

An application of Metro : Docket No. 116
 Mobile CTS of New London Inc., for
 a Certificate of Environmental : Connecticut
 Compatibility and Public Need : Siting
 for the construction, operation, and : Council
 maintenance of cellular telephone tower
 and associated equipment in the Town
 of East Lyme, Connecticut. : January 3, 1990

DECISION AND ORDER

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council finds that the effects associated with the construction, operation, and maintenance of a cellular telephone facility at the proposed East Lyme 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 significant either alone or cumulatively with other effects, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application, and therefore directs that a Certificate of Environmental Compatibility and Public Need, as provided by Section 16-50k of the General Statutes of Connecticut (CGS), be issued to Metro Mobile CTS of New London, Inc., for the construction, operation, and maintenance of a cellular telecommunications tower, associated equipment, and building at the proposed East Lyme site in East Lyme, Connecticut.

The facility shall be constructed, operated, and maintained substantially as specified in the Council's record in this matter, and subject to the following conditions:

1. The self-supporting, lattice tower including antennas and associated equipment shall not exceed a height of 343 feet AMSL.
2. The facility shall be constructed in accordance with the State of Connecticut Basic Building Code.
3. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-75 through 16-50j-77 of the Regulations of State Agencies. The D&M plan shall include detailed plans of the site preparation with compacted fill and adjustment for tower height in relation to the new site elevation.
4. The Certificate Holder shall comply with any future radio frequency (RF) standard, promulgated by State or federal regulatory agencies. Upon the establishment of any new governmental RF standards, the facility granted in this Decision and Order shall be brought into compliance with such standards.

5. The Certificate Holder or its successor shall provide the Council a recalculated report of power density if and when additional channels over the proposed 60 channels, higher wattage over the proposed 100 watts per channel, or if other circumstances in operation cause a change in power density above the levels originally calculated in the application.
6. The Certificate Holder or its successor shall permit public or private entities to share space on the East Lyme tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
7. If this facility does not initially provide, or permanently ceases to provide cellular service following completion of construction, this Decision and Order shall be void, and the tower and all associated equipment in this application shall be dismantled and removed or reapplication for any new use shall be made to the Council before any such new use is made.
8. Unless otherwise approved by the Council, this Decision and Order shall be void if all construction authorized herein is not completed within three years of the issuance of this Decision and Order, or within three years after the completion of any appeal to this Decision and Order.

Pursuant to Section 16-50p, we hereby direct that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below. A notice of issuance shall be published in the New London Day.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with section 16-50j-17 of the Regulations of State Agencies.

The parties or intervenors to this proceeding are:

Metro Mobile CTS of (Applicant)
New London, Inc.
100 Corporate Drive
Windsor, CT 06095

ATTN: Gary Schulman
General Manager

Robinson and Cole (Its Representative)
One Commercial Plaza
Hartford, CT 06103-3597
Attn: Earl W. Phillips, Jr., Esq.

SNET Cellular, Inc. (Intervenor)
227 Church Street
New Haven, CT 06506

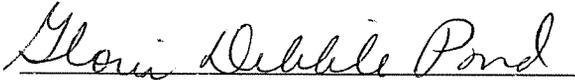
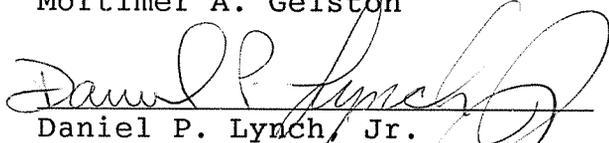
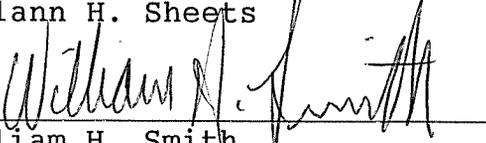
Peter J. Tyrrell (Its Representative)
SNET Cellular, Inc.
Room 1021
227 Church Street
New Haven, CT 06506

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CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case in Docket No. 116 or read the record thereof, and that we voted as follows:

Dated at New Britain, Connecticut the 3rd day of January, 1990.

<u>Council Members</u>	<u>Vote Cast</u>
 Gloria Dibble Pond Chairperson	Yes
 Commissioner Peter Boucher Designee: Robert A. Pulito	Yes
Commissioner Leslie Carothers Designee: Brian Emerick	Absent
 Harry E. Covey	Yes
 Mortimer A. Gelston	Yes
 Daniel P. Lynch, Jr.	Yes
 Paulann H. Sheets	Yes
 William H. Smith	Yes
 Colin C. Tait	Yes