington"). There is a gap in coverage in this area,

specifically along Pawcatuck Avenue, River Road and Greenhaven Road, just south of Interstate 95, as well as the Amtrak rail line that passes through the area. The Facility, in conjunction with other existing and future facilities in Stonington and surrounding towns, is necessary for T-Mobile to provide wireless services to people living in and traveling through this area of the State, including the shore line and passengers on the Amtrak rail line.

The propagation plots attached hereto as Exhibit H depict T-Mobile's need for the Facility. Based upon the location of the Facility and the current lack of coverage in this area, T-Mobile cannot readily predict a point in time at which the Facility might reach maximum capacity.

B. Statement of Benefits

T-Mobile is a leading provider of advanced wireless voice and data services throughout the United States. T-Mobile has provided such services in Connecticut since the mid-1990s and remains actively involved in the deployment of state-of-the-art wireless services. In recent years, the public's demand for traditional cellular telephone services has evolved to include expectations of seamless service, wherever the public travels, and readily available access to the internet as well as the ability to send and receive voice, text, image and video through their wireless devices continuously. The ever increasing availability and enhanced sophistication of wireless services has led the public to use their wireless devices as their primary form of communication for both personal and business needs.

To help provide the benefits of wireless technologies to all Americans, Congress enacted the Wireless Communications and Public Safety Act of 1999 (the "911 Act").

The purpose of this legislation was to promote public safety through the deployment of a seamless, nationwide emergency communications infrastructure that includes wireless communications services. In enacting the 911 Act, Congress recognized that networks capable of rapid, efficient deployment of emergency services would enable faster delivery of emergency care, resulting in reduced fatalities and severity of injuries. With each year since passage of the 911 Act, additional anecdotal evidence supports the public safety value of improved wireless communications in aiding lost, ill or injured individuals such as motorists, hikers and boaters.

As an outgrowth of the 911 Act, the FCC mandated that wireless carriers provide enhanced 911 services ("E911") as part of their communications networks. These services ultimately allow 911 public safety dispatchers to identify a wireless caller's geographical location within several hundred feet. T-Mobile has deployed and continues to deploy TDOA ("Time Difference of Arrival") network technology to comply with the FCC E911 requirements. The Facility would become an integral component of T-Mobile's E911 network in this area of the state. As other wireless carriers expand their service in Stonington through the Facility, E911 services would experience additional improvement.

C. Technological Alternatives

The FCC licenses granted to T-Mobile authorizes it to provide cellular and Personal Communication Services ("PCS services") in this area of the State through deployment of a network of wireless transmitting sites. The Facility is a necessary component of T-Mobile's wireless network. The Facility will also allow other wireless carriers to provide services in this area.

Repeaters, microcell transmitters, distributed antenna systems and other types of transmitting technologies are not a practicable or feasible means to providing service within the sizeable coverage gap in this area. Terrain variations, topography and tree cover in Stonington and the surrounding area, as well as other practical factors limit the use of such technologies and preclude their implementation as alternatives to the proposed Facility. There are no equally effective technological alternatives to construction of a new tower facility for providing reliable personal wireless services in this area of Connecticut.

V. SITE SELECTION AND TOWER SHARING

A. Site Selection

T-Mobile selects a site in an area where there is an existing need or problem regarding coverage or capacity within T-Mobile's network. The site selected is the geographical location where the installation of a telecommunications facility would likely address the identified coverage or capacity issue. T-Mobile conducts a site search with the goal of finding a site that will resolve the coverage or capacity issue and minimize any potential environmental impact.

T-Mobile conducted a site search within its search ring in this area of Stonington, specifically the Village of Pawcatuck, and identified the Property as the best possible location to resolve the existing coverage concerns. The nearest telecommunication towers are already in use by T-Mobile. There are no other facilities or structures which T-Mobile could utilize to close the existing coverage gap.

The proposed Facility would allow T-Mobile to provide coverage while at the same time minimize any environmental impacts. The site of the proposed Facility:

- Would provide excellent screening from mature trees, including the heavily wooded property immediately to the north of the proposed Facility;
- Would be set back 650 feet from Pawcatuck Avenue;
- Would not require the removal or relocation of any trees; and
- Would not impact the wetland system located on the Property.

None of the other sites reviewed, or any other known and available sites, within the coverage objective, would provide adequate coverage and also allow for the same level of mitigation of environmental impacts as does the proposed site for the Facility.

