

DOCKET NO. 33

AN APPLICATION SUBMITTED BY UNITED CABLE : CONNECTICUT SITING  
TELEVISION CORPORATION OF EASTERN :  
CONNECTICUT FOR A CERTIFICATE OF : COUNCIL  
ENVIRONMENTAL COMPATIBILITY AND PUBLIC :  
NEED FOR THE ERECTION OF A COMMUNITY :  
ANTENNA TELEVISION HEAD-END TOWER AND :  
EARTH STATION IN THE TOWN OF BOLTON. : July 12, 1983

F I N D I N G S O F F A C T

1. United Cable Television Corporation of Eastern Connecticut (UC) in accordance with provisions of sections 16-50j-70 et seq. of the Regulations of Connecticut State Agencies, applied to the Connecticut Siting Council on April 15, 1983, for a certificate of environmental compatibility and public need for the erection of a community antenna television antenna head-end tower, earth station, and associated equipment in the town of Bolton.
2. The fee of \$500.00 as prescribed by section 16-50v-1(b) of the Regulations of Connecticut State Agencies accompanied the application. (Record)
3. The application was accompanied by proof of service as required by section 16-50l(b) of the General Statutes. (Record)
4. Affidavits of newspaper notice as required by Statute and section 16-50l-1 of the Regulations of Connecticut State Agencies were also filed with the application. (Record)
5. Pursuant to section 16-50m of the General Statutes, the Connecticut Siting Council, after giving due notice thereof, held a public hearing at the Bolton Community Hall, in Bolton, Connecticut, on June 8, 1983, at 7:00 P.M. (Record)

6. The parties to the proceeding are the applicant, the United Cable Television Corporation of Eastern Connecticut, and those persons and organizations whose names are listed in the Decision and Order which accompanies these findings. (Record)
7. The following filed written limited appearances with the Council pursuant to section 16-50n of the Connecticut General Statutes: Mr. Morris Silverstein, an adjacent landowner, and the Bolton Board of Selectman.
8. The Bolton Conservation and Inland Wetlands Agency filed written comments that the proposed plan seems to be fully consistent with the conservation goals of that agency. (Record)
9. The following state agencies filed written comments with the Council pursuant to section 16-50j(g) of the General Statutes of the State of Connecticut: Department of Economic Development, Department of Transportation, and Department of Environmental Protection. (Record)
10. The Department of Economic Development concluded that the proposal was compatible with the environment and would benefit the public, while the Department of Transportation had no specific comment. (Record)
11. The Department of Environmental Protection concluded that the site chosen appears to be an adequate and logical choice to meet the needs of CATV franchise Area 12. (Record)
12. On June 8, 1983, members of the Council made an inspection of the proposed site. (Record)
13. The proposed site, at 200 Boston Turnpike, Bolton, Connecticut, is in the approximate geographic center of CATV Area No. 12 and the

entire franchise area would be served by cable from the head-end facility. (UC 1, p. 7, 11; Tr. pp. 19-20)

14. UC proposes to convert the existing residential structure on the site to an office and studio building, which would also house the head-end equipment, and construct a 3000 square foot accessory storage building, a head-end tower, and an earth station. (UC 1, (UC 1, p. 4)
15. UC is a public service company and community antenna company (CATV) as defined by sections 16-1 and 16-331 of the Connecticut General Statutes. (UC 1, p. 1)
16. On November 30, 1982, UC was issued a Certificate of Public Convenience and Necessity by the Department of Public Utility Control (DPUC) to construct and operate a CATV system in CATV Area No. 12, consisting of the towns of Vernon, Ellington, Bolton, Andover, Hebron, and Marlborough. (UC 1, p. 1)
17. The earth station would be 48 feet high and would include a Simulsat 7, a multi-beam antenna designed to receive signals from up to 30 satellites. (UC 1, pp. 3-4)
18. The earth station would receive signals from four satellites, thus eliminating the potential need for three additional earth stations. (UC 1, pp. 3-4)
19. Twenty-five receivers would be installed in the earth station. (UC 1, pp. 3-4)
20. The head-end tower would be 63 feet high and would consist of a Rohn SSU or Microflect Self-Support tower. (UC 1, p. 3)
21. Seven antennas, including one microwave receive antenna, would be installed on the tower, and 9 processors and 4 microwave receivers

