



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@po.state.ct.us

Web Site: www.state.ct.us/csc/index.htm

March 30, 2001

Christopher B. Fisher, Esq.
Cuddy & Feder & Worby LLP
90 Maple Avenue
White Plains, NY 10601-5196

RE: **TS-AT&T-011-010321** - AT&T Wireless PCS, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 1021 Blue Hills Avenue, Bloomfield, Connecticut.

Dear Attorney Fisher:

At a public meeting held March 28, 2001, the Connecticut Siting Council (Council) ruled that the shared use of this existing tower site is technically, legally, environmentally, and economically feasible and meets public safety concerns, and therefore, in compliance with General Statutes § 16-50aa, the Council has ordered the shared use of this facility to avoid the unnecessary proliferation of tower structures. This facility has also been carefully modeled to ensure that radio frequency emissions are conservatively below State and federal standards applicable to the frequencies now used on this tower.

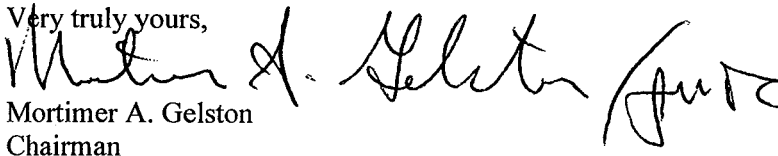
This decision is under the exclusive jurisdiction of the Council. Any additional change to this facility may require an explicit request to this agency pursuant to General Statutes § 16-50aa or notice pursuant to Regulations of Connecticut State Agencies Section 16-50j-73, as applicable. Such request or notice shall include all relevant information regarding the proposed change with cumulative worst-case modeling of radio frequency exposure at the closest point uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin 65. Any deviation from this format may result in the Council implementing enforcement proceedings pursuant to General Statutes § 16-50u including, without limitation, imposition of expenses resulting from such failure and of civil penalties in an amount not less than one thousand dollars per day for each day of construction or operation in material violation.

This decision applies only to this request for tower sharing and is not applicable to any other request or construction.

The proposed shared use is to be implemented as specified in your letter dated March 19, 2001.

Thank you for your attention and cooperation.

