

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

RE: APPLICATION BY CELLCO
PARTNERSHIP, d/b/a VERIZON WIRELESS,
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED
FOR A TELECOMMUNICATIONS FACILITY
AT 36 RITCH AVENUE, IN THE TOWN OF
GREENWICH, CONNECTICUT

DOCKET NO. 414

Date: March 22, 2011

**INTERROGATORY RESPONSES TO JOHN HARTWELL FROM
INTERVENOR T-MOBILE NORTHEAST LLC**

The Intervenor, T-Mobile Northeast LLC ("T-Mobile"), submits the following responses to the first set of Pre-Hearing Interrogatories propounded by John Hartwell in connection with the above-captioned Application.

1. As part of the conditions of a settlement with AT&T it was agreed to put the existing tower at 36 Ritch Ave. W. with no additional carriers permitted on the Site. The neighbors were told they were protected by law from any further increase in wireless companies and therefore accepted this as the last negative impact on their property. Why does Cellco feel they are above this legal agreement which neighbors depended on and if approved will lead to costly legal action and was recognized by T-Mobile in an article in the Greenwich Time dated February 8th 2010? (attached)

Ref. cover sheet to litigation between AT&T Wireless Services and the town of Greenwich dated September 6, 2001 - attached to letter of Diane Fox to the Siting Council dated January 12, 2011.

Ref. Planning and Zoning Commission Dec 11, 2001 - Action agenda with decisions - Item 2 Settlement of pending litigation - Motion to approve settlement of pending litigation - attached to letter of Diane Fox to the Siting Council dated January 12, 2011.

Ref. letter from Diane Fox, Town of Greenwich Planner dated January 11, 2002 - item 6 "This monopole is for AT&T use only and is limited to this one user" - attached to letter of Diane Fox to the Siting Council dated January 12, 2011.

Ref. letter from Diane Fox, Town of Greenwich Planner dated August 20, 2002 - item 3 "This monopole is for AT&T use only and is limited to this one user" item 4 - "no other structures are permitted on site except for those shown on the approved plans" - attached to letter of Diane Fox to the Siting Council dated January 12, 2011

Ref: Greenwich Time Article dated February 8, 2010 - "AT&T isn't interested in increasing the height of the tower because of previous litigation it had with the town, T-Mobile said".

Ref. letter from Diane Fox, Director of Planning and Zoning, dated September 18, 2008 to the Siting Council - Item 5 - "It should be noted that the court settlement for the tower restricted the tower to one carrier only".

Ref: Greenwich Planning and Zoning Commission Hearing dated October 26, 2010 - page 61-62 - "So it's a legal issue, there's no question about that".

Ref. Greenwich Planning and Zoning Commission proceedings regarding Cellco on Nov 9th, 2010 - page 12 - references a settlement of a federal appeal that there could only be one carrier.

Ref. letter of Diane Fox dated November 22, 2010 - to the Siting Council and Mr. Kenneth Baldwin - page 4 second paragraph - existing AT&T tower was to settle an appeal brought by AT&T. Part of the commission's approval of this site plan was that the tower was limited to one carrier, namely AT&T.

Ref. letter from Diane Fox, Director Planning and Zoning, to the Siting Council dated January 12th, 2011. Second paragraph states the AT&T tower was to settle an appeal and the tower was limited to one carrier only.

- A1 T-Mobile has not commented on the legality of the "settlement" referenced in Interrogatory 1. The Greenwich Time article, dated February 8, 2010, related to a different telecommunications facility proposed by T-Mobile. T-Mobile did not address the purported "settlement" in that article. Rather, T-Mobile articulated its understanding of New Cingular Wireless PCS, LLC's interest in developing the existing telecommunications facility at 36 Ritch Avenue at that time. T-Mobile is an intervenor in this proceeding and seeks to co-locate on the telecommunications facility at 36 Ritch Avenue ("Facility") as proposed by the Applicant, Cellco Partnership d.b.a. Verizon Wireless ("Verizon").**

2. T-Mobile Interrogatory responses dated Feb 24, 2011 - Page 3, A7,

Item 2. 38 Gold Street - T-Mobile's RF Engineers determined that this parcel would not meet the intended coverage objective because it was too far to the West. This parcel is not far from 36 Ritch Ave W and already has a twenty five foot flagpole. If 38 Gold Street does not meet the coverage, how can 36 Ritch Ave. W.

Item 5, - 10 Hamilton Avenue (Bimbo Bakeries) "T Mobile's RF engineers determined that this parcel would not meet the intended coverage because it was too far to the South" This location is very close to the proposed location at 36 Ritch Ave W. If 10 Hamilton Avenue is too far south how can 36 Ritch Ave. be acceptable. They should each be acceptable or too far south.

Item 6, 44 Talbot Lane - Apparently this site was acceptable. As it is very close to the site at 38 Gold Street, why does Gold street not meet the intended coverage?

Item 6, 44 Talbot Lane - "T- Mobile considered this parcel as an alternative site to the Facility at the time the Facility was not available for co-location" What makes the Facility now available for co-location?

