

DOCKET NO. 29

AN APPLICATION OF CABLEVISION OF : CONNECTICUT SITING
CONNECTICUT, LIMITED PARTNERSHIP, :
FOR A CERTIFICATE OF ENVIRONMENTAL : COUNCIL
COMPATIBILITY AND PUBLIC NEED TO
CONSTRUCT A COMMUNITY ANTENNA
TELEVISION SUB HEAD-END IN THE
TOWN OF STAMFORD. : November 1, 1982

O P I N I O N

Cablevision of Connecticut, Limited Partnership (Cablevision), applied for a certificate of environmental compatibility and public need for the construction of a community antenna television sub headend facility. The facility, consisting of various antenna and supports, is proposed to receive and send microwave signals to and from the utility's Norwalk headend and to receive broadcast signals off-air.

Following the issuance of due notice, Council members inspected the proposed site and the existing Norwalk facility on September 16, 1982. The Council held a public hearing on the application at the Stamford City Administration Building on the evening of September 16, 1982.

The applicant presented testimony and exhibits to support its claim that the facility was necessary, that adverse environmental effects would be minimal, and that alternative sites and technologies were not available or appropriate.

The Council considered the potential adverse environmental effects of the proposed facility and concludes that they are not sufficient to deny the proposal. The site is a residential building roof top which provides the necessary characteristics of height and line-of-sight to the Norwalk facility. The area is heavily developed, primarily commercial, and several nearby buildings have existing microwave and other antenna on their roofs. These include a Southern New England Telephone microwave

facility near New Hope Towers. The Connecticut Turnpike passes very near the building. However, such prior development does not itself justify new development, particularly if substantial adverse environmental effects are likely to occur. The existing character of the area effectively eliminates the typical concerns for wetlands, vegetation, and historic, scenic, and recreational values. However, the Council examined carefully the data and specifications provided regarding power densities and exposures.

This investigation indicated that power densities encountered directly under the beam, in an area that would be accessible only to authorized personnel, would be less than one-tenth of the Occupational Safety and Health Administration standard of 10 microwatts per square centimeter. Evidence provided shows that power levels in any residential area would be even less than those immediately beneath the antenna in the range of 0.1 to 0.01 milliwatt per square centimeter. Therefore, the facility should not require any precautions beyond the insurance, limited access, and warning signs that the applicant proposes as standard practice.

It is evident from the record that Cablevision is in need of a sub-headend in Stamford to meet its system requirements. The system has been designed to cover a large franchise territory with a minimum number of towers or sub-headend facilities. The proposed site will allow service to three towns, Greenwich, Stamford, and Darien, by trunk cable, where a receive location in Greenwich or Darien would not permit complete coverage. Alternative sites in Stamford were investigated, but none were found that were better than the proposed site.

It was also determined that alternative technologies could not provide the necessary quality of reception.

The facility will not only allow receipt of satellite programming from Norwalk, it will be essential to provide local programming through the system. The UHF and VHF antenna, as proposed, will also permit independent reception capability which will back up the Norwalk head-end facility.

Because the State Legislature and the Department of Public Utility Control have established by law a public need for cable antenna television service, the Council has investigated only the need for the proposed facility to meet that need. It is apparent to the Council that the facility is necessary, and that its potential adverse effects are not sufficient to deny the application; the Council will order that a certificate of environmental compatibility and public need be issued for the facility as proposed. The Council recognizes the concerns of residents and citizens of the area. The Council will specify in its order that power densities shall not exceed those calculated for the proposed equipment without Council approval, and that no equipment which would increase power densities at or near the tower base shall be added to the building by Cablevision without prior Council approval.