Very truly yours,

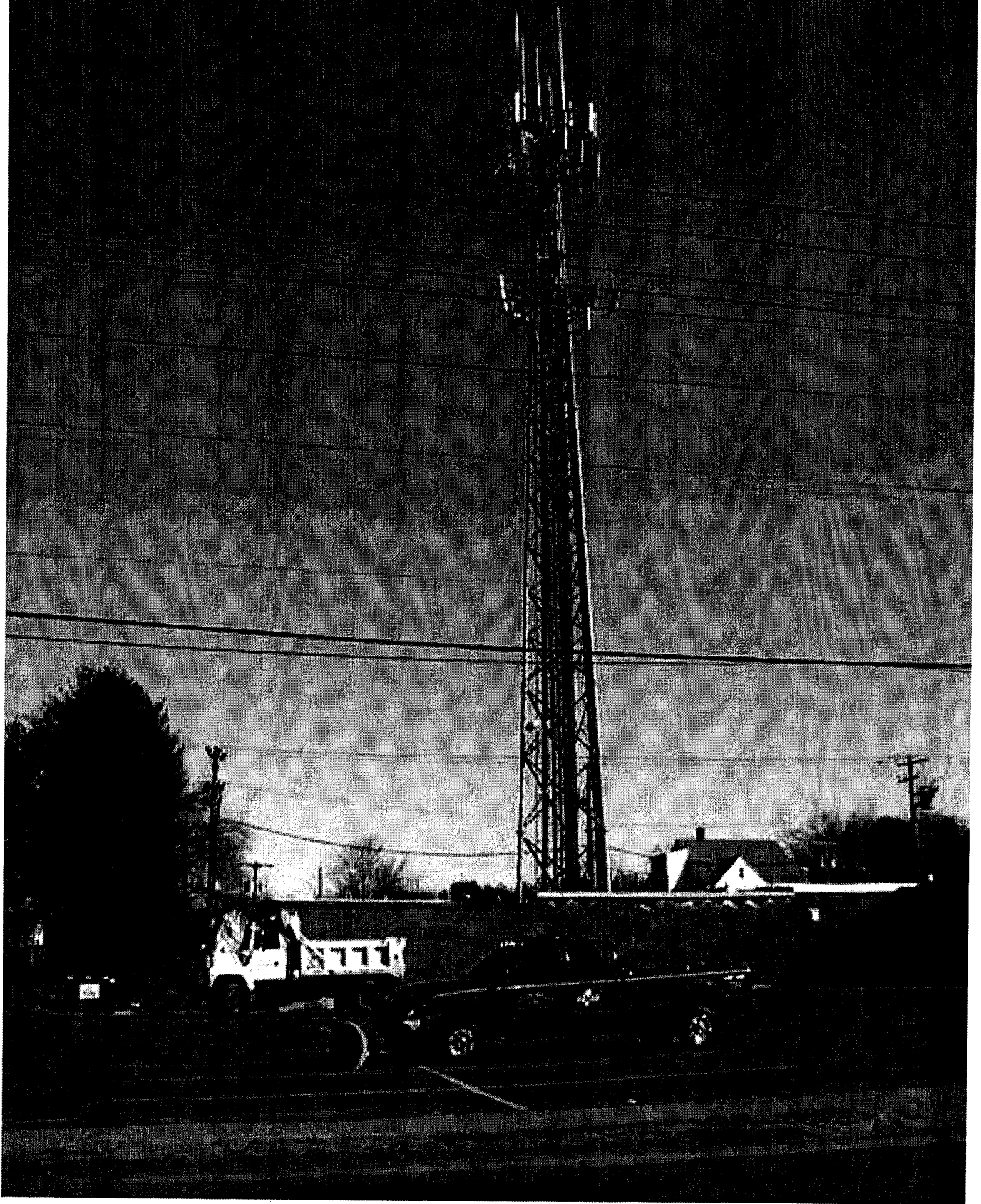


Mortimer A. Gelston
Chairman

MAG/RKE/laf

c: Honorable Faith McMahon, Mayor, Town of Bloomfield
Mr. Thomas B. Hooper, Director of Planning, Town of Bloomfield
Louie Chapman, Jr., Town Manager, Town of Bloomfield
Esther McNany, SBA, Inc.
Stephen J. Humes, Esq., LeBoeuf, Lamb, Greene & MacRae
Peter W. van Wilgen, SNET Cellular LLC
Christine Belvin, LCC International, Inc.
Sam J. D'Agostino, PageNet Inc.

AT&T 1021 Blue Hills Ave Bloomfield 3/27/01





STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@po.state.ct.us

Web Site: www.state.ct.us/csc/index.htm

March 21, 2001

Honorable Faith McMahon
Mayor
Town of Bloomfield
Town Hall
800 Bloomfield Avenue
P. O. Box 337
Bloomfield, CT 06002-0337

RE: **TS-AT&T-011-010321** - AT&T Wireless PCS, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 1021 Blue Hills Avenue, Bloomfield, Connecticut.

Dear Mayor McMahon:

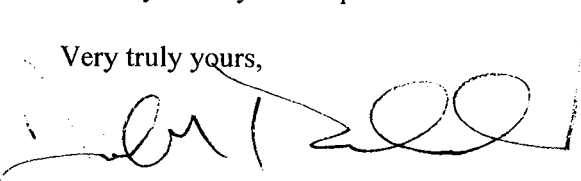
The Connecticut Siting Council (Council) received this request for tower sharing, pursuant to Connecticut General Statutes § 16-50aa.

The Council will consider this item at the next meeting scheduled for March 28, 2001, at 1:30 p.m. in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut.

Please call me or inform the Council if you have any questions or comments regarding this proposal.

Thank you for your cooperation and consideration.

Very truly yours,



Joel M. Rinebold
Executive Director

JMR/RKE/laf

Enclosure: Notice of Tower Sharing

c: Thomas B. Hooper, Director of Planning, Town of Bloomfield
Louie Chapman, Jr., Town Manager, Town of Bloomfield

CUDDY & FEDER & WORBY LLP

90 MAPLE AVENUE
WHITE PLAINS, NEW YORK 10601-5196

**CUDDY & FEDER
1971-1995**

NEIL J. ALEXANDER (also CT)
THOMAS R. BEIRNE (also D.C.)
THOMAS M. BLOOMER
JOSEPH P. CARLUCCI
KENNETH J. DUBROFF
ROBERT FEDER
CHRISTOPHER B. FISHER (also CT)
ANTHONY B. GIOFFRE III (also CT)
SUSAN E.H. GORDON
KAREN G. GRANIK
JOSHUA J. GRAUER
WAYNE E. HELLER (also CT)
KENNETH F. JURIST
MICHAEL L. KATZ (also NJ)
JOSHUA E. KIMERLING (also CT)
DANIEL F. LEARY (also CT)
BARRY E. LONG

(914) 761-1300
TELECOPIER (914) 761-5372/6405
www.cfwlaw.com

New York City Office
500 FIFTH AVENUE
NEW YORK, NEW YORK 10110
(212) 944-2841
TELECOPIER (212) 944-2843

Connecticut Offices
733 SUMMER STREET
STAMFORD, CONNECTICUT 06901
(203) 348-4780

4 BERKELEY STREET
NORWALK, CONNECTICUT 06850
(203) 853-8001
TELECOPIER (203) 831-8250

WILLIAM S. NULL
DAWN M. PORTNEY
ELISABETH N. RADOW
NEIL T. RIMSKY
RUTH E. ROTH
MIGUEL A. TORRELLAS (also NJ)
CHAUNCEY L. WALKER (also CA)
ROBERT L. WOLFE
DAVID E. WORBY

Of Counsel
MICHAEL R. EDELMAN
ANDREW A. GLICKSON (also CT)
ROBERT L. OSAR (also TX)
MARYANN M. PALERMO
ROBERT C. SCHNEIDER
LOUIS R. TAFFERA

