

DOCKET NO. 29

AN APPLICATION OF CABLEVISION OF : CONNECTICUT SITING
 CONNECTICUT, FOR A CERTIFICATE OF :
 ENVIRONMENTAL COMPATIBILITY AND : COUNCIL
 PUBLIC NEED TO CONSTRUCT A
 COMMUNITY ANTENNA TELEVISION
 SUB HEAD-END IN THE TOWN OF
 STAMFORD. : November 1, 1982

F I N D I N G S O F F A C T

1. Cablevision of Connecticut, Limited Partnership, in accordance with the provisions of section 16-50j-70 et seq of the Regulations of State Agencies applied to the Connecticut Siting Council on July 13, 1982, for a certificate of environmental compatibility and public need for the construction of a community antenna television sub head-end (associated equipment). (Record)
2. The fee of \$500.00 accompanied the application. (Record)
3. The application was accompanied by proof of service as required by section 16-501(b) of the general statutes of the state of Connecticut. (Record)
4. Affidavits of newspaper notices were filed as required by section 16-50e(f) of the General Statutes. (Record)
5. Council members and staff made a ground inspection of the proposed site on September 16, 1982. (Record)
6. Pursuant to section 16-50m of the General Statutes, the Connecticut Siting Council, after giving due notice thereof, held a public hearing at the City Administration Building, 429 Atlantic Street, Stamford, Connecticut, on September 16, 1982, from 7:00 P.M. to 10:00 P.M. (Record)
7. The parties to the proceedings are listed in the decision and order which accompanies these findings. (Record)

8. Pursuant to section 16-50j(f) of the General Statutes, written comments were filed by the Department of Environmental Protection (DEP), and the Department of Economic Development. (Record)
9. The applicant proposes to construct a sub head-end facility on the top of New Hope Towers, 300 Tresser Boulevard, Stamford, Connecticut. The sub head-end associated equipment would consist of one microwave dish antenna and twelve VHF and UHF television antennas. (Tr. p. 17; Appl. Exhibit 1, p. 3)
10. The applicant, Cablevision of Connecticut, limited partnership, is a regulated public service company in Connecticut, with the franchise for area nine Cable CATV, which consists of ten towns in lower Fairfield County. (Tr. p. 16; Cablevision Exhibit 1, p. 2)
11. The proposed site was selected because of its height above surrounding terrain, favorable location, availability, compatibility with surrounding uses, lack of environmental impact, and cost factors. (Cablevision Exhibit 1, p. 8)
12. The applicant intends to deliver programming to subscribers' homes, through the proposed system, including programming from municipal, institutional, and other agencies that will be interconnected throughout the area. The system will provide 52 TV channels, including 18 off the air UHF and VHF, and about 20 satellite delivered services. Twenty-four hour sports and news networks and local programming will be included. (Tr. pp. 23, 24; Cablevision Exhibit 1, p. 8)
13. The applicant at this time does not envision the need to add future services requiring additional antennae at this site. (Tr. p. 24; Cablevision Exhibit 3, Q. 12)

14. The applicant's complete communications system is planned to consist of three head-end sites, one each in Norwalk, Stamford, and Weston/Redding, utilizing special multiplexing equipment. (Tr. p. 25; Cablevision Exhibit 1, p. 11)
15. The applicant has three receive only antennae at its satellite earth station in Norwalk. Signals received by two of them would be supplied to Stamford by the proposed microwave link. (Tr. p. 25)
16. The applicant's licensed frequency (FCC) is limited to twenty channels in the direction of Norwalk to Stamford, and five channels from Stamford to Norwalk. (Tr. pp. 28, 29)
17. The applicant plans to send eight of 25 channels now received from satellite in Norwalk to customers in Stamford on the proposed microwave system and thereby standardize the programming throughout the service area. (Tr. p. 28)
18. The system would require an earth station site in Stamford to bring in additional satellite programming on 18 channels. (Tr. p. 25)
19. The site of the microwave antenna will not be used for the earth-dish receiving station which has not been included in this proposal. (Tr. p. 52)
20. The applicant may tie into the existing statewide microwave interconnect system, although at this time no formal arrangements have been made. (Tr. p. 26)
21. The proposed unit in Stamford would be a sub-head end remotely controlled and receiving most of its programming from Norwalk. (Tr. pp. 27, 62)

