



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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Daniel F. Caruso
Chairman

June 4, 2010

Thomas J. Regan, Esq.
Brown Rudnick LLP
CityPlace I, 185 Asylum Street
Hartford, CT 06103

RE: **EM-CLEARWIRE-051-100521** – Clearwire Corporation notice of intent to modify an existing telecommunications facility located at 100 Reef Road, Fairfield, Connecticut.

Dear Attorney Regan:

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 condition that:

not more than 45 days after completion of construction, a signed letter from a Professional Engineer duly licensed in the State of Connecticut shall be submitted to the Council to certify that the installation of Clearwire's proposed equipment has been performed in accordance with the recommendations contained in the structural analysis performed by FDH Engineering, stamped by Christopher Murphy and dated May 6, 2010.

The proposed modifications are to be implemented as specified here and in your notice dated May 21, 2010, 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. 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/CDM/laf

c: The Honorable Kenneth A. Flatto, First Selectman, Town of Fairfield
Joseph E. Devonshuk, Town Planner, Town of Fairfield
Affirmative Action / Equal Opportunity Employer