March 19, 2001

VIA FEDERAL EXPRESS

Hon. Mortimer Gelston, Chairman and Members
of the Siting Council
Connecticut Siting Council
10 Franklin Square
New Britain, Connecticut 06051



Re: Tower Sharing Request by AT&T Wireless Services
Existing SBA Tower Facility at
1021 Blues Hills Avenue, Bloomfield, Connecticut

Hon. Mortimer Gelston, Chairman and Members of the Siting Council:

Pursuant to Connecticut General Statutes (C.G.S.) § 16-50aa, AT&T Wireless PCS LLC, by and through its agent AT&T Wireless Services, Inc., ("AT&T Wireless") hereby requests an order from the Connecticut Siting Council (the "Council") to approve the proposed shared use of an existing communications tower, located at 1021 Blues Hills Avenue in the Town of Bloomfield (the "Blues Hills Facility"), owned by SBA Towers, Inc., ("SBA"). AT&T Wireless has entered into an agreement with the tower owner to permit the installation of a wireless communications facility at the existing Blues Hills Facility. See license signature page annexed hereto as Exhibit A.

The Blues Hills Facility

The Blues Hills Facility consists of an approximately one hundred twenty five (125) foot high steel lattice telecommunications tower (the "Tower") and equipment shelters currently being used for wireless communications and radio broadcast. A chain link fence

March 19, 2001

Page 2

surrounds the Tower and equipment shelters. The current adjacent land uses include the Blues Hills Fire Station and commercial uses.

AT&T Wireless' Facility

As shown on the enclosed plans prepared by Natcomm, LLC, including a site plan and tower elevation of the Blues Hills Facility, AT&T Wireless proposes shared use of the Facility by placing antennas on the Tower and equipment cabinets needed to provide personal communications services ("PCS") within the existing fenced compound. AT&T Wireless will install up to twelve (12) panel antennas at approximately the 108 foot level of the Tower. AT&T has confirmed that the tower is structurally capable of supporting the addition of AT&T Wireless' antennas.

Connecticut General Statutes § 16-50aa provides that, upon written request for shared use approval, an order approving such use shall be issued, "if the council finds that the proposed shared use of the facility is technically, legally, environmentally and economically feasible and meets public safety concerns." (C.G.S. § 16-50aa(c)(1).) Further, upon approval of such shared use, it is exclusive and no local zoning or land use approvals are required C.G.S. § 16-50x. Shared use of the Blues Hills Facility satisfies the approval criteria set forth in C.G.S. § 16-50aa as follows:

- A. Technical Feasibility AT&T has confirmed that the tower is structurally capable of supporting the addition of AT&T Wireless' antennas. The proposed shared use of this tower is therefore technically feasible.
- B. Legal Feasibility Pursuant to C.G.S. § 16-50aa, the Council has been authorized to issue an order approving shared use of the existing Blues Hills Facility. (C.G.S. § 16-50aa(c)(1)). Under the authority vested in the Council by C.G.S. § 16-50aa, an order by the Council approving the shared use of a tower would permit the Applicant to obtain a building permit for the proposed installation.
- C. Environmental Feasibility The proposed shared use would have a minimal environmental effect, for the following reasons:

March 19, 2001

Page 3

1. The proposed installation would have a de minimis visual impact, and would not cause any significant change or alteration in the physical or environmental characteristics of the existing facility;
 2. The proposed installation by AT&T Wireless would not increase the height of the tower or extend the boundaries of the Blues Hills Facility;
 3. The proposed installation would not increase the noise levels at the existing facility boundaries by six decibels or more;
 4. Operation of AT&T Wireless' antennas at this site would not exceed the total radio frequency electromagnetic radiation power density level adopted by the FCC and Connecticut Department of Health. The "worst case" exposure calculated for the operation of this facility for all carriers, would be approximately 40% of the standard. See Cumulative Emissions Compliance Report dated March 15, 2001, prepared By Ronald E. Graiff, PE, annexed hereto as Exhibit B;
 5. The proposed shared use of the Blues Hills Facility would not require any water or sanitary facilities, or generate air emissions or discharges to water bodies. Further, the installation will not generate any traffic other than for periodic maintenance visits.
- D. Economic Feasibility As evidenced in Exhibit A annexed hereto, the Applicant and the tower owner have entered into a mutual agreement to share use of the Blues Hills Facility on terms agreeable to both parties. The proposed tower sharing is therefore economically feasible.
- E. Public Safety As stated above and evidenced in the Cumulative Emissions Compliance Report annexed hereto as Exhibit B, the operation of AT&T Wireless' antennas at this site would not exceed the total radio frequency electromagnetic radiation power density level adopted by the FCC and Connecticut Department of Health. Further, the addition of AT&T Wireless' telecommunications service in the Bloomfield area through shared use of the Blues Hills Facility is expected to enhance the safety and welfare of local residents and travelers through the area resulting in an improvement to public safety in this area of Bloomfield.