A2 T-Mobile provides responds to this Interrogatory as follows:

Item 2 (38 Gold Street): This parcel is approximately 0.4 miles west of the Facility. It is close to an existing T-Mobile telecommunications facility located at 124 North Main Street, Port Chester, New York. Additionally, the parcel is too far from the coverage objective, which includes the Interstate 95 corridor and the Delavan Avenue intersection, as well as the areas surrounding Delevan Avenue and Mead Avenue.

Item 5 (10 Hamilton Avenue): This parcel is located too far north to achieve the intended coverage objective. A facility situated on this parcel would not reach the areas surrounding Delavan Avenue.

Item 6, 44 Talbot Lane: See Item 2 above.

Item 6 (44 Talbot Lane): T-Mobile interprets the last component of this Interrogatory as relating to the proposed Facility at 36 Ritch Avenue. Verizon has made space available on the Facility to co-locate T-Mobile's antennas. A telecommunications facility at this location would achieve T-Mobile's coverage objective.

3. Ref: Interrogatory Responses dated Feb 24, 2011 - Page 4 - You mention seven sites with the same explanation - "T-Mobiles RF engineers determined that this parcel would not meet the intended coverage objective" Sites three thru seven already consist of tall buildings or structures. How much higher on these structures would T-Mobile need to go to achieve the intended coverage.

A3 T-Mobile provides responds to this Interrogatory as follows:

Life Saver Building (One Landmark Square): This parcel is located too far west of the coverage objective. Additionally, the building on this parcel is located between two existing T-Mobile on-air rooftop sites: (1) CT11911D located at 167-169 Terrace Avenue, Port Chester, NY and (2) NY09255C located at 125 North Main Street, Port Chester, NY. T-Mobile would not consider this location at any height above the existing rooftop level.

Smokestack (Fox Island Road): This parcel is too far south of the coverage objective. The smokestack is south of a raw land facility proposed by T-Mobile at 31 Purdy Avenue, Port Chester, NY. This is a different coverage area and would not provide the coverage required for T-Mobile's coverage objective in the area of the Facility. T-Mobile would not consider this candidate at any height.

Hasco Building (84 Water Street, Greenwich): This location is immediately across the river from T-Mobile's on air-site NY09255C. This building is located too far west of the coverage objective. T-Mobile would not consider this building at any height because of its proximity to on air-site NY09255C.

Westy Storage (351 North Main Street, Port Chester, NY): This parcel is located too far west of the coverage objective. Additionally, this building is located between two existing T-Mobile on-air rooftop sites: (1) CT11911D located at 167-169 Terrace Avenue, Port Chester, NY and (2) NY09255C located at 125 North Main Street, Port Chester, NY. T-Mobile would not consider this location at any height above the existing rooftop level.

Clock Tower (451 North Main Street, Port Chester, NY): This parcel is located too far west of the coverage objective. Additionally, this building is located between two existing T-Mobile on-air rooftop sites: (1) CT11911D located at 167-169 Terrace Avenue, Port Chester, NY and (2) NY09255C located at 125 North Main Street, Port Chester, NY. T-Mobile would not consider this location at any height above the existing rooftop level.

4. Ref: Interrogatory Responses dated Feb 24, 2011 - You mention a town owned parcel behind a weigh station off of I 95/Field point Road. Did you consider the weigh station on I 95 between exits 2 & 3? Did you pursue this as an alternative? It would seem you are trying to cover a section of I 95 which this would obviously handle best.

A4 T-Mobile's RF engineers determined that the weigh station would not meet the intended coverage objective because it is too far to the north.

5. Cell Tower Alternatives - What have you done to pursue Cell Tower alternatives such as DAS. Two consultants have informed me that it will work in the area you are concerned about. When questioned regarding DAS in the North Mianus area of Greenwich at the October Board of Selectmen meeting, T - Mobile mentioned it would not work because of topography. However, a wireless company, Isotrop Wireless, performed a study on assessments of options for wireless communications in the North Mianus area of Greenwich. It showed that Distributed Antennae Systems will work and a series of DAS nodes would cover the area. I have contacted another independent consultant to perform an official study to determine if DAS will work at the 36 Ritch Ave. Site as we have been told it would. As the cost of the study is prohibitive for me I am asking the Town of Greenwich to pursue this study.

A5 T-Mobile respectfully interposes the following objection: any requirement or preference for alternative technologies is preempted by federal law; accordingly, any action by a state or local government entity to dictate or encourage the adoption of alternative technologies interferes with the federal regulatory scheme and is preempted. Without waiver of its rights under federal law, T-Mobile voluntarily provides the following information, responsive to this interrogatory.

T-Mobile is an intervenor in this proceeding and seeks to co-locate on the Facility proposed by the Applicant, Verizon.

