STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE:	:	
	:	
APPLICATION OF OPTASITE TOWERS LLC	:	DOCKET NO. 340
AND OMNIPOINT COMMUNICATIONS,	:	
INC. FOR A CERTIFICATE OF	:	
ENVIRONMENTAL COMPATIBILITY AND	:	
PUBLIC NEED FOR THE CONSTRUCTION,	:	
MAINTENANCE AND OPERATION OF A	:	
TELECOMMUNICATIONS FACILITY AT 1	:	
DEERFIELD LANE, ANSONIA,	:	
CONNECTICUT	:	OCTOBER 18, 2007

POST HEARING BRIEF OF INTERVENOR
CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS

I. INTRODUCTION

On June 5, 2007, Optasite Towers LLC ("Optasite") and Omnipoint Communications, Inc. ("OCI") (collectively the "Applicant") submitted an application ("Application") to the Connecticut Siting Council ("Council") for a certificate of environmental compatibility and public need for the construction, maintenance and operation of a 180-foot telecommunications tower at 1 Deerfield Lane in Ansonia, Connecticut ("Property"). As proposed in the Application, OCI intends to install its antennas at the 177-foot level on the tower. (Applicant's Exhibit ("App. Exh.") 1). Optasite is a tower company responsible for the construction and maintenance of the proposed facility and will own the tower, if approved. OCI is an FCC licensed telecommunications provider and intends to install antennas on the proposed tower. (App. Exh. 1, pp. 2-3).

Cellco Partnership d/b/a Verizon Wireless ("Cellco") evaluated the Applicant's tower proposal and determined that the proposed location could satisfy the coverage objectives of its "Ansonia East" search area. (Cellco Exh. 1). Consequently, on August 22, 2007, Cellco filed a petition to intervene in the Application and hearing process ("Petition") seeking to share the proposed tower by installing antennas at the highest available height, 167-foot level.

II. THE CELLCO INSTALLATION

The Cellco installation would consist of twelve (12) panel-type antennas (six cellular and six PCS) with their centerline at the 167-foot level on the tower. These antennas could be mounted on either a traditional antenna platform or on T-arms. (Cellco 9, Resp. 9 and 10). Cellco's radio equipment would be installed in a 12' x 30' single-story equipment shelter near the base of the tower. Cellco would also install a back-up generator inside its equipment shelter for use during power outages and periodically for maintenance purposes. (9/18/07 Hearing Transcript ("Tr.") p. 79).

A. Cellco's Need

The Docket No. 340 record contains ample, unrefuted evidence that Cellco antennas at the 167-foot level on the proposed tower would provide quality wireless telecommunications service and satisfy Cellco's coverage objectives in the easterly portions of Ansonia, and the western portions of the Town of Woodbridge. Cellco's network currently experiences significant gaps in coverage along the heavily-traveled Route 313 and Peck Hill Road as well as local roads in the area. More specifically, Cellco's network currently experiences an approximately 2.3 mile gap in coverage at cellular frequencies and a 5.2 mile gap in coverage at PCS frequencies along Route 313, and an approximately 2.1 mile gap in coverage at cellular frequencies and a 3.2 mile gap in coverage at PCS frequencies along Peck Hill Road. Cellco has determined that the use of

the Optasite tower described in the Application would cover a 3.5 mile portion of Route 313 at cellular frequencies and a 3.3 mile portion of Route 313 at PCS frequencies. (Cellco 1, Resp. 4, 5 and 11; Tr. pp. 51-52).

B. Environmental Impact

The Docket No. 340 record contains ample evidence that the Optasite tower and the installation of Cellco's antennas at the 167-foot level would not have a substantial adverse environmental effect. (Applicant Exh. 1, Attachments J, K and L). Cellco's equipment shelter would be located on the ground, near the base of the tower within the proposed facility compound. The potential environmental impacts from Cellco's proposed installation would be minimal when balanced against the benefits to the public.

C. Proposed Tower Height

During the course of the Docket No. 340 hearing, OCI radio frequency engineer, Scott Heffernan, explained to the Council that, due to a miscalculation of ground elevation during a drive test, that OCI could satisfy its coverage objectives in the area by mounting its antennas at the 167-foot level, rather than the 177-foot level on the 180-foot tower as proposed in the Application. (Tr. pp. 15-17). Some Council members interpreted this statement by OCI as an amendment to the Application, lowering the overall tower height from 180 feet to 170 feet. (Tr. pp. 67-69).

Cellco intervened in this docket anticipating that it would install its antennas at the 167-foot level on the proposed 180-foot tower. (Cellco 1, Resp. 9). Cellco also confirmed that it could satisfy its coverage objectives in the area by installing a full array of twelve (12) antennas ten feet lower, at the 157-foot level. (Cellco 1, Resp. 11(c); Tr. p. 78). As long as the Council does not, through its decision, mandate an alternative antenna configuration (e.g. flush-mounted

antennas), Cellco would not object to the overall reduction in tower height from the proposed 180 feet to 170 feet and the installation of its antennas at the 157-foot level, ten feet below the OCI antennas. (Tr. p. 78). If, however, Cellco is required to install flush-mounted antennas, rather than a full array, its coverage footprint from the facility would shrink and its objectives in the area could not be satisfied at 159 feet. To correct this problem, Cellco would need to increase the height of its antennas by at least ten feet. (Tr. pp. 82-83). Now that OCI has relocated its antennas to 167 feet the only available location for Cellco to install flush-mounted antennas would be the 177-foot level on the proposed tower.

III. CONCLUSION

The evidence in the Docket No. 340 record supports Cellco's need for the installation of a full array of antennas on the proposed tower at the 157-foot level. Cellco would not be able to satisfy its objectives at the 157-foot level if it were required to use flush-mounted antennas. Cellco, therefore, respectfully requests that the Council approve the Application and Cellco's shared use of this facility permitting the installation of a full array of antennas at the 157-foot level.

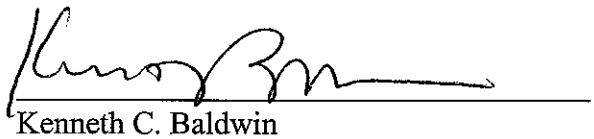
Respectfully submitted,
CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS

By _____
Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597
Its Attorneys

CERTIFICATION

I hereby certify that on this 18th day of October 2007, a copy of the foregoing was mailed, postage prepaid, to the following parties and intervenors:

Julie Kohler, Esq.
Carrie Larson, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604



Kenneth C. Baldwin