March 19, 2001

Page 4

Conclusion

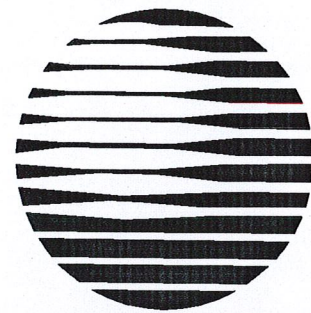
As delineated above, the proposed shared use of the Blues Hills Street Facility satisfies the criteria set forth in C.G.S. § 16-50aa, and advances the General Assembly's and the Siting Council's goal of preventing the proliferation of towers in the State of Connecticut. AT&T Wireless therefore requests the Siting Council issue an order approving the proposed shared use of the Blues Hills Facility.

Respectfully submitted,



Christopher B. Fisher, Esq.
On behalf of AT&T Wireless

cc: First Selectman, Town of Bloomfield
Michael P. Murphy, AT&T Wireless
Joanne Desjardins, Pinnacle Site Development
Connie Lamberes, Bechtel Telecommunications

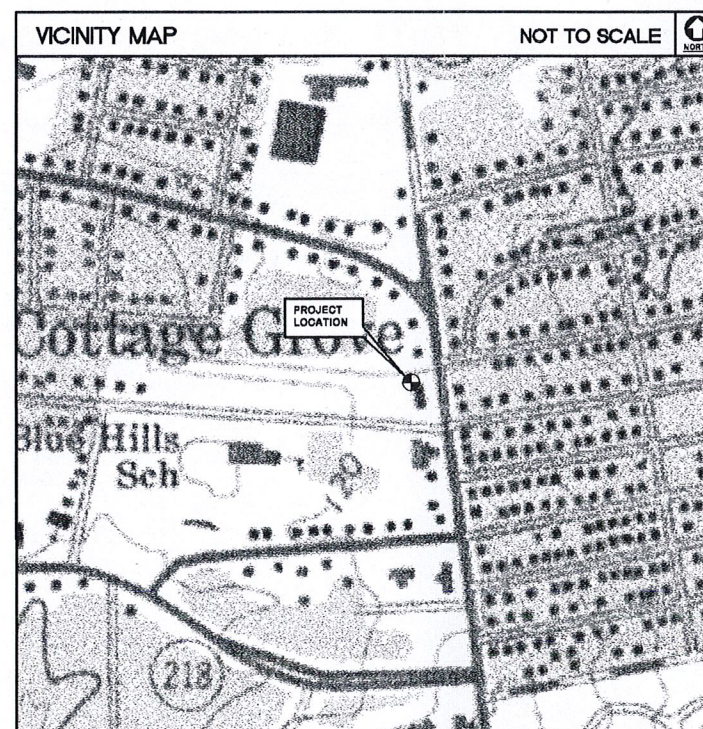


AT&T

AT&T WIRELESS PCS, L.L.C.

SITE NUMBER: CT- 248

SITE NAME: BLOOMFIELD



| PROJECT SUMMARY | |
|--|---|
| SITE ADDRESS: | 1021 BLUE HILLS AVE BLOOMFIELD, CT 06002 |
| LESSOR: | AT&T WIRELESS PCS, LLC 149 WATER STREET 2C & 2D NORWALK, CT 06854 |
| PROPOSED USE: | TELECOMMUNICATIONS FACILITY |
| COORDINATES: | LAT: 41° 49' 12.43" (NAD83) LONG: 72° 41' 47.45" (NAD 83) GROUND ELEVATION: 121' (AMSL) |
| SITE INFORMATION | |
| 1. THE SCOPE OF WORK SHALL INCLUDE THE CONSTRUCTION OF A 8'-6" X 19'-0" AT&T EQUIPMENT PAD WITH ICE SHIELD COVER AND (12) PANEL ANTENNAS IN AN EXISTING 125' TOWER. 2. THIS WIRELESS COMMUNICATIONS FACILITY IS NOT INTENDED FOR PERMANENT OCCUPANCY AND THEREFORE DOES NOT REQUIRE POTABLE WATER, SANITARY SEWERS AND ADDITIONAL SITE PARKING. 3. THIS FACILITY SHALL BE VISITED ON THE AVERAGE OF ONCE A MONTH FOR PERIODIC MAINTENANCE. | |
| SHEET INDEX | |
| DRAWING NO. | DESCRIPTION |
| SC01-A | TITLE SHEET |
| SC02-A | PARTIAL SITE PLAN AND TOWER ELEVATION |

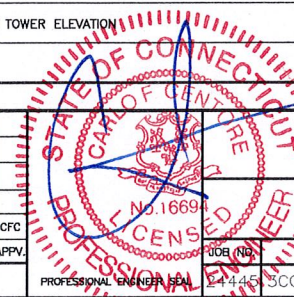


Natcomm, L.L.C.
63-2 North Branford Road
Branford, Connecticut 06405
Tel: (203) 488-0580
Fax: (203) 488-6587
Consulting Engineers • Project Management
Civil • Structural • Mechanical • Electrical

