

STATE OF CONNECTICUT  
SITING COUNCIL

In Re : DOCKET #413  
Cellco Partnership d/b/a Verizon Wireless :  
Application for a Certificate of :  
Environmental Compatibility and :  
Public Need for a telecommunications :  
facility located at :  
723 Leetes Island Road, Branford, Connecticut :  
:  
: APRIL 15, 2011

**MOTION TO COMPEL T-MOBILE TO PROVIDE MORE COMPLETE RESPONSES  
TO DISCOVERY REQUESTS**

The Town of Branford hereby moves the Connecticut Siting Council to require T-Mobile to provide more complete responses to discovery requests made in good faith by the host community to the proposed facility.

On April 6<sup>th</sup>, the Town submitted its interrogatory requests as a single joint set to be answered by each party to this action as appropriate. On April 13<sup>th</sup>, the Town received responses from T-Mobile which only partially respond to the Interrogatories. While the other parties properly interpreted the Interrogatories and fairly responded, T-Mobile took the least charitable position in responding.

Specifically, T-Mobile declined to respond to Interrogatories 1 through 5 and 7, 19, 26 as directed to the Applicant. The questions asked apply equally to T-Mobile and seek the basis for coverage plots submitted in response to Council Interrogatory #4. Those Interrogatories are relevant and appropriately focused on determining the validity and foundation for technical submissions upon which this Council is to base its decision and should be answered.

With regard to Interrogatory 23, the question regarding T-Mobile's employment of specific stealth technologies and techniques was objected to as being overly broad, but from the response it appears that the answer more reasonably would have been to respond whether T-Mobile has employed the specific techniques or technologies and to have limited its response to Connecticut as Verizon did. The Town of Branford would consider an answer which limits the response to Connecticut installations and if there are so many instances in Connecticut, that representative examples would suffice.

With regard to Interrogatory #31 which sought information on the percentage of dropped calls in Branford versus the Market trading area which includes Branford T-Mobile objected on the grounds that the market trading area might be very large. This is not a proper objection, as the Interrogatory seeks to determine whether the dropped call percentage is greater in the target area of Branford as opposed to the area for which T-Mobile is licensed. Either T-Mobile possesses the data or it does not possess it.

As to Interrogatory #33 and #37, T-Mobile did not object but instead unilaterally refused to respond to the Interrogatory request to provide more useful coverage plots. T-Mobile possesses the capability of providing enhanced coverage plots with shorter bins. Over time some applicants and intervening carriers have begun providing coverage plots which use bins depicting the -dBm signal strengths in broad ranges such that the plots begin to depict areas which fall outside of the requested signal strength as white or uncovered space. If coverage plots were generated as they have in the past in colored increments of -3dBm, the projected coverage would be more fairly represented especially given that the margin of error in reliable coverage is greater than -1dBm as suggested by the submitted plots.

The nature of the submitted coverage depictions is that they suggest that any signal

below the target signal strength would provide inadequate coverage when that is not necessarily true.

Wherefore, since the ability to present the data in a more accurate format is readily available, and such formats have been removed from recent Council submissions by choice, the Interrogatory request is reasonable and should be responded to.

Finally, with regard to Interrogatory #39, the Town requested information regarding the configurations of T-Mobile installations on adjacent sites to which the proposed site would potentially handoff – those sites in Branford or adjacent Towns with sectors directed into Branford. The information requested is technical data which would assist an intervening party in analyzing data which is otherwise solely in the control of the applicant or intervening carrier. In fairness, the information would provide the Town and the Council with additional information upon which they could test the sufficiency of the proposed facility.

With respect to T-Mobile's claim of the proprietary nature of the information requested, the Town submits that neither the Council nor an intervenor can properly make technical decisions without access to the basis upon which the submissions are made, otherwise everything must be taken on faith. The Town requests that the information be provided outright or that an appropriate protective order be put in place such that use of the information may be limited to these proceedings as is commonly done in court proceedings.

Wherefore, the Town requests supplemental responses to its Interrogatories.

Respectfully Submitted,

The Town of Branford,

By \_\_\_\_\_

Its Attorney

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## CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing was deposited in the United States mail, first-class, postage pre-paid this 15th day of April, 2011 and addressed to:

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