



Daniel F. Caruso  
Chairman

# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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February 6, 2009

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

RE: **EM-METROPCS-059-081215** – MetroPCS New York, LLC notice of intent to modify an existing telecommunications facility located at 75 Roberts Road, Groton, 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:

- MetroPCS shall not change the color of the existing monopole or the lighting on the monopole;
- The tower shall be reinforced per page 5 of the structural analysis report dated December 3, 2008 and sealed by John Irving Mathis, P.E. prior to the antenna installation;
- A post-construction tower rating of not more than 100 percent shall be achieved; and
- A signed letter from a Professional Engineer shall be submitted to the Council to certify that the reinforcements were properly completed and a post-construction tower rating of not more than 100 percent has been achieved.

The proposed modifications are to be implemented as specified here and in your notice dated December 12, 2008, 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



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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/MP/laf

c: The Honorable Harry A. Watson, Mayor, Town of Groton  
Mark Oefinger, Town Manager, Town of Groton  
Kevin Quinn, Zoning Enforcement Officer, Town of Groton  
Crown Castle USA, Inc.