DOCKET NO. 146 - An application of Eastern Connecticut Cable Television, Inc., for a Certificate of Environmental Compatibility and Public Need to establish a community antenna television tower and head-end facility, located off Bailey Hill Road in the Town of Killingly, Connecticut.

Connecticut Siting Council

May 20, 1992

OPINION

On November 12, 1991, the Eastern Connecticut Cable Television, Inc., (ECC) applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) to establish a community antenna television (CATV) tower and head-end facility located off 426 Bailey Hill Road in the Town of Killingly, Connecticut. The proposed guyed, lattice tower would be 180 feet in height and would support six receive antennas and one transmitting whip antenna.

Under Connecticut State law, the Council must balance the need to develop the proposed facility with the need to protect the environment, including public health and safety, and to minimize damage to the State's scenic, historic, and recreational values.

We evaluated the need for the proposed tower, recognizing that ECC operates tower facilities for the reception of television (TV) and FM radio signals for service to its subscribers. ECC presented technical evidence confirming that reception of certain Boston area TV stations from ECC's existing facilities was subject to co-channel and electrical interference from external sources, and therefore unsatisfactory for system use. The proposed site has been modeled and tested for signal strength and clarity, and found to be satisfactory for the reception of TV signals from these Boston area TV stations.

ECC's proposed 180-foot high tower design would allow the placement of additional antennas from private companies or public agencies, including cellular telephone antennas. However, ECC has no commitment to date from any other company or agency for tower sharing. Nonetheless, we strongly encourage tower sharing whenever possible to minimize the construction of new towers.

We considered the feasibility of constructing a shorter tower for lesser visibility and lower construction costs to ECC's cable subscribers. However, because we were unable to resolve technical discrepancies in the record regarding the minimum height of the tower and the placement of TV antennas, we reopened the preceeding and examined new testimony from the ECC's technical consultant.

A comparison between the proposed 180-foot tower and a shorter tower's ability to provide satisfactory TV signals was conducted. This comparison resolved the discrepancies to our satisfaction, supporting the proposed 180-foot high tower. With a rearrangement of the TV antennas, we are assured a 180-foot high tower will provide acceptable quality TV and FM signals for use throughout ECC's cable system.

Although the proposed facility would be located in a rural area characterized by farmland and woodlands, visual impacts of the tower to approximately a dozen homes along Bailey Hill Road and Ledge Road in Killingly would be reduced by a buffer of mature trees and other vegetation surrounding the site.

The site is on a wooded ridgetop, and is situated well above three small wetland areas. However, with proper erosion and sedimentation controls, and with the site and access road clearing kept to a minimum, construction activities should have little or no impact on these wetland areas.

There are no known existing populations of federally recognized endangered or threatened species nor Connecticut species of special concern occurring at the proposed site. The erection of the proposed tower and the development of the site would have no effect on the State's historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places.

Although electromagnetic radio frequency power density is a concern of the Council, the proposed facility's power density at the site's boundary would be well below the State standard for the frequency used by ECC's proposed vehicle communication's antenna.

Based on the record in this proceeding, we find that the effects associated with the construction, operation, and maintenance of a telecommunications facility and its associated equipment building at the proposed Killingly site, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate either alone or cumulatively with other effects when compared to need, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application. Therefore, the Council will issue a Certificate of Environmental Compatibility and Public Need for this facility at the proposed Killingly site.

The Council will require the Certificate holder to submit a Development and Management Plan (D&M) plan for approval by the Council prior to commencement of any construction or clearing at the facility site. This D&M plan shall include detailed plans of the tower, tower foundation, tower guy foundations,

equipment building, access road, and security fence. In addition, the D&M plan shall include a detailed final site plan with provisions for minimal site clearing, erosion and sedimentation controls, placement of vegetation for the screening of areas adjacent to the accessway and tower site, and for the accessway to have a maximum cleared width of 17 feet, including a 12-foot wide surfaced driveway and five-foot wide corridor for placement of utilities and drainage swales.

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