



STATE OF CONNECTICUT  
*CONNECTICUT SITING COUNCIL*

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**VIA ELECTRONIC MAIL**

February 5, 2024

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RE: **PETITION NO. 1610** – ARX Wireless, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed replacement of an existing telecommunications facility and associated equipment located at 1605 Durham Road, Wallingford, Connecticut. **Incomplete Notice.**

Dear Attorneys Ball and Kohler:

The Connecticut Siting Council (Council) received the petition for the above-referenced facility on January 31, 2024.

According to Section 16-50j-39a of the Regulations of Connecticut State Agencies, “no declaratory ruling shall be issued to any person until a complete petition containing all information deemed relevant by the Council has been filed.”

Staff has reviewed this petition for completeness and has identified a deficiency in notice to the Town of Wallingford (Town). Page 6 of the petition refers to notice provided to the Town and abutting property owners as listed in Attachment 6; however, Attachment 6 does not mention the Town in the sample letter or the list of notice recipients. Pursuant to Section 16-50j-40 of the Regulations of Connecticut State Agencies, “Prior to submitting a petition for a declaratory ruling to the Council, the petitioner shall, where applicable, provide notice to each person other than the petitioner appearing as record as an owner of property which abuts the proposed primary or alternative sites of the proposed facility, each person appearing of record as an owner of the property or properties on which the primary or alternative proposed facility is to be located, and the appropriate municipal officials and government agencies. Proof of such notice shall be submitted with the petition for declaratory ruling.”

Therefore, the petition is incomplete at this time. The Council recommends that ARX Wireless, LLC provide an electronic version of proof of service of a copy of the petition for a declaratory ruling on the

Town on or before March 1, 2024. If additional time is needed to provide notice to the Town, please submit a written request for an extension of time prior to March 1, 2024.

This notice of incompleteness shall have the effect of tolling the Federal Communications Commission (FCC) 60-day timeframe in accordance with Paragraph 217 of the FCC Wireless Infrastructure Report and Order issued on October 21, 2014 (FCC 14-153).

Thank you for your attention to this matter. Should you have any questions, please feel free to contact me at 860-827-2951.

Sincerely,

A handwritten signature in black ink, appearing to read "Melanie A. Bachman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Melanie A. Bachman  
Executive Director