

STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION OF NEW CINGULAR  
WIRELESS PCS, LLC FOR A CERTIFICATE  
OF ENVIRONMENTAL COMPATIBILITY  
AND PUBLIC NEED FOR THE  
CONSTRUCTION, MAINTENANCE AND  
OPERATION OF A TELECOMMUNICATIONS  
FACILITY AT 95 BALANCE ROCK ROAD,  
HARTLAND, CONNECTICUT

DOCKET NO. 408

May 9, 2011

New Cingular Wireless, PCS (“AT&T”) objects to the untimely submission of a second set of interrogatories by Heike Krauland, a party in this Docket, as prejudicial to AT&T. The Siting Council issued a memorandum dated March 8, 2011, which clearly stated that “To save the time and expense of parties, intervenors and the public, the Council requests that all parties and intervenors exchange/submit interrogatories *on or before* May 2, 2011” (emphasis added). Party Krauland’s interrogatories were received on May 3, 2011, almost two months from the date of the Council’s memorandum and beyond the timeframe established by the Council. This untimely submission of interrogatories is prejudicial to AT&T as it has less than one week to submit responses by the May 10, 2011 deadline in contravention to the Council’s intent of establishing a schedule to save time and expense.

Nevertheless, given that responses to many of the questions posed by party Krauland were provided at the hearings in this proceeding or, requested by the Council in its April 14<sup>th</sup> request for information, AT&T has provided references to the record where the requested information can be found and otherwise responded as set forth below.

NEW CINGULAR WIRELESS PCS, LLC (“AT&T”)  
RESPONSES TO HEIKE KRAULAND’S INTERROGATORIES (SET II)

Q1. In light of the fact that AT&T was required to include a site search of at least 12 properties in their application, please explain why they chose 8 properties that are “unavailable” for erecting of a communications tower when there are large parcels of residential land, many of which are adjacent to DEP/MDC properties listed in the application. The following is a list of residential properties that are of equal or greater size than the residential areas that had been included in the site search. Please explain why these properties were not explored as potential locations.

- a. Tom Sirman, 88 Balance Rock Road, East Hartland, CT 06027. Town of Hartland Assessor Map Coordinates: Sheet 16 Section 7 Property 35A. Total acreage 8.6 (abutting Ring Mountain Hunt Club)
- b. Antoine Krauland, 72 Balance Rock Road, East Hartland, CT 06027. Town of Hartland Assessor Map Coordinates: Sheet 16 Section 7 Property 35 and 33. Total Acreage 10.6 (abutting Ring Mountain Hunt Club)

- c. Liz Sottile, Old Town Road, East Hartland, CT 06027. Town of Hartland Assessor Map Coordinates: Sheet 16 Section 5 Property 1. Total Acreage 27 (less than ¼ mile East of Ring Mountain Hunt Club)
- d. Phil and Nancy Groth, Milo Coe Road, West Hartland, CT. Town of Hartland Assessor Map Coordinates: Sheet 3 Section 2 Property 2 and 3. Total Acreage 38.6 (Abutting Site Search #2 in application)
- e. Shan and Cheryl Higgens, 115 North Hollow Road, East Hartland, CT 06027. Town of Hartland Assessor Map Coordinates: Sheet 10 Section 5 Property 1. Total Acreage 26.8 (Abutting Site Search #8 in application)
- f. William Lukowski and Kathleen Kane, North Hollow Road, East Hartland, CT 06027. Town of Hartland Assessor Map Coordinates: Sheet 10 Section 5 Property 3. Total Acreage 6.8 (Abutting Site Search #8 in application)
- g. Frank Kawa, 265 Center Street, West Hartland, CT 06091. Town of Hartland Assessor Map Coordinates: Sheet 9 Section 7 Property 11. Total Acreage 50 (Abutting Site Search #5&6 in application)

A1. Please see AT&T's Exhibit No. 1, Tab 2; AT&T's Exhibit 10, Pre-Filed Testimony of David Vivian and the 3/1/11 hearing transcript, pages 219-221 for an explanation of the site search process and the specifics regarding the search for a site in this area of Hartland.

With respect to the residential locations listed above that are improved with single family homes, these locations are considered less suitable than the subject site for the siting of a tower facility in relation to the Siting Council's statutory review criteria set forth in Section 16-50p of the Connecticut General Statutes given the underlying single family residential uses as compared to the hunt club use of the subject site. (Please see AT&T's Exhibit 4, Responses to Party Sirman's Interrogatories, Response 3).

Moreover, location *d* listed above is the same as Site No. 2 listed in AT&T's Application, Tab 2 (AT&T's Exhibit 1), which was rejected due to the fact that a facility at this location would not provide adequate service. Similarly, sites *c*, *e*, *f*, and *g* listed above, which are located adjacent to or in the vicinity of sites that were analyzed and rejected for radio frequency reasons, are not viable locations for providing adequate service to the area of need.

Q2. With respect to the properties referenced in the preceding question have RF studies been conducted to see if these could be viable alternative sites?

A2. Please see Response A1.

Q3. Please clarify if AT&T currently has equipment on SBA tower #MA 12198B DEP File #306-0043 located at 241 West Granville Road, Tolland MA?

A3. Please see AT&T's Responses to Siting Council's Requests, dated May 9, 2011, Response no. 10.

Q4. Please clarify the distance from the SBA tower #MA 12198B to the eastern portion of Hartland along Route 20 (The Hollow) where AT&T is seeking coverage.

A4. Please see AT&T's Responses to Siting Council's Requests, dated May 9, 2011, Response no. 10.