- would be in the head-end. (UC 1, p. 4)
22. The DPUC in Docket No. 80-01-13, held that public need for CATV service in Area No. 12 was established and that the public interest would be best served through the provision of CATV service by one CATV system. (UC 1, p. 6)
  23. The proposed head-end facility would receive VHF channels 3 and 8, and UHF channels 18, 20, 22, 24, 30, 40, and 57. (UC 1, p. 5)
  24. Four CARS Band microwave signals would be received from a transmitting facility atop the Connecticut National Bank building in Hartford. These signals would carry the sports channel, channel 38, and two channels from Connecticut Cable Interconnect. (UC 1, p. 5)
  25. The FCC has not yet approved a microwave path from the CNB building to the proposed tower. If the Hartford CATV site is not available, an alternative method of transmitting a microwave signal to the tower site is possible. (Tr. pp. 21-22)
  26. The proposed site consists of 4.8 acres of land, on which exists a one-story, single family house contains a 3041 square feet of floor area. Access would be from US Routes 6/44. (UC 1, pp. 6, 10)
  27. The proposed site and surrounding area have no significant scenic, natural, historic, or recreational characteristics. (UC 1, p. 10)
  28. No significant changes to the site would be needed to accommodate the head-end tower or earth station, except for the removal of one tree and the trimming of several others. (UC 1, pp. 5-6)
  29. The earth station would remain stationary and would be 90 feet from the nearest property line. (UC 2, Q. 4; Tr. p. 35)

30. No aircraft warning lights or FAA permits would be needed for the tower. (UC 2, Q. 11)
31. The tower would be located adjacent to the proposed office, about 70'- 80' from the nearest property line. There are no businesses or residences, other than the building to be converted to offices on the site, which would be within 65 feet of the tower base.  
(Tr. pp. 17, 34)
32. UC would install a standby generator of 25 kW, with a propane tank installed underground. (UC 2, Q. 21)
33. The proposed site is zoned General Business, and is currently being used for residential purposes. (UC 1, p. 8; Tr. p. 29)
34. A privately owned radio tower exists on a piece of property near the proposed site. (UC 2, Q. 22)
35. Surrounding parcels of land are zoned General Business and Industrial, and are currently being used for a detergent manufacturing facility, a gasoline station, a veterinary hospital, an auto body repair shop, a drive-in theater, a real estate office, a car wash, and a restaurant. (UC 1, p. 10)
36. The proposed facility would have no affect on the nearby drive-in theater, or on radio and television reception in the vicinity.  
(UC 2, Q. 7 & 8)
37. Due to existing topography and a number of 60'- 70' trees on the proposed site, the proposed facilities would be almost completely shielded from view from surrounding areas. (UC 2, Q. 1)
38. The proposed tower and earth station would not be visible from Bolton Notch State Park, or nearby roads including Cider Mill

Road, Interstate 84, Mt. Sumner Drive, or Bolton Center Road.

(Tr. p. 15)

