



STATE OF CONNECTICUT  
*CONNECTICUT SITING COUNCIL*

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**VIA ELECTRONIC MAIL**

July 26, 2023

Lucia Chiocchio, Esq.  
Cuddy & Feder, LLP  
45 Hamilton Avenue, 14<sup>th</sup> Floor  
White Plains, NY 10601  
[LChiocchio@cuddyfeder.com](mailto:LChiocchio@cuddyfeder.com)

RE: **PETITION NO. 1504** – New Cingular Wireless PCS, LLC (AT&T) declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of a small wireless facility on a new 41-foot 3-inch AT&T-owned utility pole that is not used principally for electric distribution service and associated equipment to be located along the public right-of-way adjacent to 45 Connair Road, Orange, Connecticut.

Dear Attorney Chiocchio:

The Connecticut Siting Council (Council) is in receipt of your notice to surrender the above-referenced declaratory ruling, dated July 25, 2023, due to a jurisdictional defect related to the principal use and location of the small wireless facility. The Council hereby acknowledges the notice to surrender the declaratory ruling.

The Council declares this matter to no longer be pending before this agency.

Should you have any questions, please feel free to contact the Council office.

Thank you for your attention to this important matter.

Sincerely,

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

Melanie A. Bachman  
Executive Director

MAB/RM/lm

c: Service List, dated April 1, 2022  
The Honorable James M. Zeoli, First Selectperson, Town of Orange ([jzeoli@orange-ct.gov](mailto:jzeoli@orange-ct.gov))  
Council Members



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July 25, 2023

VIA ELECTRONIC MAIL

Melanie Bachman, Esq.  
Executive Director  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

Re: PETITION NO. 1504 – 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 wireless facility on a new 41-foot 3-inch AT&T-owned utility pole that is not used principally for electric distribution service and associated equipment to be located along the public right-of-way adjacent to 45 Connair Road, Orange, Connecticut

Dear Ms. Bachman:

This letter is respectfully submitted on behalf of New Cingular Wireless PCS, LLC (AT&T) in connection with the above-referenced Petition No. 1504 approved by the Siting Council on June 9, 2023.

AT&T recently learned that the proposed utility pole for the installation of AT&T's small cell facility is actually located within the public right-of-way and not on private property. Moreover, United Illuminating advised AT&T that it will take ownership of the new utility pole and use it for electric distribution service. As such, PURA has jurisdiction over AT&T's proposed small cell facility, and AT&T will seek PURA approval for the above-referenced small cell facility.

Thank you and the Siting Council for your consideration of AT&T's Petition and this information.

Very truly yours,

A handwritten signature in blue ink that reads 'Lucia Chiocchio'. The signature is written in a cursive, flowing style.

Lucia Chiocchio

cc: AT&T  
Centerline Communications  
James Zeoli, First Selectman, Town of Orange