

DOCKET NO. 139 - An application of : Connecticut
Metro Mobile CTS of Hartford, Inc., :
for a Certificate of Environmental : Siting
Compatibility and Public Need for the : Council
construction, maintenance, and operation
of cellular facilities in the Towns of
Enfield, East Hartford, and Wethersfield,
Connecticut. September 18, 1991

Findings of Fact

1. On September 12, 1990, Metro Mobile CTS of Hartford, Inc. (Metro Mobile), in accordance with the provisions of sections 16-50g to 16-50z of the Connecticut General Statutes (CGS), applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, operation, and maintenance of three cellular telecommunications facilities and associated equipment to provide increased cellular telecommunications capability and service in the Towns of Enfield, East Hartford, and Wethersfield, Connecticut, within the Hartford, Connecticut, New England County Metropolitan Area (NECMA). The Council numbered this application Docket 139. (Metro Mobile I)
2. On March 11, 1991, the Council issued Findings of Fact, an Opinion, and a Decision and Order approving the construction, operation, and maintenance of the proposed Wethersfield, Connecticut, facility. The facilities proposed for Enfield and East Hartford, Connecticut, were denied without prejudice. (Docket 139 Findings of Fact, Opinion, and Decision and Order)
3. On April 2, 1991, pursuant to section 4-181a of the CGS, Metro Mobile requested the Council to reconsider its Findings of Fact, Opinion, and Decision and Order because new evidence that would affect the outcome of the proceeding was available. (Metro Mobile X)
4. At a public meeting on April 18, 1991, the Council moved to reconsider their March 11, 1991, Decision and Order for Docket 139. The Council scheduled a public field review and a public hearing on June 10, 1991, for the purpose of admitting the new evidence. (Council Meeting Minutes, April 18, 1991)
5. On May 6, 1991, the Council held a pre-hearing conference concerning procedural matters for the reopening of Docket 139. At the pre-hearing conference, the Council requested that all pre-filed testimony, exhibits, interrogatories, witness lists, and items for

administrative notice be filed on or before May 28, 1991. (May 7, 1991, letter from Council Chairperson Gloria Dibble Pond to Parties of Record)

6. The Council and its staff inspected potential sites on the property of Control Module, Inc. (Control Module), off of Phoenix road, in the Enfield Memorial Industrial Park (EMIP) in Enfield, Connecticut, and the properties of Barbara Y. Zulick, et al., (Zulick) and William Kearns, et al., (Kearns) in East Hartford, Connecticut, on June 10, 1991. (Record)
7. Pursuant to CGS Section 16-50m, the Council, after giving due notice thereof, held a public hearing for the proposed application on June 10, 1991, beginning at 2:00 P.M. in the Council's meeting room, 136 Main Street, Suite 401, New Britain, Connecticut. (Record)

Enfield

8. On March 11, 1991, the Council denied without prejudice the proposed Enfield prime and alternate sites because of incomplete information pertaining to possible alternative sites rejected by Metro Mobile in the EMIP and on an existing Continental Cablevision (Continental) tower. The proposed Enfield prime site is at an existing self-storage facility on a 5.27 acre industrially-zoned parcel. The proposed Enfield alternate site is located on a 19.89 acre residentially-zoned parcel adjacent to Interstate 91 (I-91) that is presently used for agriculture. (Docket 139 Finding of Fact 31, 45, 49; Docket 139 Opinion; Docket 139 Decision and Order)
9. The proposed Enfield facility would increase the call handling capability along Interstate 91 (I-91) in Enfield and the Suffield area. Existing coverage is provided by Bay Bank sector 4 in Springfield, Massachusetts (Bay Bank 4), and Somers sector 6 in Somers, Connecticut (Somers 6). (Docket 139 Findings of Fact 24; Metro Mobile X, Attachment 1)
10. Metro Mobile's consultant, LCC, Inc. (LCC), indicated that Bay Bank 4 will carry 6.5 "erlangs" and Somers 6 will carry 4.2 "erlangs" by the end of 1991. An erlang is a dimensionless unit of traffic intensity used to express the average number of calls underway or the average number of devices in use. One erlang corresponds to the continuous occupancy of one traffic path. Traffic in erlangs is the sum of the holding times of paths divided by the period of measurements. An erlang can be used to express the capacity of a system. In practice, approximately 6.5 erlangs is a maximum for any sector and corresponds to a requirement of 15 voice channels to provide an acceptable grade of service. (Metro Mobile X, Attachment 1; Metro Mobile XI, Q.1; Tr. 6-10-91, p. 42)

