

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

March 10, 2016

BY ELECTRONIC & FIRST CLASS MAIL

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

Re:

Docket 464

Blue Sky Towers, LLC (Blue Sky) & New Cingular Wireless PCS, LLC (AT&T) Application for Certificate of Environmental Compatibility and Public Need

Chapin & Bangs Property

220 Evergreen Street, Bridgeport, Connecticut

Dear Chairman Stein and Members of the Council:

On behalf of Blue Sky Towers, LLC ("Blue Sky") and New Cingular Wireless PCS, LLC ("AT&T"), please accept this letter filing as our brief in support of the Certificate Application in Docket No. 464. Our letter outlines the reasons why we believe the record in this proceeding supports approval of the proposed facility in accordance with Section 16-50p of the Connecticut General Statutes. Additionally, this letter contains information as requested by the Council as part of the thirty day post-hearing comment period.

As the Council is aware, a petition was approved for a temporary tower facility at 220 Evergreen Street in Bridgeport which is the site of a storage yard used in a steel fabrication business. The temporary tower facility was needed as a short term replacement for AT&T's current use of a coal silo as a wireless site (the "HiHo Site") for the reasons outlined in the Council's ruling in Petition 1169. The temporary tower is currently constructed and Docket 464 is Blue Sky and AT&T's application for a Certificate to construct a permanent tower facility at the same site location in Bridgeport, Connecticut.

AT&T's radiofrequency engineers testified that a permanent tower site is needed in conjunction with other existing facilities to maintain and enhance AT&T's 4G LTE service in this area of Bridgeport. Relocation from the existing HiHo Site is required for numerous reasons as outlined in the Docket 464 application materials and findings of the Council which led to its ruling in Petition 1169.

As part of its search for a permanent relocation site, AT&T evaluated any existing structures in this area of Bridgeport, none of which were technically viable or made available by property owners for siting of a wireless facility. As such, AT&T partnered with Blue Sky to focus on industrial areas of Bridgeport in close proximity to the HiHo Site for development of a new tower site. Various industrial properties including adjacent City owned land that is the "dog pound" were considered with the Chapin & Bangs steel storage yard ultimately identified as a good candidate for a new tower site ("Site").

CUDDY& FEDER

As part of due diligence by Blue Sky and AT&T, it was determined that the 220 Evergreen Street location was an appropriate tower site location in this industrial zoned area of the City. The Applicants'16-50*l* municipal consultation with the City of Bridgeport further confined that the City believes the Site is an appropriate one for a communications tower needed to replace the HiHo Site.

As part of the proceedings in Docket 464, AT&T provided data, testimony and otherwise responded to questions from the Siting Council and staff that address the public need for continued reliable wireless services and new replacement tower infrastructure in this part of the State. Blue Sky and the project professionals further testified about the site development plans, tower visibility and otherwise lack of any significant environmental effects associated with the project. No member of the public opposed the project at the public hearing.

Prior to closing the evidentiary hearing, the Council requested the Applicants submit certain information as part of the thirty day public comment period. In this regard, we are advised by the project's site civil engineers and consultants that the noise mats proposed for lining the inside of a fenced compound area along the southwestern property line would effectively reduce sound by 10 decibels. In this particular instance, we are also advised the generator can be relocated and HVAC equipment oriented away from the adjacent southern property line both closer to and in the direction of the City's dog pound. This would eliminate the need for such mats as part of noise code compliance and is something the Applicants could incorporate in any development and management plan should a Certificate be issued in Docket 464.

Additionally, Blue Sky asked us to note for the Council in this filing that it has coordinated with the City's building department directly to address the abandoned private distribution pole located on a neighboring parcel and which leans over into the Site area. It is anticipated that at a minimum, the pole can be cut at the property line to avoid any potential disturbance within the tower Site area.

For all of these reasons and based on the factual record developed in Petition 1169 and Docket 464, the Applicants respectfully submit that the Site is an appropriate one for a replacement tower facility needed to serve the public. As such, we'd ask the Council to find that the project as filed meets all the statutory criteria set forth in Section 16-50p of the Connecticut General Statutes for approval of a new telecommunications tower facility. Further, that a Certificate with any appropriate conditions imposed by the Council be issued.

Thank you for your consideration of these comments as part of your deliberations in the Docket.

Very truły yours,

Christopher B. Fisher cc: Applicants