Nevertheless, an Outdoor Distributed Antenna System ("Outdoor DAS") is not a viable alternative to the proposed Facility. The area to be served by the proposed Facility encompasses a large area, including Interstate 95, Delevan Avenue, Byram Road and Ritch Avenue east of Route 1, as well as the residential and business areas surrounding the Delevan Avenue and Byram Road corridors in the vicinity of the proposed Facility. While it is difficult to respond to this interrogatory with specificity due to the absence of an existing concrete Outdoor DAS plan, based on a review of the existing conditions found in the area where the Facility is proposed, an Outdoor DAS system faces a panoply of technical problems, including, but not limited to:

- (A) The unavailability of a sufficient number of existing utility poles on which to string fiber-optic cable and install Outdoor DAS nodes;
- (B) The general, relatively low height of those utility poles that do exist and might be used for the Outdoor DAS nodes;
- (C) The existing, uneven terrain and mature vegetation, which would prevent Outdoor DAS nodes from providing reliable coverage throughout the area where there is currently a gap in coverage;
- (D) The unavailability of unused fiber-optic cables (dark fiber), to serve as the backbone for the Outdoor DAS network; and
- (E) The need to access easements, enter pole attachment agreements to use the various utility poles, and/or secure conduit agreements, the complexity of which is compounded by the large number of Outdoor DAS nodes necessary to provide reliable wireless service over the coverage area which the proposed Facility is designed to serve.

In designing Outdoor DAS systems, these items and others must be studied before any technical design can be performed. Failure to do so can cause a major flaw in the Outdoor DAS network design relative to coverage and capacity. It is for these reasons that Outdoor DAS networks are typically deployed only in limited circumstances where a traditional macro-cell site cannot provide reliable coverage and an Outdoor DAS system is shown to be a better alternative. Furthermore, today's wireless systems provide enhanced communications beyond just voice along the roadways or transportation corridors. The demand to provide reliable in-building coverage for voice and data communications, as well as to provide for enhanced 911 access, is a paramount requirement in today's wireless environment.

As a general overview, in an Outdoor DAS system, the base station equipment is located at the end of the fiber run(s). The information is then transferred from pole to pole via fiber-optic cable from a base station hotel to each of the pole attachments. In essence, the wireless system becomes a mesh of wires connecting all of the end points or "nodes." Ultimately, what started out as a wireless system becomes a hybrid wired/wireless network. Moreover, Outdoor DAS systems generally rely upon low-powered nodes (with the available output power at each node shared by one or more wireless carriers) that use short omni-directional antennas or lower gain panel antennas with limited choices for patterns. These limitations make it difficult for a carrier to maintain control over the design

and optimization of a wireless network. By contrast, traditional macro-cell site architecture allows a wireless provider to use directional antennas, specific antenna patterns, and customized orientation or down tilt to allow for optimum coverage and minimal interference. Using antennas that can focus in on one specific direction, also known as "sectorization," is especially important to avoid interference over 3G wideband CDMA networks like the one T-Mobile operates.

Additionally, T-Mobile provides wireless services to customers using a national network of more than 40,000 independent cell sites. T-Mobile is not a certified telecommunications provider in Connecticut, and thus it does not possess the regulatory authority necessary to secure pole attachment rights and/or gain access easements, both of which would be critical in constructing an Outdoor DAS system in the area in question.

The combination of these factors makes the operation of a DAS network over such a large geographic open area infeasible, especially for T-Mobile, and these issues are thus among the many reasons why most DAS networks are deployed in controlled / confined environments.

6. Ref: Greenwich Planning and Zoning Commission dated October 26, 2010 - page 39 - Mrs. Fox asked "would there also be a condition of removing whatever antennas and carriers once they are no longer needed? With new technology that may be a question" - There are today less obtrusive alternatives to cell towers. As technology improves there will be more and more of these options preferable to communities. What is Cellco's position on replacing cell towers with newer technology for the better of the community?

- A6** T-Mobile is committed to developing and maintaining a quality network upon which T-Mobile's customers rely. Over 91 percent of Americans own a mobile device and 1 out of every 4 households relies on a mobile device as their primary form of communication. On a daily basis, approximately 60,000 E911 calls are made on T-Mobile's network. T-Mobile will continue to maintain and develop a communications network utilizing all technologies available that will meet the demands of our customers.

Respectfully Submitted,

T-MOBILE NORTHEAST LLC

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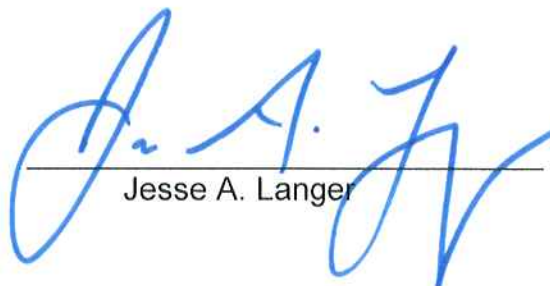
CERTIFICATION

I hereby certify that on this day a copy of the foregoing was delivered by Electronic Mail and regular mail, postage prepaid, to all parties and intervenors of record, as follows:

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