11. Approximately one mile of Bay Bank 4 coverage is in Connecticut with the remaining five to seven miles of coverage in Massachusetts. Metro Mobile's frequency plan, the plan that plots theoretical facility sites for maximum frequency reuse, indicates that in order to maximize frequency reuse, a facility should be sited in Connecticut. No facility has been proposed in Massachusetts to offload Bay Bank 4. (Metro Mobile X, Attachment 1; Tr. 6-10-91, pp. 43-45)
12. The best service signal from a facility on the Continental tower would not provide adequate high quality service to I-91. If Somers 6 were at capacity, down, or blocked, a facility at the Continental tower would provide poor quality service if required to offload calls from Bay Bank 4. Poor quality service includes background noise, unintelligible incoming or outgoing conversation, or receiving other signal interference. (Metro Mobile X, Attachment 1; Metro Mobile XI, Q.3; Tr. 6/10/91, pp. 53-54, 61-62, 64, 67-68, 70-71)
13. A facility at the Continental tower would affect future frequency planning due to its proximity to the Somers facility. (Tr. 6-10-91, p. 69)
14. On March 13, 1991, following the Council's March 11, 1991, Decision and Order, Metro Mobile communicated with Enfield Town officials concerning sites that had been suggested by the Town in the EMIP. Metro Mobile had originally rejected sites in the EMIP largely due to restrictive covenants and the possibility of not being able to amend the covenants. The covenants of the EMIP indicate that any substantial change proposed for the EMIP must be approved by the Enfield Town Council, the Enfield Planning and Zoning Commission, the Enfield Development Agency, The Regional Planning Agency, The State of Connecticut Department of Economic Development, and all of the 20 or more landowners in the EMIP. The Town of Enfield had offered to assist Metro Mobile in seeking to amend the EMIP covenants. No sites other than those in the EMIP were proposed by the Town at that time. (Docket 139 Findings of Fact 29; Metro Mobile VI; Metro Mobile XII, pp. 1-2; Enfield III, Q.1; Tr. 6-10-91, pp. 34-36, 125)
15. As per the Town of Enfield's request, Metro Mobile investigated the three sites suggested to them in the EMIP. Two of the landowners, Eli Lilly Company and Jagenberg, Incorporated, rejected Metro Mobile's lease proposal. At the third site, Mr. James Bianco, President of Control Module, expressed an interest in leasing space on the northeast corner of the Control Module property to Metro Mobile; however, no lease or terms of agreement were established. (Metro Mobile X, pp. 4-5; Metro Mobile XI, Q.4; Tr. 6-10-91, pp. 15-16)

16. The Control Module site is a partially-developed parcel of land approximately 19 acres in size located in the EMIP on the east side of Phoenix Avenue approximately 700 feet north of Niblick Road. If the expansion of the Control Module facilities were to take place as outlined in the development plans, there would be little or no clearing necessary for the Metro Mobile facility. If the expansion of the Control Module facilities did not take place, Metro Mobile would have to clear a 700 foot long access road and the site footprint in a heavily-treed area. (Metro Mobile XI, Q.4, Attachment 1; Metro Mobile XII, p. 2; Tr. 6-10-91, pp. 14, 72-73)
17. On March 14, 1991, the Enfield Development Agency met to discuss the prospect of siting a proposed Metro Mobile facility in the EMIP. The Enfield Development Agency did not reach any decision at that time. (Enfield III, Q.1 and Attachment 1)
18. On May 13, 1991, the Enfield Town Council agreed to make available Town-owned property off of Parsons Road for Metro Mobile's consideration. This offer was first made known to Metro Mobile on June 6, 1991. Parsons Road is part of the area identified as number eight in Metro Mobile's original site search. This general area between the Connecticut River and Enfield Street was rejected by Metro Mobile because of the potential for visual effects on nearby residences and the Connecticut River area corridor. (Metro Mobile I, tab 3; Enfield IV; Enfield V; Tr. 6-10-91, p. 118)
19. A 14.27 acre, I-1 industrially zoned parcel located between Oliver Road, I-91, and Post Office Road, identified as number 23 in Metro Mobile's original site search, was found to have legal frontage on Oliver Road. Metro Mobile had rejected this parcel due to a lack of access from a public road. (Metro Mobile I, tab 3; Enfield IV; Enfield V; Tr. 6-10-91, p. 111)