The Site Selection narrative and map of rejected sites and facilities within a four mile radius, Exhibits I and J, provide a complete explanation of T-Mobile's methodology for conducting site searches, the actual search for potential sites in Stonington, and depict the locations reviewed during T-Mobile's search and the reasons for elimination from consideration of all but the Property. Due to the nature of development and terrain in the area, the Property is uniquely suited for a telecommunications tower.

B. Tower Sharing

To promote the sharing of wireless facilities in Stonington, T-Mobile proposes to construct a facility that can accommodate T-Mobile and three other wireless carriers in the Connecticut marketplace. Municipal public safety antennas also could be accommodated at no cost to the Town. Details of the design are included in Exhibit B. Materials provided by T-Mobile to the Town articulated T-Mobile's willingness to provide, free of charge, space on the proposed monopole for municipal public safety communications antennas. Verizon Wireless has expressed an interest in the Facility.

VI. FACILITY DESIGN

T-Mobile would lease a 2,100 square foot area within the Property, which is an approximately 5.02 acre parcel. The Facility would consist of a 120 foot monopole structure. T-Mobile would install up to three panel antennas per sector (three sectors) at 117'9" above grade level ("AGL") and place its equipment cabinets nearby. The compound would be enclosed by an eight-foot high chain link fence. The monopole tower and equipment compound are designed to accommodate the facilities of all wireless carriers active in the Connecticut marketplace. T-Mobile would make space available, free of charge, for municipal public safety communications.

Vehicular access to the Facility would extend from Pawcatuck Avenue over an existing gravel driveway and an existing cleared field. T-Mobile would add a gravel driveway, which would connect the existing driveway to the proposed Facility. T-Mobile would extend utility service underground from an existing transformer on the Property. Exhibit B contains plans, descriptions and other relevant information for the Facility. Exhibit K is an inland wetlands delineation report and statement of compliance. Exhibit L is a listing of residential buildings within 1000 feet of the Facility. In summary, those exhibits reveal the following:

- The nearest wetlands are 165 feet from the Facility and 75 feet from the proposed gravel driveway that would connect the existing driveway to the Facility; the construction, maintenance and operation of the Facility would not have an adverse impact on this wetland system;
- The Property is currently used for a residence and farm;
- The Facility would not require the removal or relocation of any trees; and
- The Facility would have no impact on water flow, water quality, or air quality and would comply with relevant noise regulations.

VII. ENVIRONMENTAL COMPATIBILITY

Pursuant to General Statutes § 16-50p, the Council is required to find and to determine as part of the Application process any probable environmental impact of the Facility on the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forest and parks, air and water purity and fish and wildlife. As demonstrated in this Application and the accompanying attachments and documentation, the Facility would not have a significant adverse environmental impact.

A. Visual Assessment

The visual impact of the Facility would vary from different locations around the Facility depending upon factors such as vegetation, topography, distance from the Facility, and the location of structures around the Facility. Exhibit M contains a computer-based, predictive viewshed model, which has proven to depict accurately the potential impact of the Facility from surrounding views as well as a Visual Resource Evaluation.

T-Mobile retained visibility experts Vanasse Hangen Brustlin, Inc. ("VHB") to prepare the Visual Resource Evaluation. As part of its study, on September 21, 2009, VHB conducted a balloon float test at 120 feet AGL to evaluate the potential viewshed impacts, if any, associated with the Facility. With this balloon float, VHB sought to determine the visibility impact of the Facility, accounting for local, state and federal historic and recreational sites within the study area, as well as within a two-mile radius of the proposed Site (the "Study Area").

The topography and vegetation contained at the Property and within the Study Area serve to minimize the potential visual impact of the Facility. The existing vegetation

in the area of the Property is mixed deciduous hardwood species with an average estimated height of sixty-five feet. This vegetation sits on gently rolling hills that range in ground elevation from approximately sea level to approximately 220 feet above mean sea level. The tree canopy covers nearly 4,184 acres of the 8,042 acre Study Area. The Study Area includes 105 linear miles of roadways and rail line as well as 567 miles of surface water (Wequetequock River and Pawcatuck River).