Q5. Has an RF study been conducted to verify coverage from the SBA tower #MA 12198B to the eastern portion of Hartland along Route 20 (The Hollow) where AT&T is seeking coverage. Please provide coverage maps of these studies.

A5. Please see AT&T's Responses to Siting Council's Requests, dated May 9, 2011, Response no. 10.

Q6. During the December 2, 2010 public hearing in East Hartland, CT, representatives from AT&T indicated to the residents that they were willing to find a better alternative location than 95 Balance Rock Road. Has AT&T worked with town officials in locating an alternate site?

A6. During the December 2, 2010 information session before the Hartland Inland Wetlands Commission, AT&T's representatives indicated that they would evaluate alternatives that the Town or others suggested as demonstrated in the record references below.

- AT&T's Exhibit No. 4, Responses to Party Sirman's Interrogatories, Response 3;
- AT&T's Exhibit No.6, Responses to the Town of Hartland's Inquiry;
- AT&T's Exhibit No. 10, Pre-filed Testimony of David Vivian;
- AT&T's Exhibit 17; Responses to Siting Council Interrogatories Set Two, Response 2; and
- AT&T's Exhibit No. 18, Responses to Siting Council Interrogatories Set Three, Responses 1 and 2.

Q7. The Town of Hartland has indicated a potential location for a communications tower on Rte. 179, East Hartland, CT 06027, near the center of town. Would this tower in conjunction with the SBA tower #MA 12198B located at 241 West Granville Road, Tolland, MA provide coverage for the eastern portion of Hartland along Route 20 (The Hollow)?

A7. No. As detailed in AT&T's Responses to Siting Council's Requests, dated May 9, 2011, Response no. 10 and AT&T's Exhibit No. 13, Pre-filed Testimony of Anthony Wells, the distance between the tower in Tolland, MA and a potential tower on Route 179 near the center of town is too great and the terrain is too variable for this proposed tower combination to provide service to the area where service is needed.

Q8. The MDC has two existing structures within the eastern portion of Hartland along Route 20 (The Hollow). Has consideration been given or studies conducted as to the feasibility of using a repeater or other technologies on the existing structures solely or in conjunction with the SBA tower #MA 12198B; a potential tower located near the center of Hartland on Rte 179; or a potential tower located at the DOT facility on North Hollow Road (Rte 20), Hartland CT.

A8. Please see the 3/1/11 hearing transcript page 233 regarding the elevation of the MDC structures, which are substantially lower than the proposed site and surrounding area. Please see AT&T's Responses to Siting Council's Requests, dated May 9, 2011, Response no. 10 regarding the infeasibility of the tower in Tolland, MA and Response no. 5 regarding the infeasibility of the DOT salt shed location. Please see the 3/1/11 hearing transcript pages 97-103 and AT&T's

Responses to Siting Council's Requests, dated May 9, 2011 Supplemental Response III for an explanation of why alternate technologies are not viable alternatives.

Q9. Would a repeater or other technologies on the existing MDC structures in The Hollow provide coverage if used in conjunction with the SBA tower #MA 12198B located at 241 West Granville Road, Tolland, MA and the potential Town of Hartland Tower on Rte 179?

A9. Please see response no. 8 above.

Q10. During the March 1, 2011 CSC hearing docket #408, Anthony Wells testified that a tower at the DOT garage would not provide adequate coverage to the target area in The Hollow. Has an RF study been conducted as to the feasibility of using a repeater or other technologies on the existing MDC structures in the Hollow to obtain coverage?

A10. Please see the 3/1/11 hearing transcript pages 97-103 and AT&T's Responses to Siting Council's Requests, dated May 9, 2011 Supplemental Response III for an explanation of why alternate technologies are not viable alternatives.

Q11. When conducting the visual analysis what measures are taken to ensure the accuracy of the balloon height while in flight? When superimposing a cellular tower into the photographs is consideration given to height loss that occurs due to the angulation of the balloon? Are wind and weather conditions taken into consideration when determining the actual balloon height while flying? If the balloon is not flying perfectly vertical, is this documented in the visual analysis report? Please explain what measures are taken to compensate for any height loss or movement that occurs due to wind and weather conditions?

A11. The balloon is generally used as a visual marker during the in-field activities and to cross-reference the 3-D model upon which the simulations are based. Please see AT&T's Exhibit No.7 Comparative Visual Resource Analysis for a detailed description of the methodology and visibility analysis. The analysis also provides a description of weather conditions during the December 30<sup>th</sup> balloon float which included sunny skies and calm winds.

Q12. Are there other technologies that would better represent the geographic location and height of the cellular tower in the visual analysis?

A12. Please see response no. 11 above; and VHB's testimony.

Q13. AT&T frequently references both in the application and during testimony the August 16, 2010 public information session before Hartland Planning and Zoning commission. Are you aware that of the three Planning and Zoning members present during this meeting that one member was a former president at the Ring Mountain Hunt Club?

A13. AT&T is not aware of the background of any of the Hartland Planning and Zoning Commission members and submits that such information is not relevant in this proceeding.

CERTIFICATE OF SERVICE

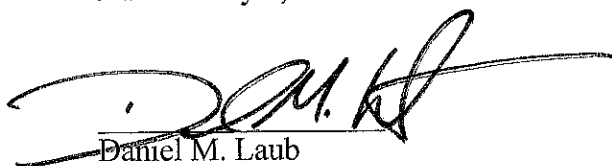
I hereby certify that on this day, a copy of the foregoing was submitted electronically and by overnight mail to the Connecticut Siting Council and to:

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Dated: May 9, 2011



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