22. The applicant states that this facility is essential for Cablevision to provide local programming. (Tr. p. 24)
23. The facility would add the capability to send institutional and local community programming back to Stamford and throughout the franchise area. (Tr. p. 29; Cablevision Exhibit 3, Q. 11)
24. Four channels would be devoted to local programming access. Some would originate in the company's broadcasting studio, and community, municipal agencies, schools, and institutional programming would be available. (Tr. p. 58)
25. The company has a broadcast studio presently in Westport which it plans to move to Norwalk. If a need arises the company would investigate the possibility of constructing one in the Stamford/Greenwich area. (Tr. pp. 60, 61)
26. There could be many possible locations for such a studio due to the flexible nature of a two-way institutional cable system. (Tr. p. 61)
27. The microwave system would allow bi-directional links delivering video and audio programming from the Norwalk head-end to the Stamford head-end. The applicant maintains that this is the most flexible, efficient, and reliable method of delivering high quality signals to the area. (Cablevision Exhibit 3, Q. 11)
28. Satellite programming by SATCOM 4 and WESTAR 5 from Boston, Buffalo, Scranton, Philadelphia, and Manhattan would be delivered to Stamford by the microwave link. (Cablevision Exhibit 3, Q. 11)
29. VHF and UHF antennae are required at both Norwalk and Stamford sites to permit completely independent reception capability in the

event of reception difficulties in Norwalk. (Cablevision Exhibit 3; Q. 1-11)

30. The applicant intends to use two mobile vans to provide live eye news reports and on location programming; these would send programs to the proposed sub head-end for distribution. (Tr. pp. 93, 94)
31. The Area Nine Cable Advisory Council was formed about a year and three months ago, after the present cable franchise was awarded. It advises the cities regarding activities of the franchise. To date, the Area Nine Cable Council is satisfied with this application. (Tr. pp. 121, 125)
32. The applicant investigated alternative sites in the downtown Stamford area. (Tr. p. 55; Cablevision 1, p. 8; Cablevision Exhibit 3, Q. 7)
33. Many buildings north of the downtown district do not meet line-of-sight needs between Stamford and Norwalk and would not allow a satisfactory path profile because of a 250' high ridge located in Darien. (Tr. pp. 55-56, 76-79; Cablevision Exhibit 3, Q. 8, 10)
34. Tower sharing agreements were considered for some sites but no agreement could be reached or the sites were found to be technically unsuitable. (Appl. Exhibit 3, Q. 7)
35. Four other buildings would have been suitable but the owners were not willing to lease roof space. (Tr. p. 56; Cablevision Exhibit 3, Q. 7, 10)
36. Head-end locations in Greenwich or Darien were not considered since they would be located outside the central area of the franchise.

37. Locating a head-end out of the central area would necessitate the use of a longer trunk cable, and signal quality deteriorates over distance. Thirty amplifiers located about 2,000 feet apart are the maximum a system can use and maintain quality signals from a head-end facility. Thus a head-end in Greenwich could not serve Darien. (Tr. p. 79)
38. To provide separate town programming among the area's towns, each town must have its own discrete cable system connected to a head-end. Under the applicant's present system design, each town will have this discrete programming capability. (Cablevision Exhibit 3, Q. 6)
39. The company plans to use a feed-forward supertrunk line to Greenwich from the Stamford head-end using no more than thirty amplifiers to provide reliable system operation. More amplifiers would cause a degradation of signal quality, increased interference, and unreliable reception. (Cablevision Exhibit 3, Q. 6)
40. A supertrunk from the Norwalk head-end to Stamford Center would require a minimum of 10 cascade amplifiers, thus a minimum of 40 amplifiers in series would be required to reach Greenwich alone. The quality of the reception in Greenwich would be unacceptable due to the resultant noise and interference induced by repeated amplification. (Cablevision Exhibit 3, Q. 6)
41. To permit discrete town programming without the proposed microwave link, a separate supertrunk line would be needed to be run from Norwalk to each of the towns served by the proposed Stamford head-end. (Cablevision Exhibit 3, Q. 6)

