



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Web Site: portal.ct.gov/csc

VIA ELECTRONIC MAIL

November 16, 2021

Eric Breun
Site Acquisition Agent
Transcend Wireless
10 Industrial Ave Suite 3
Mahwah NJ 07430
ebreun@transcendwireless.com

RE: **EM-T-MOBILE-044-211001** - T-Mobile notice of intent to modify an existing telecommunications facility located at 259 Commerce Street, East Haven, Connecticut.

Dear Mr. Breun:

The Connecticut Siting Council (Council) hereby denies your request to modify the above-referenced existing telecommunications facility, pursuant to Section 16-50j-73 of the Regulations of Connecticut State Agencies (RCSA).

According to Section 16-50j-71 of the Regulations of Connecticut State Agencies, "...any modification, as defined in Section 16-50j-2a of the Regulations of Connecticut State Agencies, to an existing tower site, except as specified in Sections 16-50j-72 and 16-50j-88 of the Regulations of Connecticut State Agencies, may have a substantial adverse environmental effect."

Staff has reviewed this request for completeness and has identified a deficiency in compliance with the criteria set forth in RCSA Section 16-50j-72. The exempt modification request dated October 1, 2021 states, "The proposed modifications will not require the extension of the site boundary." However, the request indicates an expanded lease area proposing the backup power generator outside the fenced equipment area adjacent to the base of the tower.

It is evident that T-Mobile is requesting to extend the lease area of the site. This request to extend the lease area of an existing site is not consistent with the criteria set forth in RCSA Section 16-50j-72. Such a request is properly submitted to the Council in the form of a petition for a declaratory ruling.

Therefore, this request does not qualify as an exempt modification request and it is hereby rejected on that basis. The Council recommends that T-Mobile submit a petition for declaratory ruling.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melanie Bachman'.

Melanie Bachman
Executive Director

MAB/FOC/laf

c: The Honorable Joseph Carfora, Mayor, Town of East Haven (eh.mayor@att.net)
Mark Richard, T-Mobile (mark.richard64@T-Mobile.com)