**BLOOMFIELD
SITE NO. CT-248**
1021 BLUE HILLS AVENUE
BLOOMFIELD, CT 06002

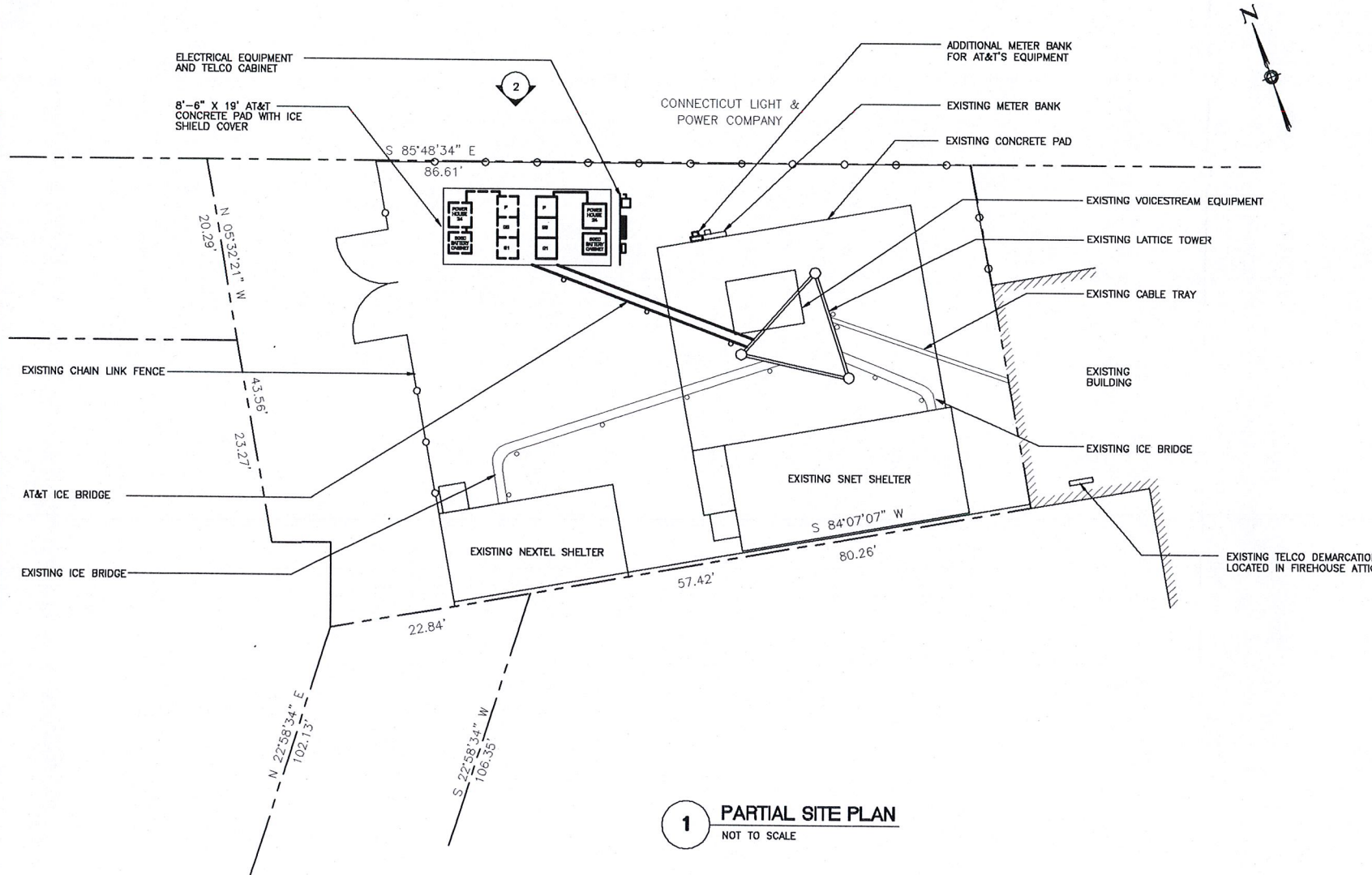


| NO. | DATE | REVISIONS | BY | CHK | APPV. | NO. 1669 | SITE NO. | DRAWING NUMBER | REV. | |
|------------------|----------|----------------|-----------------|-----|-------------|----------------|----------------------------|----------------|--------|---|
| △ | | | | | | | | | | |
| △ | | | | | | | | | | |
| △ | | | | | | | | | | |
| △ | 11/21/00 | SITING COUNCIL | P.A.M. | JJP | CFC | | | | | |
| △ | | | | | | | | | | |
| DRAWN BY: P.A.M. | | | CHECKED BY: JJP | | SCALE: NONE | DATE: 12/22/99 | PROFESSIONAL ENGINEER SEAL | SC01-CT-248 | SC01-A | 0 |

