



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](mailto:siting.council@ct.gov)

Web Site: [portal.ct.gov/csc](http://portal.ct.gov/csc)

**VIA ELECTRONIC MAIL**

September 10, 2021

Thomas J. Regan, Esq.  
Brown Rudnick LLP  
185 Asylum Street  
Hartford, CT 06103  
[TRegan@brownrudnick.com](mailto:TRegan@brownrudnick.com)

RE: **PETITION NO. 1461** – SBA Communications Corporation petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed replacement and extension of an existing telecommunications facility located at 130 Welles Road, Groton, Connecticut.

Dear Attorney Regan:

In response to your request of September 1, 2021, during a regular meeting held on September 9, 2021, the Connecticut Siting Council (Council) granted intervenor status in Petition No. 1461 to New Cingular Wireless PCS, LLC (AT&T).

Please note that the Telecommunications Act of 1996, a law passed by Congress, restricts this Council's actions. For example, this Act prohibits any state or local government agency, including this Council, from regulating telecommunication towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with the Federal Communications Commission's regulations concerning such emissions. Also, this Act blocks state and local government agencies, such as this Council, from prohibiting personal wireless services for any town or area. Finally, this Act prohibits such state and local government agencies from unreasonably discriminating among wireless service providers.

All filings submitted to the Council must consist of an original and 15 copies with the petition number, properly collated and paginated, and bound. In accordance with the State Solid Waste Management Plan, the Council is requesting that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators. It is also requested that an electronic version of all filings be sent to [siting.council@ct.gov](mailto:siting.council@ct.gov).

The Council's preferred service to parties and intervenors is electronic mail. If you wish to receive hard copies of documents via regular mail, please notify the Council in writing. Parties and intervenors are required to serve all other parties and intervenors a copy of any material submitted in this petition, unless service is waived. A copy of the current service list can be found on the Council's website for this proceeding.

Copies of all documents filed to date in this proceeding are available for your review at the Council's office and on the Council's website under pending matters. Please contact me if you require any further information regarding the Council's procedure.

Sincerely,

Melanie Bachman  
Executive Director

MAB/MP/lm

Enclosures: Revised Schedule  
Council's Information Guide to Party and Intervenor Status

c: Service List, dated September 9, 2021



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### **CONNECTICUT SITING COUNCIL INFORMATION GUIDE TO PARTY AND INTERVENOR STATUS IN A PETITION FOR A DECLARATORY RULING WITHOUT A PUBLIC HEARING**

The Connecticut Siting Council (Council) will name or admit as a **party** any person whose legal rights, duties or privileges will be specifically affected by the Council's decision in a petition for a declaratory ruling (petition).

The Council will name or admit as an **intervenor** any person whose participation is in the interests of justice and will not impair the orderly conduct of the petition process.

#### **Service List and Service Requirements**

Once a person is named or admitted as a party or intervenor, they will be added to the "Service List," which lists all of the participants in a petition that is prepared and made available to the public under the link for a specific petition on the "Pending Matters" page on the Council website. Parties and intervenors will receive documents via e-mail. If a party or intervenor prefer to have hard copies of documents via regular mail, they must notify the Council in writing. Also, documents filed with the Council must contain one original, 15 copies and an electronic version for scanning to the website via e-mail or disk. The Council, parties and intervenors must send a copy of any document filed in a petition to every person on the service list and include a certification as follows:

"I hereby certify that a copy of the foregoing document was electronically mailed to the following service list on (date)." Signature and printed name of the sender.

#### **Petition Process**

- A. 30-day Notice Period:** Petitioners are required to notify and provide a copy of the petition to the host municipality and abutting property owners. When a petition is submitted to the Council, the Council provides notice of receipt of the petition to the host municipality and provides a 30-day comment period for the host municipality and any other interested persons to comment on the petition. During this 30-day notice period, the Council **may** schedule a public field review of the site.
- B. Public Field Review, if applicable:** If a public field review of the site is scheduled to be held, the Council provides notice to the Secretary of State, the host municipality, the petitioner and parties and intervenors to the petition. A copy of the field review notice is published on the Secretary of State's website, posted on the Council's website calendar and webpage for the subject petition. During the on-site public field review, the petitioner will provide an overview of the project and the Council, representatives of the municipality, parties, intervenors and the public may ask questions of the petitioner on the project.
- C. Requests for Additional Information:** When a petition is received, the Council may submit written questions to the petitioner on the proposed project requesting written responses within a period of time specified by the Council. The Council may also request additional information to be submitted within a period of time specified by the Council before, during or after the public field review is held, if applicable.

**D. Petition Timeframe:** The Council shall issue a decision on a petition for a declaratory ruling within 180 days of receipt of a petition for a declaratory ruling. Within 60 days after receipt of a petition for a declaratory ruling, the Council, in writing shall:

1. Issue a declaratory ruling;
2. Order the matter set for a specified proceeding;
3. Agree to issue a declaratory ruling by a specified date within 180 days of receipt of the petition;
4. Initiate regulation-making proceedings; or
5. Decide not to issue a declaratory ruling, stating the reasons for the action.

**E. Final Decision on Petition:** The Council will render a final decision at a regular Council meeting. The agenda for all Council meetings is published on the Council website. All parties and intervenors to a petition that is on an agenda will receive a copy of the agenda. Although regular Council meetings are open to the public, there is no opportunity for public participation during the meeting. All parties and intervenors will receive a copy of the final decision in the mail.



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### REVISED SCHEDULE

**PETITION NO. 1461** – SBA Communications Corporation petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed replacement and extension of an existing telecommunications facility located at 130 Welles Road, Groton, Connecticut.

Petition received	08/18/21
Council Interrogatories	
• Set-One Filed	TBD
• Set-One responses due	TBD
<b>Deadline for Exchange of Interrogatories between Parties and Intervenors</b>	<b>09/23/21</b>
<b>Responses to Parties and Intervenors' Interrogatories due</b>	<b>09/30/21</b>
Public Comment Period Deadline	09/17/21
<b>Deadline for Action</b>	<b>10/17/21</b>
<b>Deadline for Decision</b>	<b>02/14/22</b>