

APPLICATION BY HOUSATONIC CABLE
VISION COMPANY FOR A CERTIFICATE
OF ENVIRONMENTAL COMPATIBILITY
AND PUBLIC NEED RESPECTING A
PROPOSED COMMUNITY ANTENNA
TELEVISION TOWER TO BE CONSTRUCTED
IN MONROE, CONNECTICUT.

POWER FACILITY
EVALUATION COUNCIL

O P I N I O N

I. General

This application is for a certificate of environmental compatibility and public need for the construction of a community antenna television (CATV) tower and associated facilities in the landfill area off Guinea Road in Monroe, Connecticut. The proposed tower will receive microwave television signals from the applicant's transmitting tower and head-end facilities in New Milford, Connecticut, and will then provide cable TV service to customers in Monroe and Trumbull, Connecticut from the proposed tower by way of coaxial cable mounted on existing utility poles.

A public hearing on the application was held at the Monroe Municipal Building on February 20, 1979. Prior to the hearing, members of the Council made ground inspections of the proposed site and alternate sites for the proposed tower. In addition to advertised notice, notice was mailed in accordance with law.

The applicant presented testimony and exhibits to support its claim that the tower was needed, that the construction of the tower as proposed would not have significant adverse effects on the environment, and that the proposed tower site is preferable to the alternate sites studied.

No opposition was presented at the hearing. Twenty-five persons opposed to the tower filed a written statement to the effect that the tower was not needed, that it did have a significant adverse environmental effect, and that other sites might be environmentally preferable.

II. Need

It is not in the Council's jurisdiction to pass on the question of whether the citizens of Connecticut in general, or the residents of Monroe and Trumbull in particular, need cable TV. Those decisions have been predetermined by the General Assembly in authorizing and regulating cable TV, and by the Public Utilities Control Authority in awarding the applicant a certificate of public need and convenience to serve the Monroe area. Rather, the Council's role is a much more limited one, that of determining whether the proposed tower is

needed to provide such service. The Council finds that the most economical and technically feasible method of serving the customers of Monroe and Trumbull is to construct this tower.

In reaching its decision, the Council notes that the tower at the proposed site would serve customers in Monroe and Trumbull for whom cable television service would not be economically or technically available by other means.

The Council notes further that the proposed tower could support the functions now carried out from the police tower behind the Municipal Building, which is located in the historic district of Monroe. In addition to Monroe and Trumbull, the proposed tower could also serve customers in half of Newtown by coaxial cable. In the event that the Newtown tower is not constructed in the time period stipulated in the Decision and Order of Document Number 14, cable television service could be provided to Newtown customers by two coaxial cables, one from Brookfield and one from the proposed tower in Monroe. Thus the applicant's entire franchise area could be served by three towers rather than four. The Council notes further that the proposed tower is capable of supporting additional structures which would allow signals to be received from the WICC tower in Shelton and to relay them by microwave to the head-end structures in New Milford from which signals could be sent to the entire franchise area. Such modification of the proposed tower to enable it to transmit microwaves would require further Council approval.

III. Environmental Impact

The Council considered the proposed tower and site and concludes that a tower of the type proposed, on the site selected by the applicant, does not have a significant adverse environmental effect. The 140 foot tower is not invisible, but its visual impact is not deemed significant particularly when compared with the alternatives. Visibility in the immediate area will be limited by woods and an intervening ridge.

The proposed site on Guinea Road is preferable to the other sites studied. It is high enough to receive unobstructed signals from New Milford yet low enough to be relatively unobtrusive. Other sites were inferior to the proposed site for one or more of the following reasons: (a) the site was not available for purchase or lease, or there was no access to the site; (b) homes existed on or very near to the tower location; (c) site locations were exposed and highly visible; and (d) obstructions in the microwave beam path from New Milford blocked the signal or required significantly higher receiving towers.

The Municipal Building, the only site which could have been technically superior because of close proximity to the local programming source, is located in the historic district of the town.

The building housing equipment at the tower base will emit no noise and will be unmanned. The applicant's personnel will visit the facility only three or four times a year for inspection and maintenance purposes. The tower and guy wires will be surrounded by fences and landscaped with evergreens. The proposed site is currently in use as a sanitary landfill area which use is expected to continue in some capacity in the future.

The tower is merely a receiving tower. It will not emit microwaves and the Council will so state in its order. The power density of the signals received at the tower will be .00022 microwatts per square centimeter, a level of microwave far below any standards of which the Council is aware. From what is known about microwaves, the Council does not conclude that this tower will adversely affect the health of those subject to the microwave beam path.

No state agency commented that this tower will have a significant adverse environmental effect. The only local official who participated in the proceedings spoke in support of the tower to be located at the Applicant's proposed site.

IV. Conclusion

The Council has concluded, based on its consideration of the entire record, including its field inspections, that a community antenna television receiving tower in Monroe, Connecticut is needed to provide adequate cable television service to Monroe and Trumbull, and that the best location for such tower is in the landfill area on Guinea Road.

The Council recognizes and the record reflects that certain adverse effects on the environment may occur as the result of the granting of a certificate in this matter. The nature of these environmental impacts is detailed more particularly in the findings, but they are not sufficient to justify selection of an alternate site or the denial of this application.

The record does not suggest that there would be any significant adverse effect on, or conflicts with, the policy of the State concerning ecological balance, scenic and recreational values, air and water purity, forests and parks, or fish and wildlife. Constructing the proposed facility in accordance with the applicable requirements of the Electronics Industry Association Standard should adequately safeguard public health and safety.

The Council is of the opinion that the possible adverse effects or conflicts with the policies of the State referred to above do not constitute sufficient reason to deny the application. In arriving at this conclusion, the Council has carefully reviewed the evidence and recommendations presented to it and finds that there is a need for the proposed receiving tower in order to insure adequate and reliable cable television service in the area, and that many of the potential adverse environmental effects of the proposed facility are of minimal significance, as detailed in the findings.

The record, as expressed in the Council's findings, does not indicate that the location of the proposed tower will pose an undue hazard to persons or property in the area of the tower.

The Council believes that the tower is needed to provide adequate and reliable cable TV service to Monroe area and that it does so at the lowest reasonable cost to consumers consistent with the need to protect the environment and ecology of the State and to minimize damage to scenic, historic, and recreational values.

Therefore, the Council concludes that a certificate of environmental compatibility and public need should be issued for the construction of the proposed community antenna television tower on the proposed site.