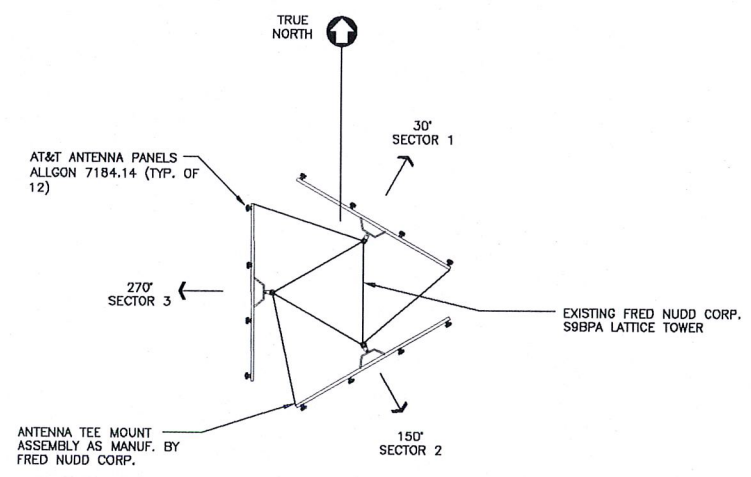


Natcomm, L.L.C.
63-2 North Branford Road
Branford, Connecticut 06405
TITLE SHEET

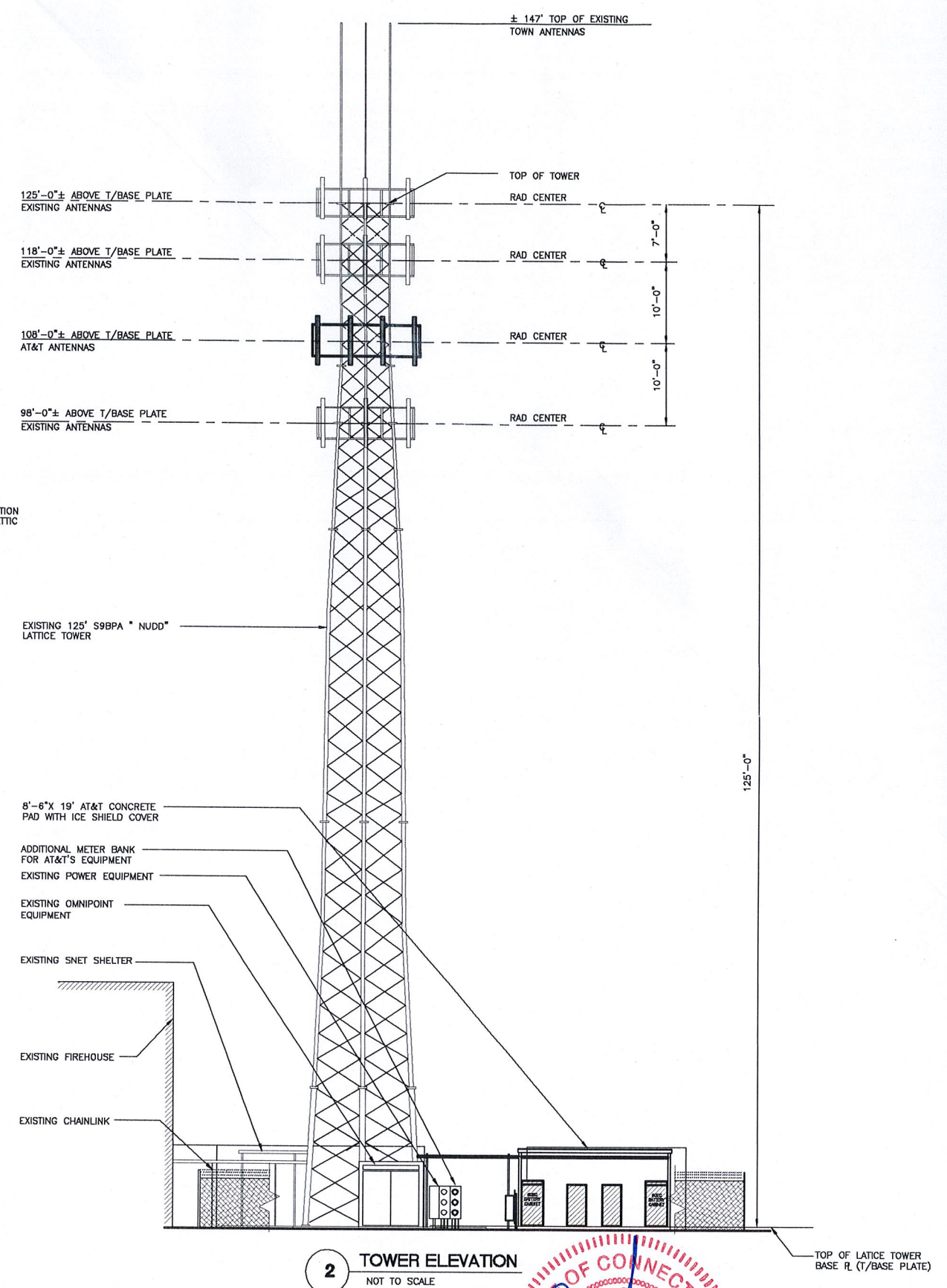
116ASCT1.dwg 2-12-01 9:28:51 am EST



1 PARTIAL SITE PLAN
NOT TO SCALE



3 ANTENNA MOUNTING CONFIGURATION
NOT TO SCALE



2 TOWER ELEVATION
NOT TO SCALE

Natcomm, L.L.C.
63-2 North Branford Road
Branford, Connecticut 06405
Tel. (203) 488-0580
Fax (203) 488-8587
Consulting Engineers - Project Management
CIVIL - STRUCTURE - MECHANICAL - ELECTRICAL

