



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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November 19, 2019

The Honorable Jim Marpe
First Selectman
Town of Westport
Town Hall
110 Myrtle Avenue
Westport, CT 06880

RE: **PETITION NO. 1389** – New Cingular Wireless PCS, LLC (AT&T) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of a small cell wireless telecommunications facility on an approximately 34-foot Eversource-owned replacement utility pole located outside of the public right of way at the West Bank Shopping Center, 221 Post Road West, Westport, Connecticut.

Dear First Selectman Marpe:

Pursuant to Connecticut General Statutes §4-176 and §16-50k, the Connecticut Siting Council (Council) is in receipt of a petition for a declaratory ruling to install a small wireless facility to be located on an approximately 34-foot replacement utility pole in the Town of Westport.

In accordance with Section 16-50j-40 of the Regulations of Connecticut State Agencies, on or about November 15, 2019, written notice of the intent to file the petition for a declaratory ruling was provided to the Council, the First Selectman of the Town of Westport and the Town of Westport Director of Planning and Zoning.

On September 26, 2019, pursuant to CGS §16-234 and the Public Utilities Regulatory Authority (PURA) Docket No. 17-02-49, Formalization of Small Cell Antenna Applicant Processes and Procedures to Construct Facilities in Connecticut's Public Rights of Way, notice of the intent to install the proposed small wireless facility was sent to the First Selectman of the Town of Westport, the Town of Westport Director of Planning and Zoning and adjoining property owners. At that time, AT&T believed that the existing Eversource utility structure was located in the public right of way and subject to the jurisdiction of PURA. However, the existing Eversource utility structure is located on private property outside of the public right of way and is subject to the Council's jurisdiction.

Should you have any questions or comments regarding the above-referenced petition for a declaratory ruling, please feel free to call me at 860-827-2951 or submit written comments to the Council by December 18, 2019.

Thank you for your consideration.

Sincerely,

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

Melanie A. Bachman
Executive Director

MB/lm

c: Mary Young, Director, Planning & Zoning, Town of Westport