

DOCKET NO. 303 – Sprint Spectrum, L.P. application for a }
Certificate of Environmental Compatibility and Public Need for }
the construction, maintenance and operation of a }
telecommunications facility located at 723 Farmington Avenue, }
New Britain, Connecticut. }

Connecticut

Siting

Council

June 28, 2005

Decision and Order

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, operation, and maintenance of a telecommunications facility 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 and therefore directs that a Certificate of Environmental Compatibility and Public Need, as provided by General Statutes § 16-50k, be issued to Sprint Spectrum, L.P., hereinafter referred to as the Certificate Holder, for a telecommunications facility at 723 Farmington Avenue, New Britain, 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 tower shall be constructed as a monopole, no taller than necessary to provide the proposed telecommunications services, sufficient to accommodate the antennas of Sprint Spectrum, L.P and other entities, both public and private, but such tower shall not exceed a height of 110 feet above ground level. The height at the top of the antennas shall not exceed a height of 110 feet above ground level, including antennas.
2. Panel antennas shall be installed on the monopole using a flush or T-arm mounting configuration. T-arm antenna mounts shall be designed to reduce the visual profile of the antenna configuration to the greatest extent possible without compromising coverage objectives.
3. Landscaping shall include the addition of deciduous tree plantings between the existing paved driveway and the compound site, preferably along the north edge of the existing driveway.
4. 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 Connecticut State Agencies. The D&M Plan shall be served on the City of New Britain for comment, and all parties and intervenors as listed in the service list, and submitted to and approved by the Council prior to the commencement of facility construction and shall include:
 - a) a final site plan(s) of site development to include specifications for the tower, tower foundation, antennas, equipment building, access road, utility line, and landscaping; and
 - b) construction plans for site clearing, water drainage, and erosion and sedimentation control consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.

5. The Certificate Holder shall, prior to the commencement of operation, provide the Council worst-case modeling of electromagnetic radio frequency power density of all proposed entities' antennas at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin No. 65, August 1997. The Certificate Holder shall ensure a recalculated report of electromagnetic radio frequency power density is submitted to the Council if and when circumstances in operation cause a change in power density above the levels calculated and provided pursuant to this Decision and Order.
6. Upon the establishment of any new State or federal radio frequency standards applicable to frequencies of this facility, the facility granted herein shall be brought into compliance with such standards.
7. The Certificate Holder shall permit public or private entities to share space on the proposed tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
8. The Certificate Holder shall provide reasonable space on the tower for no compensation for any City of New Britain public safety services (police, fire and medical services), provided such use can be accommodated and is compatible with the structural integrity of the tower.
9. If the facility does not initially provide wireless services within one year of completion of construction or within two years from the date of the mailing of the Council's Findings of Fact, Opinion, and Decision and Order (collectively called "Final Decision"), whichever is earlier, this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's Final Decision shall not be counted in calculating these deadlines.
10. If the facility ceases to provide wireless services for a period of one year, this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made.
11. Any antenna that becomes obsolete and ceases to function shall be removed within 60 days after such antennas become obsolete and cease to function.
12. Any request for extension of the period referred to in Condition 9 shall be filed with the Council not later than sixty days prior to the expiration date of this Certificate and shall be served on all parties and intervenors and the City of New Britain, as listed in the service list. Any proposed modifications to this Decision and Order shall likewise be so served.
13. In accordance with Section 16-50j-77 of the Regulations of Connecticut State Agencies, the Certificate Holder shall provide the Council with written notice two weeks prior to the commencement of site construction activities. In addition, the Certificate Holder shall provide the Council with written notice of the completion of site construction and the commencement of site operation.

Pursuant to General Statutes § 16-50p, the Council hereby directs that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below, and notice of issuance shall be published in The Hartford Courant and The New Britain Herald.

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 Connecticut State Agencies.

The parties and intervenors to this proceeding are:

Applicant

Sprint Spectrum, L.P.
d/b/a Sprint PCS

Its Representative

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Intervenor

New Cingular Wireless, PCS, LLC

Its Representative

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