The Visual Resources Evaluation demonstrates that the Facility would be as inconspicuous as possible. Based on the viewshed analysis contained in Exhibit M, areas from which the Facility would be at least partially visible year round comprise only ninety-nine acres, which is just over 1 percent of the entire Study Area. The Facility would be partially visible year round to twelve residential properties within the Study Area, which would include four properties on Pawcatuck Avenue within the immediate vicinity of the proposed Facility; two properties along Hawley Street; two properties on South Anguilla Road; two properties on Route 184; and two properties on Greenhaven Road. Areas of seasonal visibility would comprise of approximately fifty-one additional acres, primarily within the immediate vicinity of the proposed Facility (within approximately 0.25 miles). There are approximately nine additional residential properties that may have limited seasonal views of the Facility, including eight properties along Pawcatuck Avenue and one property on Hawley Street.

The Facility would have a *de minimis* visual impact as it would be screened by the proposed fencing and existing vegetation. The Visual Resources Evaluation demonstrates that the Facility would not be obtrusive, even from most of the areas where the Facility would be partially visible. Accordingly, the proposed Facility would

not result in an unacceptable adverse visual impact. Weather permitting, T-Mobile will raise a balloon with a diameter of at least three (3) feet at the Facility on the day of the Council's first hearing session on this Application, or at a time otherwise specified by the Council.

B. Solicitation of State Agency Comments

T-Mobile submitted a request for review and comment for the Facility to the Connecticut State Historic Preservation Officer ("SHPO") and obtained the necessary maps from the database of the Connecticut Department of Environmental Protection ("DEP"). SHPO has determined that no impact is anticipated, given the nature of the terrain and soil on the Property. The DEP map reveals that the Facility would be near a wetlands system. Yet, as explained in Part VIII.D., *infra*, the Facility would not have an adverse impact on that wetland system. A copy of the SHPO correspondence and the DEP map regarding the Facility is attached hereto as Exhibit N.

C. MPE Limits/Power Density Analysis

In August 1996, the FCC adopted a standard for exposure to Radio Frequency ("RF") emissions from telecommunications facilities like the Facility proposed in this Application. To ensure compliance with applicable standards, T-Mobile performed maximum power density calculations for the Facility assuming that the antennas were pointed at the base of the tower and all channels were operating simultaneously. The resulting power density for T-Mobile's operations would be approximately 8.6489 percent of the applicable MPE standards. A copy of the power density calculations and report for the Facility is attached hereto as Exhibit O.

D. Other Environmental Factors

The Facility would be unmanned, requiring infrequent monthly maintenance visits by each carrier that will last approximately one hour. T-Mobile's equipment at the Facility would be monitored twenty-four hours a day, seven days a week from a remote location. The Facility would not require a water supply or wastewater utilities. No outdoor storage or solid waste receptacles would be needed, and the Facility would not create or emit any smoke, gas, dust or other air contaminants, noise, odors or vibrations. The construction and operation of the proposed Facility would have no significant impact on air, water, or noise quality.

T-Mobile retained EBI Consulting ("EBI") to evaluate the Facility in accordance with the FCC's regulations implementing the National Environmental Policy Act of 1969 (the "NEPA"). A copy of the NEPA Summary Report is attached hereto as Exhibit P. The site of the Facility is not designated as a wilderness area and it is not located in any areas identified as a wildlife preserve or in a U.S. Fish and Wildlife Service National Wildlife Refuge. The Facility would not affect threatened or endangered species or designated critical habitats. The only endangered species located in the area is the Piping Plover. The Piping Plover resides along coastal beaches. The proposed Facility would not be situated within the Piping Plover's natural habitat, as the site would be located away from any coastal beaches. Additionally, the proposed tower would not impact migratory bird species since the height is well below 199 feet.

No National Parks, National Forests, National Parkways or Scenic Rivers, State Forest, State Designated Scenic Rivers or State Gamelands are located in the vicinity of the site of the Facility. Further, according to the site survey and field investigations, the

Facility would not impact any federal or state regulated wetlands or watercourses. In addition, the Facility would not be located within a floodplain.

The Facility would not affect any sites, buildings, structures or objects significant to American history, architecture, culture, archeology or engineering. On September 30, 2009, SHPO issued a letter stating that the proposed Facility would not impact such resources. EBI also consulted with three Native American Indian tribes – the Mohegan Indian Tribe, the Mashantucket Pequot Tribe and the Narragansett Indian Tribe – because they might have interests impacted by the construction, operation and maintenance of the Facility. All three Tribes confirmed that they do not have any interests that would be impacted by the Facility. As such, the Facility is categorically excluded from any requirement for further environmental review by the FCC in accordance with the NEPA and no permit is required by the FCC prior to construction of the proposed Facility. See 47 C.F.R. §§ 1.1306(b) and 1.1307(a).

