



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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September 25, 2009

Christopher B. Fisher, Esq.
Cuddy & Feder, LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

RE: **EM-METROPCS-009-090828** – MetroPCS New York, LLC notice of intent to modify an existing telecommunications facility located at 11 Francis J. Clarke Circle, Bethel, Connecticut.

Dear Attorney Fisher:

The Connecticut Siting Council (Council) hereby acknowledges your notice to modify this existing telecommunications facility, pursuant to Section 16-50j-73 of the Regulations of Connecticut State Agencies with the following conditions:

- The proposed coax lines shall be installed double-stacked outside the monopole shaft per page 3 of the structural analysis report dated July 22, 2009 and sealed by Christopher Michael Murphy, P.E.; and
- Not more than 45 days after completion of construction, the Council shall be notified in writing that the coax was installed as specified.

The proposed modifications are to be implemented as specified here and in your notice received August 28, 2009, including the placement of all necessary equipment and shelters within the tower compound. The modifications are in compliance with the exception criteria in Section 16-50j-72 (b) of the Regulations of Connecticut State Agencies as changes to an existing facility site that would not increase tower height, extend the boundaries of the tower site, increase noise levels at the tower site boundary by six decibels, and increase the total radio frequencies electromagnetic radiation power density measured at the tower site boundary to or above the standard adopted by the State Department of Environmental Protection pursuant to General Statutes § 22a-162. This facility has also been carefully modeled to ensure that radio frequency emissions are conservatively below State and federal standards applicable to the frequencies now used on this tower.

This decision is under the exclusive jurisdiction of the Council. Please be advised that the validity of this action shall expire one year from the date of this letter. Any additional change to this facility will require explicit notice to this agency pursuant to Regulations of Connecticut State Agencies Section 16-50j-73. Such notice shall include all relevant information regarding the proposed change with cumulative worst-case modeling of radio frequency exposure at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin 65.



September 25, 2009

Page 2

Any deviation from this format may result in the Council implementing enforcement proceedings pursuant to General Statutes § 16-50u including, without limitation, imposition of expenses resulting from such failure and of civil penalties in an amount not less than one thousand dollars per day for each day of construction or operation in material violation.

Thank you for your attention and cooperation.

Very truly yours,



S. Derek Phelps
Executive Director

SDP/MP/laf

c: The Honorable Robert E. Burke, First Selectman, Town of Bethel
Steve Palmer, Planning and Zoning Official, Town of Bethel
SBA