39. The proposed facilities would be visible from portions of Williams Road, if the observer were in the center of that road. (Tr. p. 15)
40. No portion of the proposed site consists of an inland wetlands area or water course. (UC 1, p. 11)
41. The only sounds emanating from the head-end tower or earth station would be a barely audible wind noise. (UC 2, Q. 4)
42. Microwave power densities on the proposed site, from readings taken on March 30, 1983, were below .2 microwatts per square centimeter; signals from the CNB building would add .04 microwatts per square centimeter. These power densities are far below the occupational exposure safety standard used by OSHA of 10 milliwatts (10,000 microwatts) per square centimeter. (UC 1, p. 5)
43. The hills surrounding the site would provide natural shielding from any terrestrial microwave interference. (UC 1, p. 7)
44. The proposed tower has been designed to withstand a half an inch of ice and winds of one hundred miles per hour. (Tr. pp. 16-17)
45. The design and construction of the tower are such that the risk of collapse would be minimized, if not completely eliminated.  
(UC 1, p. 16)
46. The tower is designed so that any collapse would be upon itself, and be contained completely on the site. (UC 2, Q. 6; Tr. p. 16)
47. If the proposed earth station collapsed, it would fall on the proposed storage facility, located 90 feet from the nearest property line. (Tr. p. 35)

48. An eight-foot high chain-linked fence would be placed around the proposed office building, storage building, head-end tower, and earth station. (UC 1, pp. 4-5)
49. "No trespassing" signs would be posted along the perimeter of this fence. (UC 2, Q. 2)
50. Personnel of UC would be at the facility for 16 hours per day. (UC 2, Q. 3)
51. UC intends to acquire the site within 30 days after approval by the Council, and to commence construction of the tower, earth station and storage building, and remodeling of the dwelling, immediately after the closing. (UC 1, p. 13)
52. Construction of the head-end tower and earth station would be completed within 30 days after closing, and the remaining construction and remodeling would be completed within 60 days after the closing. (UC 1, p. 13)
53. The head-end tower would be capable of supporting numerous additional antennas, including microwave transmission antennas. However, UC does not anticipate adding microwave transmission or other antennas to the facility in the future. (UC 2, Q. 15-16; Tr. p. 19)
54. The DPUC has approved a service rate structure. The initial basic monthly service charge to residential customers is \$13.45. (UC 2, UC 2, Ans. 13)

55. The costs to UC for site acquisition and for the proposed facilities are estimated as follows:

Site and existing improvements	\$150,000
Tower and earth station construction	70,000
Storage building construction	50,000
Remodeling of dwelling and paving	40,000
Amplifiers	73,000
Receivers	28,000
Processors	44,000
Generator	<u>10,000</u>
Total	\$465,000

(UC 1, p. 12; UC 2, Q. 14, 21)

56. Employment of microwave interference traps, if necessary, could cost less than \$10,000. (UC 2, p. 3)
57. The cost of using a microwave facility employed by Hartford CATV located on the Hartford CNB building would be borne on a cost-share basis. (UC 2, p. 7)
58. UC foresees no future need for any additional microwave facilities at the CNB building and has no future plans requiring additional facilities. (UC 2, p. 7)
59. A head-end and earth station facility for a CATV system is the most reasonable system available. (UC 1, p. 14)
60. Industrially zoned property located across the street from the site, owned by Syndet, was not available for purchase. (Tr. p. 28)
61. Fiano Realty was not interested in selling an appropriately sized parcel of land upon which to locate the proposed facilities. (Tr. p. 29)
62. The Corvette Center was considered by UC, but the present site was considered to be the most desirable location. (Tr. p. 29)
63. The existing radio tower on the L.F. Fiano Real Estate property is of insufficient size for cable television use, and there are no



other sites in the franchise area where an appropriate tower or earth station already existed. (UC 2, Q. 22; Tr. p. 28)

64. Alternate earth station antennas, Harris 6.1 meter units, were considered for use in the proposed system. These would cost about \$16,500 including foundation. Four Harris 6.1 meter units would have been necessary to provide the same reception as one Simulsat 7. (UC 2, p. 6)
65. The Simulsat 7 and its required foundation would cost \$51,000 and is considered by the applicant to be the most cost effective unit for the stated purposes of United's service plan. (UC 2, pp. 6, 7)
66. UC would be willing to negotiate the sharing of tower space with private individuals or companies, local agencies or authorities, other public utilities, or state agencies. (Tr. pp. 22-23)