42. An alternative to this would be the installation of a single supertrunk between Norwalk and Stamford, leaving out the channels planned as individual town channels. A trunk split would occur in Stamford and the missing channels reinserted. This would be unacceptable due to the excessive number of amplifiers involved.
(Cablevision Exhibit 3, Q. 6)
43. The cost of a 250' tower suitable to hold the sub head-end units, as an alternative to the roof top proposal, would be approximately \$225,000. A 1,000 to 1,200 sq/ft equipment building would cost approximately \$75,000. Site preparation, engineering, and related costs would be about \$50,000. The total for such an alternative would be \$350,000, excluding site acquisition expenses.
(Cablevision Exhibit 3, Q. 9, Tr. p. 30)
44. The applicant states that tower site acquisition expenses would be as much or more than the acquisition costs of the proposed site.
(Tr. p. 30)
45. The rental fee at the proposed site would be \$18,000 per year over a 10 year leasing period. Construction and leasehold improvements are estimated at \$125,000 and associated equipment is estimated to cost \$750,000. (Tr. p. 70; Cablvision Exhibit 1, p. 10)
46. Cablevision carries comprehensive liability insurance coverage for personal injury as stipulated by the Department of Public Utility Control. The face amount of this coverage exceeds \$1 million for personal injury and umbrella coverage of \$25 million. Additional environmental impairment insurance coverage is also carried. (Tr. p. 89)

47. The proposed dish antenna would not be mounted above the roof of the elevator penthouse and would be attached to the building by one vertical and two horizontal supports. (Cablevision Exhibit 1, attachment 1; Tr. p. 46)
48. The antenna could be placed higher on the supporting mount if engineering difficulties were encountered. (Tr. pp. 32-53)
49. The proposed site is on top of a 23 story apartment building known as New Hope Towers in downtown Stamford. The area is zoned Central City - North, and the surrounding area is devoted primarily to commercial uses. The Connecticut Turnpike is approximately one block from the building. (Cablevision Exhibit 1, pp. 2, 3, Exhibit 3; Cablevision Exhibit 3, Q. 2)
50. The power of the proposed transmitter will be one half watt. (Tr. pp. 32, 33; Appl. Exhibit 1, p. 6)
51. The power densities emanating from the proposed facility will be below all applicable standards. (Tr. p. 18)
52. No readings were taken to determine the microwave activity in the area of the site. (Tr. p. 56)
53. Several microwave and other antennae installations are on buildings in the vicinity of the proposed site, including the Southern New England Telephone building near the New Hope Towers building. The beam paths do not coincide and the power densities are thus not additive. (Tr. p. 98; Council field Review 9/16/82)
54. An individual standing on the easterly edge of the New Hope Towers roof in front of the dish antenna would not come in contact with the central beam. Power density exposures at this location would be below OSHA standards. Individuals walking

underneath the proposed microwave antenna would not be exposed to more than one-tenth of the OSHA standard of 10 microwatts per square centimeter. Individuals on the building's top floor would be exposed to still lower power densities, on the order of .01 milliwatt. (Tr. pp. 35, 36, 37, 51, 52, 85; Cablevision 3, Q. 4, 5)

55. The OSHA safety standard of 10 milliwatts per square centimeter would not be exceeded beyond a distance of three feet in front of the dish antenna at two degrees off the main beam axis and beyond one foot at five degrees off the main beam axis. (Cablevision Exhibit 1, p. 7; Tr. pp. 18, 32, 33, 36, 37, 51, 52, 85)
56. The proposed site is accessible only to authorized personnel, and it will be locked and marked with warning signs. (Tr. pp. 53, 76; (Cablevision Exhibit 3, Q. 13)
57. The system would be operating 24 hours a day. (Tr. p. 67)
58. The head-end equipment would be placed in an area on the building's mezzanine level which was originally designated for commercial use. (Tr. p. 80)
59. The proposed facility would not adversely affect scenic, natural, historic, or recreational characteristics in the area.
(Cablevision Exhibit 1, pp. 3, 8)
60. The proposed facility would not affect existing radio and television transmissions or reception nor would it be tied into the telephone system. (Tr. pp. 70, 76)
61. Roadways, parking, and utility services are already available at the proposed site. (Cablevision Exhibit 1, p. 5)