DOCKET NO. 439 – Message Center Management, Inc. and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at Bates Woods Park, New London, Connecticut.	}	Connecticut Siting Council

October 31, 2013

Opinion

Message Center Management, Inc. (MCM) and New Cingular Wireless PCS, LLC (AT&T) applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and operation of a wireless telecommunications facility located at Bates Woods Park in New London, Connecticut. AT&T's objective for this facility is to provide reliable wireless telecommunications services in the Route 1, Route 85 and Interstate 95 area of New London.

The proposed tower site is located in Bates Woods Park, a 124-acre recreational park owned by the City of New London that contains several athletic fields, a dog kennel, and wooded areas. MCM, as the Certificate holder, proposes to construct a 115-foot monopole at the edge of the west ball field, adjacent to a wooded area. The proposed tower is in the location of an existing 90-foot tall light pole serving the field. MCM would locate two racks of lights on the monopole, at an approximate height of 90 feet. AT&T would locate 12 panel antennas on a platform at a centerline height of 112 feet. T-Mobile Northeast has an existing facility on the roof of the New London High School adjacent to the park, and may locate at the 102-foot level of the tower depending on when the City undergoes a school renovation project.

Given the two racks of field lights on the pole and an ice shield above the lights, no other carriers would be able to locate at the facility; thus, MCM would build the tower to accommodate an extension up to 145 feet above ground level. If the extension was fully developed, three additional carriers could locate on the tower. Any proposed extension of the tower would need Council approval.

AT&T proposes to operate 850 MHz (cellular), 1900 MHz (PCS), and 700 MHz (LTE) service equipment at the site. AT&T does not have reliable coverage to the proposed service area, defined by AT&T as less than -82 dBm for roadways and -74 dBm for residential areas. AT&T's existing signal strength in the proposed service area ranges from less than -100 dBm to -82 dBm. The proposed site would provide AT&T with 0.8 square miles of new coverage (-82 dBm) within the City as well as significantly increasing the amount of available in-building data coverage (-74 dBm) in the areas of Jefferson Avenue, Route 1, Chester Street, Broad Street, Williams Street, and Vauxhall Street in New London and Fog Plain Road, and Clark Lane in Waterford.

An equipment compound, generally rectangular in shape, would be constructed at the edge of the ball field. It would be located at the top of a slope that would be armored with rip-rap. Access would be from an existing park maintenance driveway traversing the edge of the athletic field area. A small gravel parking area/compound access way would be installed adjacent to the driveway. Utility service to the compound would be installed underground from an existing utility pole located in the park's parking lot and would run through a grassy area between the east and west athletic fields to the compound.

AT&T, at this time the facility's sole tenant, plans to install an equipment shelter and a generator within the fenced compound. The site owner, MCM, has no current plan to install a generator that would accommodate others. Since co-location here is likely, however, the Council encourages MCM to collaborate with AT&T on considering a generator sized appropriately to accommodate multiple carriers, thus maximizing backup power in the event a power outage occurs.

Development of the site would require the removal of two trees. No wetlands would be directly affected by construction. The nearest wetland is located approximately 285 southeast of the site in a wooded portion of the park. The site would have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. There are no known state or federal endangered, or threatened, or species of special concern in the project area.

Based on an examination of AT&T's coverage objectives and the physical and environmental impacts of the proposal, the Council finds the proposed site suitable. The site is supported by the City and would provide needed telecommunication services in a coastal area. Development of the site itself would have no adverse environmental effect, as it located in a previously disturbed area and would be accessed by an existing driveway.

The Council finds that the replacement of the existing 90-foot light pole with an 115-foot tower would have a minimal effect on visibility, given the number of existing light poles in the field area and the amount of tree cover nearby that offers sufficient screening to the surrounding area. Moreover, replacing an existing structure in like kind fulfills the legislature's policy of sharing structures, and thus avoiding the unnecessary proliferation of towers.

Views of the tower would be limited to open areas adjacent to the park and high school. Given that there are light poles in the park with two different finishes, galvanized and weathered steel, the Council will direct MCM to consult with the City to determine the City's preference for the final tower finish.

According to a methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997), the combined radio frequency power density levels of AT&T's antennas proposed to be installed on the tower have been calculated to amount to 11.2 percent of the FCC's General Public/Uncontrolled Maximum Permissible Exposure, as measured at the base of the tower. This percentage is well below federal and state standards established for the frequencies used by wireless companies. The Council will require that the power densities be recalculated in the event other carriers add antennas to the tower, including the Town's emergency communication antennas. Also, if federal or state standards change, the Council will require that the tower be brought into compliance with such standards. The Telecommunications Act of 1996 prohibits any state or local agency from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions.

Based on the record in this proceeding, the Council finds that the effects associated with the construction, operation, and maintenance of the telecommunications facility at the proposed site, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate either alone or cumulatively with other effects when compared to need, are not in conflict with policies of the State concerning such effects, and are not sufficient reason to deny this application. Therefore, the Council will issue a Certificate for the construction, operation, and maintenance of a 115-foot monopole telecommunications facility at the proposed site.