

445 Hamilton Avenue, 14th Floor White Plains, New York 10601 Tel 914.761.1300 Fax 914.761.5372 www.cuddyfeder.com

October 8, 2013

## BY EMAIL & FEDEX

Chairman Robert Stein and Members of the Connecticut Siting Council Ten Franklin Square New Britain, Connecticut 06051

Re:

Docket 412

SBA Towers III

Request for Extension

Wewaka Brook Road, Bridgewater, Connecticut

Dear Chairman Stein and Council Members:

On behalf of SBA Towers III ("SBA"), please accept this letter regarding the captioned Facility for which the Siting Council issued a Certificate of Environmental Compatibility and Public Need in Docket 412.

Condition 8 of the Decision and Order dated January 5, 2012 required the approved facility to be fully constructed and providing wireless services within eighteen months from the date of the mailing of the Council's Findings of Fact, Opinion, and Decision and Order. That date was estimated as July 5, 2013. The Siting Council previously approved an extension of that deadline to the end of this calendar year.

The Facility is fully funded and under construction by SBA. Indeed, bridge replacement is in place and near completion. Recently, however, CL&P relayed to SBA certain requirements it has for the utility easement, the utility run itself and the access drive to the site. Following a recent site walk involving participants from CL&P and SBA, it was determined that some modifications to the easement area, access drive and utility run would satisfy CL&P's requirements.

These items will be included in a revised D&M drawing for submission to the Siting Council. The changes will likely include hand holds for the utility conduit, some minor modifications of the storm water swales and road widths in select areas (to accommodate CL&P's trucks and outriggers) as well as a small pull off for trucks along the access drive. Final details for these modifications should be finalized and ready for submission to the Siting Council in the next few weeks.

At this time it appears that work regarding the development of the site and installation of telephone and electric utilities will take longer than originally estimated and will extend well into 2014. We respectfully request an extension of the Certificate deadline to the end of calendar year 2014 which should allow SBA, AT&T and CL&P sufficient time to complete construction, connect utilities and bring the approved Facility on air.

Should the Council or Staff have any questions regarding the foregoing please do not hesitate to contact me.

Thank you for your consideration of the enclosed.

Very truly yours,

Daniel M. Laub

cc: Service List

Sean Gormley, SBA Michele Briggs, AT&T Christopher Fisher, Esq.

## DOCKET 412 CERTIFICATE OF SERVICE

I hereby certify that on this day, an original and fifteen copies of the enclosed was served on the Connecticut Siting Council by overnight delivery and electronic copy, with additional copies to:

Town of Bridgewater Represented by: Keith R. Ainsworth, Esq. Evans, Feldman & Ainsworth, LLC 261 Bradley Street P.O. Box 1694 New Haven, CT 06510

Town of Bridgewater Represented by: Hon. William Stuart, First Selectman Town of Bridgewater 44 Main Street South Bridgewater, CT 06752

Owner: Ed Bennett 89 Wewaka Brook Road Bridgewater, CT 06752

Dated: October 8, 2013

Daniel M. Laub