**BLOOMFIELD
SITE NO. CT-248**
1021 BLUE HILLS AVENUE
BLOOMFIELD, CT 06002

AT&T
AT&T WIRELESS PCS LLC
12 OMEGA DRIVE
STAMFORD, CONNECTICUT 06907

| | | | | | |
|--|-----------|----------------------|----------------|----------------|--------|
| NO. | DATE | REVISIONS | BY | CHK | APPV |
| 1 | 11/21/00 | SITING COUNCIL | P.A.M. | J.P. | C.E.C. |
| DRAWN BY: P.A.M. CHECKED BY: J.P. SCALE: AS NOTED DATE: 12/22/99 | | | | | |
| PROFESSIONAL ENGINEER | NO. 10094 | STATE OF CONNECTICUT | CARTER GENTILE | | |
| DATE | 12/22/99 | NO. | 300-CT-248 | DRAWING NUMBER | SC02-A |
| REV. | 0 | | | | |

Natcomm, L.L.C.
63-2 North Branford Road
Branford, Connecticut 06405
**PARTIAL SITE PLAN
AND TOWER ELEVATION**

116ASC01.dwg 2-12-01 7:23:57 am EST

13. Tenant's Address for Notice Purposes: AT&T Wireless Services, Inc.
15 East Midland Avenue
Paramus, NJ 06752

With Copies to: AT&T Wireless Services, Inc.
149 Water Street
Norwalk, CT 06854
Attn: Legal Department

Owner's Address for Notice Purposes: SBA Towers, Inc.
One Town Center Road, 3rd Floor
Boca Raton, FL 33486
Attn: Site Administration

Rental Payments to: SBA Towers, Inc.
Dept. #945752
Atlanta, GA 30394-5752

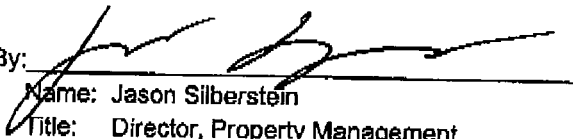
14. The Ground Lease relating to the Property is attached hereto and made a part hereof as **Schedule 7**.

15. Notwithstanding the terms of the Master Antenna Site Agreement, this Site Lease shall be governed by and construed in accordance with the laws of the State in which the Site is located.

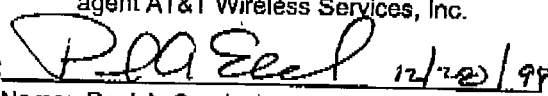
16. This Site Lease may not be amended, supplemented or modified in any respect, except pursuant to written agreement duly executed by the parties in the same manner in which this Site Lease was executed.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the date set forth above.

OWNER:
SBA Towers, Inc.

By: 
Name: Jason Silberstein
Title: Director, Property Management
Address: One Town Center Road, 3rd Floor
Boca Raton, FL. 33486

TENANT: AT&T Wireless PCS, by and through its
agent AT&T Wireless Services, Inc.

By:  12/22/99
Name: Paul A. Spurlock
Title: System Development Manager
Address: 15 E. Midland Avenue
Paramus, NJ 06752

ENGINEERING REPORT

**RADIO FREQUENCY EXPOSURE REPORT DEMONSTRATING
COMPLIANCE WITH THE EXPOSURE GUIDELINES OF
THE FEDERAL COMMUNICATIONS COMMISSION
BULLETIN OET-65
FOR A MULTIPLE USE COMMUNICATIONS TOWER LOCATED
AT THE BLUE HILLS FIRE DEPARTMENT,
1021 BLUE HILLS AVENUE, BLOOMFIELD, CT**

Prepared for

**AT&T PCS, LLC
12 Omega Drive 2nd Floor
Stamford, CT 06907
ATTN: Michael Murphy**

Prepared by

**Ronald E. Graiff, P.E.
Radio Frequency Consulting Engineer
52 Bogus Hill Road
New Fairfield, CT 06812
203 746 7600**

March 15, 2001

INTRODUCTION

This report was prepared on behalf AT&T PCS, LLC, tenant on a multiple use communications tower located in Bloomfield, CT. to demonstrate compliance with the radio frequency exposure guidelines of The Federal Communications Commission (FCC) OET Bulletin 65 (Edition 97-01). The FCC exposure guidelines are based on exposure limits recommended by the National Council on Radiation Protection and Measurements (NCRP) and, over a wide range of frequencies, the exposure limits developed by the Institute of Electrical and Electronics Engineers, Inc., (IEEE) and adopted by the American National Standards Institute (ANSI).

CONCLUSIONS

The results of this analysis demonstrate that the maximum level of Radio Frequency (RF) energy emanated from the facility is well below all applicable health and safety limits. Specifically, in all normally accessible areas surrounding the facility, the maximum level of RF energy associated with the *simultaneous and continuous operation of all transmitters* located there will be less than 40% of the safety criteria adopted by the Federal Communications Commission (FCC), The New York State Department of Health, The American National Standards Institute (ANSI), The Institute of Electrical and Electronic Engineers (IEEE), National Council on Radiation Protection (NCRP) and as required by the Telecommunications Act of 1996. It is important to note, however as will be discussed below, that these results are extremely conservative, and in actual operation the real time averaged levels will be below the safety guidelines by an even greater amount.

