

August 9, 2011

BY ELECTRONIC MAIL & OVERNIGHT MAIL

Hon. Robert Stein, Chairman
and Members of the Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Docket No. 409
AT&T
Application for Certificate of Environmental Compatibility and Public Need
8 Barnes Road, Canaan (Falls Village), Connecticut
Draft Findings of Fact

Dear Chairman Stein and Members of the Council:

On behalf of AT&T, we respectfully submit the following comments regarding the Council's Draft Findings of Fact in Docket No. 409 dated July 28, 2011.

State Agency Comments

- The Connecticut Department of Transportation indicated that they had no comments on the proposal in correspondence dated November 24, 2010.
- Post hearing comments were not submitted by any State Agency.

Municipal Consultation

- Draft Finding of Fact Number 15: "This relocation shortened the proposed access drive by 1,040 feet, *improved service to the area and minimized the need for additional tower sites in the future.*" (AT&T 1, p.24; Tab 10).
- Details of the re-located proposed facility were provided to the Town in correspondence dated September 10, 2010. (AT&T 1, Tab 10).
- The results of AT&T's analysis of the two alternative properties, Music Mountain and Century Aggregate, were provided to the Town in correspondence dated March 24, 2010. (AT&T 1, Tab 10)

Public Need for Service

- Per Presidential Proclamation No. 84670, cellular phone towers are part of the nation's critical infrastructure vital to the United States. Proclamation No. 84670, 74 Fed. Reg. 234 (December 8, 2009).

Site Selection

- Draft Finding of Fact Number 34a) “Installing antennas at the 140-foot level of this 150-foot tower would not meet coverage objectives *due to the overall distance to the area where service is needed and the intervening terrain.* (AT&T Ex. 1, Tab 1, 2/17/11 Hr. Tr. 3 p.m. P. 96).

Facility Description

- With respect to the access drive, the Council has no legal authority to interpret or consider an Applicant’s real estate rights as set forth in a lease, deed, right-of-way easement or other legal document. (6/16/11 Hr.Tr. P.152).

Environmental Considerations

- Draft Finding of Fact Number 76: *The proposed facility can be designed to decrease the existing rate of run-off from the site.* (6/16/11 Hr. Tr. P.58-59).

Visibility

- The balloons flown on February 17, 2011, the day of the hearing were not visible from 36 Barnes Road. (6/16/11 Hr. Tr. P. 140).

Thank you for your consideration of this information.

Very truly yours,



Lucia Chiochio

cc: Robert Mercier, Siting Analyst
Linda Roberts, Executive Director
Ellery W. Sinclair, Town of Canaan (Falls Village)
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