Finally, VHB analyzed whether the Facility meets the requirements of the Connecticut Coastal Management Act, General Statutes § 22a-90 et seq. (the “CMA”). A copy of VHB’s report is attached as Exhibit N. Although located within the “coastal boundary,” there are no “coastal resources” on the Property. There are no federal or state regulated tidal wetlands or watercourses identified on the Property. The Facility would not be located within the 100-year or 500-year flood plains. The nearest “coastal resources” are tidal wetlands associated with the Pawcatuck River, which is located approximately 3,000 feet east of the proposed Facility. Accordingly, the Facility would not impact any “coastal resources” and would comply with the requirements of the CMA.

VIII. CONSISTENCY WITH THE STONINGTON LAND USE REGULATIONS

The Facility would be consistent with Stonington's Zoning and Wetland Regulations and Plan of Conservation and Development. A description of the zoning classification of the Facility and the planned and existing uses of the Property are also detailed in this section.

A. Stonington Plan of Conservation and Development

The Stonington Plan of Conservation and Development (the "Plan"), a copy of which is included in the bulk filing, was adopted on June 29, 2004. The Plan recognizes that there is "a growing need for still more communication towers in Stonington." See Bulk Filing, the Plan § 7, p. 24. The construction, maintenance and operation of the Facility would provide the Town's residents with much needed and much requested wireless communication services. The Facility would also improve the Town's ability to provide its residents with enhanced emergency services, which is an articulated objective of the Plan. Additionally, the proposed Facility would not impact historic or coastal resources, two aspects of the Town the Plan seeks to preserve. The Facility, therefore, is in accordance with the Plan.

B. Stonington Zoning Regulations

Section 7.17 of the Stonington Zoning Regulations addresses telecommunication facilities and sites. The stated objectives of § 7.17 is to enhance the ability of telecommunications carriers to provide such services to the community quickly, effectively and efficiently, as well as to encourage collation and to minimize the potential adverse environmental impacts of such facilities. See Bulk Filing, Stonington Zoning

Regs. Art. 7, § 7.17.1. The proposed Facility meets these goals and also satisfies many of the requirements articulated by the Zoning Regulations.

The Facility would comport with the majority of the general standards for towers under § 7.17 as follows:

- Although not compliant with all of the set back requirements for RR-80 zoned properties, the Facility would be set back approximately 765 feet from Pawcatuck Road and sited away from structures on nearby properties. Stonington Zoning Regs. Art. 7, § 7.17.3.1.
- The Facility would comply with all FCC and Federal Aviation Administration (“FAA”) requirements, as well as with Connecticut Building Code requirements. Stonington Zoning Regs. Art. 7, §§ 7.17.3.3 and 7.17.3.4.
- The Facility would satisfy the criteria necessary for the construction of a new telecommunications facility, since there are no suitable existing towers or structures that can accommodate T-Mobile’s coverage goals for this area. Stonington Zoning Regs. Art. 7, § 7.17.6.4.
- The Facility would be set back more than 120 feet from any residential structure; therefore, in the unlikely event that the tower should fail, no residential structures would be within the tower’s fall zone. Stonington Zoning Regs. Art. 7, § 7.17.7.1.
- The Facility would comply with all FAA regulations and, unless required by the FAA, the Facility would not be artificially lighted. The Facility would be constructed to minimize any negative visual impacts. Stonington Zoning Regs. Art. 7, § 7.17.2.
- The Facility would not require any tree removal. Additionally, existing mature vegetation would provide excellent screening. The anticipated visual impact would be minimal. Stonington Zoning Regs. Art. 7, § 7.17.3.
- The Facility and related equipment would be secured by an eight foot high chain link fence.

Accordingly, the Facility would be largely consistent with the Town’s Zoning Regulations.

C. Planned and Existing Land Uses

The Property is currently used as a residence and farm. T-Mobile is not aware of any future development plans regarding the Property.

D. Stonington Inland Wetlands and Watercourses Regulations

The Stonington Inland Wetlands and Watercourses Regulations (“Local Wetlands Regulations”) regulate certain activities conducted in or adjacent to “wetlands” as defined therein. A “regulated activity” includes “[a]ny operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution, of such wetlands or watercourses, or within 100 feet of any wetland or watercourse” See Bulk Filing, Inland Wetlands and Watercourses Regulations, § 2.1.