TECHNICAL DATA

AT&T PCS, LLC, has provided the undersigned with a significant amount of background information on the site, including, but not limited to, detailed drawings of the tower and all antennas located thereon and information on all FCC licensees for all radio transmitters operating at the site. This has been previously analyzed by other carriers for the Siting Council. The most recent analysis performed by XM Radio and received by the Siting Council on October 11, 2000, indicated an MPE of 28.77%. That report was verified by the undersigned who agrees substantially with the result. The instant analysis presented herein will consider the AT&T equipment to be added and the equipment operated by VoiceStream Wireless, an analysis of which can not be found.

The site in question, a 125 foot lattice tower, is remarkable in that it supports a number of transmitting and receiving antennas for various services including Cellular Radio (Cellular), Paging, Public Safety and Personal Communications Radio Services (PCS). The frequencies utilized by each communication service as well as the power transmitted on each frequency must be identified as each band of frequencies has specific exposure requirements. The frequencies used at the site range from 30 MHz (mega Hertz) to 2300 MHz while transmitter powers vary from 12 watts to 125 watts. The exact location and placement of each antenna on the tower must also be

accurately determined to proceed with an analysis as was performed herein. Table 1 specifies the operation of the AT&T and VoiceStream systems.

ANALYSIS METHOD

The methodology utilized in this report, including formulae and assumptions, is that which is specified in FCC report OET-65 "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields." This methodology is generally recognized and accepted by the world standards setting organizations for RF environments and utilizes the attenuation of any field in an inverse law fashion as in the following formula:

$$S_{\max} = \frac{1.64 \times ERP}{\pi R^2}$$

- S_{\max} = Power density at point in question assumes a 100% ground reflection (resulting in a doubling of the field strength and a four-fold increase in power density)
- ERP = the effective radiated power of all of the transmitters feeding the antenna
- R = the slant line distance from the antenna to the point of exposure at six (6) feet above the ground

The methodology assumes **that every transmitter at the site is operating continuously and at its maximum power and that all of the energy produced by every transmitter adds in perfect phase and that any energy directed toward the ground is 100 percent reflected resulting in the theoretically greatest field that can be achieved.** These assumptions are conservative since the probability of all transmitters operating simultaneously and continuously is not likely, the energy produced by each transmitter is not in phase and will not add, and the ground absorbs, not reflects, a majority of the energy directed toward it. In addition, this analysis will assume that the transmitting antennas radiate the power in all directions at full effective radiated power rather than as a function of vertical antenna pattern. Experience in the field has shown that the actual level of RF energy produced by the operation of facilities as proposed is much less than predicted.

RESULTS

The results of the analysis as are indicated in Table 2 demonstrate that the **maximum** level of RF energy to which the public may be exposed occurs at the base of the tower and that this level will be less than 40% of The Maximum Permitted Exposure (MPE) for the general public. This level is less than 40% of the safety criteria of the FCC, The New York State Department of Health, The Institute of Electrical and Electronic Engineers, The American National Standards Institute, The National Council on Radiation Protection and Measurement as well as other international safety criteria.

AFFIDAVIT

COUNTY OF FAIRFIELD)
)
STATE OF CONNECTICUT)

Ronald E. Graiff, being first duly sworn, deposes and states that he is a Registered Professional Engineer in the State of New York; that he is a graduate electrical engineer with a Bachelor of Science in Electrical Engineering from The Pennsylvania State University; that he is familiar with the guidelines for human exposure to electromagnetic emissions that have been adopted by the FCC; and that he has performed many power density calculations of the type presented herein. He further states that this engineering report has been prepared for AT&T PCS, LLC to determine RF exposure levels at a tower located at Bloomfield, Connecticut, and that the calculations contained therein were performed by him and that the statements contained therein are true of his own personal knowledge except to those stated to be on information and belief and, as to those statements, he believes them to be true and correct.

Ronald E. Graiff

Ronald E. Graiff, P.E.



TABLE 1¹

| TENANT | HEIGHT | # CHANNELS | POWER | ANTENNA |
|-------------|--------|------------|-----------|------------|
| AT&T | 108 FT | 8/Sector | 100/ W/CH | ALGON 7184 |
| VOICESTREAM | 125 FT | 8/Sector | 242 W/CH | EMS RV-90 |

¹ Information regarding technical operating parameters provided by the operators.

TABLE 2

| Tenant - Service¹ - Frequency² | Power Density $\mu\text{W}/\text{cm}^2$ | % of MPE |
|---|---|-----------------|
| AT&T Wireless - PCS - 1950 Mhz | < 38.6 | 3.9% |
| VoiceStream - PCS - 1950 | < 69.8 | 6.9% |
| All other emitters from previous reports | | 28.775 |
| | Total | 39.57% |

1 Service Abbreviations: PCS = Personal Communications Service

2 Frequencies noted are frequency bands for minimum MPE. Each service provider operates on specific, individual frequencies in each band