



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

August 8, 2018

Mark Ciarfella

Executive Vice President, Operations

SBA Communications

8051 Congress Avenue

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RE: DOCKET NO. 396 - SBA Towers II, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at 49 Brainerd Road, Niantic (East Lyme), Connecticut.

Non-Compliance with Development and Management (D&M) Plan Conditions

Dear Attorney Larson:

Pursuant to Connecticut General Statutes §16-50k, the Connecticut Siting Council (Council) issues Certificates of Environmental Compatibility and Public Need (Certificate) for the construction, operation and maintenance of telecommunications facilities. As a condition of project approval, the Council requires the submission of a full or partial Development and Management (D&M) Plan for Council review and approval prior to the commencement of facility construction pursuant to Sections 16-50j-75 to 16-50j-77 of the Regulations of Connecticut State Agencies (RCSA).

These regulations require certain written notifications and reports before, during and after facility construction. On April 27, 2018, the Council issued a memorandum regarding compliance with the D&M Plan regulations, which may be accessed at the following link: http://www.ct.gov/csc/lib/csc/guides/2018_guides/20180427-industrymemo-dandm.pdf.

The D&M Plan for the above-referenced facility was approved by the Council on April 29, 2011. However, the Council is not in receipt of the following required written notifications and reports:

1. Notification of commencement of construction per RCSA §16-50j-77(b);
2. Monthly progress reports per RCSA §16-50j-77(b);
3. Notification of completion of construction and commencement of operation per RCSA §16-50j-77(b); and
4. Final report per RCSA §16-50j-77(c).

Please be advised that the Council has a responsibility under the Public Utility Environmental Standards Act to take all reasonable steps to insure that each facility is constructed, maintained and operated in compliance with the Certificate issued by the Council and may exercise enforcement authority pursuant to Connecticut General Statutes §16-50u.

The Council hereby requests compliance on these matters no later than October 1, 2018. If additional time is needed to gather the requested information, please notify the Council in writing on or before October 1, 2018.

If you have any questions or concerns, please call the Council office at 860-827-2935.

Thank you for your attention to this matter.

Sincerely,

Melanie A. Bachman

Executive Director

MAB/lm



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