According to the site survey and field investigations conducted at the Property, the Property does host a wetlands system. The proposed Facility would be approximately 165 feet from that wetland system. The proposed gravel driveway, which would connect the existing driveway and the Facility, would be 75 feet from the wetland system. T-Mobile hired VHB to ascertain whether the proposed Facility would have a detrimental impact on that wetland system. VHB concluded that the Facility would have no such impact. 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 would be established and maintained throughout the construction of the Facility. See Exhibit K.

IX. CONSULTATIONS WITH LOCAL, STATE AND FEDERAL OFFICIALS

A. Local Consultations

General Statutes § 16-50f (e) requires an applicant to consult with the local municipality in which a proposed facility may be located and with any adjoining municipality having a boundary of 2,500 feet from the proposed facility concerning the proposed and alternate sites of the facility. On September 29, 2009, T-Mobile submitted a technical report to the First Selectman, the Honorable Edward Haberek, Jr., regarding the Facility. The technical report, a copy of which is being bulk filed with this Application, included specifics about the Property, the Facility, the site selection process and the environmental effects, if any, of the proposed Facility. The cover letter accompanying the technical report is attached hereto as Exhibit Q. On November 5, 2009, T-Mobile met with the First Selectman; the Director of Public Works, Joe Bragaw; and the Town Engineer, Larry Sullivan, to discuss the proposed Facility. The Town also invited the property owners abutting the Property to attend and ask questions. In a letter, dated November 25, 2009, the Town stated that it has no issues with the proposed Facility. See Exhibit Q.

B. Consultations with State Officials

As noted in Section VII.B, *supra*, of this Application, T-Mobile undertook a consultation with the SHPO and obtained a DEP map from the DEP's database in the course of its NEPA survey. Copies of the correspondence with SHPO and the DEP map are attached hereto as Exhibit N.

C. Consultation with Federal Agencies

T-Mobile received a report from Site Safe for the Facility regarding compliance with the regulations promulgated by the FAA, which is attached hereto as Exhibit R. The results indicate that the Facility would not require FAA registration, let alone FAA review as a potential air navigation obstruction or hazard. Therefore, no FAA lighting or marking would be required for the towers proposed in this Application.

T-Mobile's FCC license permits it to modify its network by building wireless facilities within its licensed area without prior approval from the FCC provided that a proposed facility does not fall within one of the "listed" categories requiring review under the NEPA. The "listed" categories, included in 47 C.F.R § 1.1307, are activities that may affect wilderness areas, wilderness preserves, endangered or threatened species, critical habitats, National Register historic districts, sites, buildings, structures or objects, Indian religious sites, flood plains and federal wetlands. The resulting summary report, attached hereto as Exhibit P, and discussed in Part VII.D., *supra*, confirms that the Property does not fall under any of the NEPA "listed" categories of 47 C.F.R. §1.1307. Therefore, the proposed Facility does not require review by the FCC pursuant to the NEPA.

X. ESTIMATED COST AND SCHEDULE

A. Overall Estimated Cost

The total estimated cost of construction for the Facility is \$178,000.00. This estimate includes:

- (1) Tower and foundation costs (including installation) of approximately \$70,000.00;
- (2) Site development costs of approximately \$69,000.00; and
- (3) Utility installation costs of approximately \$39,000.00.

B. Overall Scheduling

Site preparation and engineering would commence immediately following Council approval of T-Mobile's Development and Management ("D&M") Plan and is expected to be completed within four (4) to five (5) weeks. Installation of the monopole structure, antennas and associated equipment is expected to take an additional eight (8) weeks. The duration of the total construction schedule is approximately thirteen (13) weeks. Facility integration and system testing is expected to require an additional two (2) weeks after the construction is completed.

XI. CONCLUSION

This Application and the accompanying materials and documentation demonstrate that a public need exists in the Town of Stonington for improved wireless services and that the Facility would not have any substantial adverse environmental effects. T-Mobile therefore respectfully submits that the public need for the Facility outweighs any potential environmental effects resulting from the construction of the Facility, and that the Council should grant a Certificate of Environmental Compatibility and Public Need for the Facility.

Respectfully Submitted,

By:  _____

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