East Hartford

20. On March 11, 1991, the Council denied without prejudice the proposed East Hartford prime and alternate sites because of incomplete information concerning possible superior alternate locations, questions concerning the present need for a facility in this area designed to increase call handling capability, and the effect on the scenic values that a tower at either of these locations might have. The proposed East Hartford prime and alternate sites are located approximately 375 feet apart on the same 25.4-acre residentially-zoned parcel. This parcel, owned by Albert P. Handel, Jr., is presently used for agriculture. (Docket 139 Finding of Fact, 70, 78; Docket 139 Opinion; Docket 139 Decision and Order)

21. The proposed East Hartford prime or alternate facility would provide additional call handling capacity in the areas of East Hartford, Manchester, Glastonbury, Wethersfield, and Hartford primarily along Interstates 384, 84, and 91, and Routes 2 and 3. Interstate 384 is presently covered by sectors from the Docket 129 Manchester facility. The Docket 137 South Windsor facility, would provide an acceptable grade of coverage and hand-off as well as augment call handling capacity to the same section of Interstate 84 as the proposed East Hartford prime or alternate facility. Interstate 91 will be augmented by 1200 calls from sectors one and four of the Docket 139 Wethersfield facility. Routes 2 and 3 will be augmented by not less than 600 calls by sectors one and two of the Docket 139 Wethersfield facility. Without the proposed East Hartford prime or alternate facility, the existing and approved facilities in the area that would be augmented by an East Hartford facility would supply the necessary call handling capacity in the I-91, I-84, and Route 2 corridors into 1992. (Metro Mobile I, tab 18; Docket 139 Findings of Fact, 65, 66, 67, 68; Tr. 6-10-91, pp. 76-79)
22. A digital upgrade of the current analog system would increase the call handling capability of existing cellular telecommunications facilities by at least three fold. This technology is expected to be commercially available in late 1993. (Docket 139 Findings of Fact, 18)
23. Following the Council's March 11, 1991, decision to deny without prejudice Metro Mobile's proposed East Hartford prime and alternate site, Metro Mobile met with East Hartford Town officials concerning possible sites favorable to the Town. The Town opposed all of the sites proposed by Metro Mobile except for an existing 1.5 story brick building off of the Spring Street extension in Glastonbury, Connecticut, originally identified as number three in Metro Mobile's site search. Metro Mobile rejected this site because the owner rejected Metro Mobile's lease proposal. (Metro Mobile I, tab 9; Town of East Hartford Post-Hearing Brief 12-10-90; Docket 139 Decision and Order; Tr. 6-10-91, p. 102)
24. Metro Mobile further investigated seven parcels to the west of the proposed East Hartford prime and alternate sites. Three of the parcels are owned by the State of Connecticut. One parcel is owned by the Faith Tabernacle Church. Two parcels are owned by the Zulick family, and the remaining parcel is owned by the Kearns family. (Metro Mobile X, pp. 5-8 and Attachment 4; Metro Mobile XII, pp. 3-5)

25. Metro Mobile rejected the land owned by the State of Connecticut for the following reasons:
 - a) The Department of Transportation (DOT) will not grant a right-of-way from limited access highways, in this case Route 2; and
 - b) DOT requires a 30-day cancellation clause in any lease agreement. (Metro Mobile X, p.6 and Attachment 5; Tr. 6-10-91, pp. 17-18)
26. On June 6, 1991, the Kearns family withdrew its offer to lease a portion of their parcel to Metro Mobile. (Metro Mobile XIII)
27. The Zulick family has offered Metro Mobile a site to the east of their southernmost property. This site is approximately 700 feet northwest of the proposed East Hartford prime site and approximately 200 feet northwest from the proposed East Hartford alternate site. Access to this site via the property of Albert P. Handel, Jr., has been denied by Mr. Handel. The access to this site would have to be via Maple Street along an approximately 1900-foot long access road. The access road would require the removal of trees; the crossing of Porter Brook, inland wetland areas, and the 100-year-flood plain; and the crossing of area designated as proposed Open Space by the Town of East Hartford. (Metro Mobile X, pp. 7-8; Metro Mobile X, Attachment 4; Metro Mobile XI, Q.9; Tr. 6-10-91, pp. 18-19, 26-27, 30)

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