

AN APPLICATION SUBMITTED BY COMMUNITY TELEVISION SYSTEMS, INC., d/b/a ROLLINS CABLEVISION OF CONNECTICUT ("ROLLINS") FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE ERECTION OF A FIVE-METER EARTH STATION RECEIVER IN THE TOWN OF NORTH BRANFORD, CONNECTICUT. : CONNECTICUT SITING COUNCIL : February 24, 1984

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

1. Community Television Systems of Branford, Connecticut, d/b/a Rollins Cablevision of Connecticut (Rollins), in accordance with provisions of sections 16-50j-70 et seq. of the Regulations of Connecticut State Agencies, applied to the Connecticut Siting Council (Council) on November 23, 1983, for a certificate of environmental compatibility and public need for the erection of a five-meter earth station receiver in the town of North Branford. (Record)
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 Council, after giving due notice thereof, held a public hearing at the North Branford Intermediate School, in North Branford, Connecticut, on January 9, 1984, at 7:00 P.M. (Record)
6. The parties to the proceeding are the applicant, Community Television Systems, Inc., and those persons and organizations whose names are listed in the Decision and Order which accompanies these findings. (Record)

7. 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: The Department of Economic Development and the Department of Environmental Protection. (Record)
8. The Department of Economic Development concluded that the installation of the earth station receiver was and is compatible with the environment and would provide additional basic television signals. (Record)
9. The Department of Environmental Protection (DEP) concluded that visual impacts appear to be the only potential environmental effect of the proposed facility. The DEP also stated that limiting the visual effects by concentrating all of Rollins' facilities on one site is preferable to having such facilities at several different sites. (Record)
10. On January 9, 1984, members of the Council made an inspection of the facility. (Record)
11. The site, 88 Parsonage Hill Road, North Branford, Connecticut, has two earth stations and an antenna tower, all of which were installed prior to April 29, 1982. Prior to that date, earth station receivers were not subject to the Council's jurisdiction. (Rollins 1, p.4)
12. The earth station receiver (earth station) was installed at the site on April 6, 1983, and became operational on April 14, 1983. At that time it was used by Rollins for the reception of television signals from the West Star Five Satellite. (Rollins 1, p.4)
13. At the time of the installation of this earth station, Rollins was unaware of a change in state regulations requiring a certificate from the Council for new earth stations. (Rollins 1, p.4)
14. When Rollins learned that a certificate is now required for the installation of earth stations, the company notified Council Staff on August 8, 1983, and began preparing this application. (Rollins 1, p.4)

15. Rollins is a public service company and community antenna company (CATV) as defined by sections 16-1 and 16-331 of the Connecticut General Statutes. (Rollins 1, p.1)
16. On March 21, 1967, Rollins was issued a certificate of Public Convenience and Necessity by the Public Utilities Commission to construct and operate a CATV system serving the towns of Branford, North Branford, North Haven, Wallingford, East Haven, Guilford, and Madison. (Rollins 1, pp.1-2)
17. The earth station receiver measures five meters in diameter and is less than 18 feet above ground level. (Rollins 1, p.5)
18. The earth station was originally directed to the West Star Five Satellite to receive the Disney Channel and the Nashville Network. The earth station is now directed to Galaxy I to receive the Spanish International Network (S.I.N.). (Rollins 2, Q.1; TR. p.14)
19. All basic subscribers of Rollins receive the S.I.N. and the company believes the existence of this earth station is essential in order to continue the delivery of this network. A majority of the satellite receivers will be shifting to Galaxy I in the near future. (Rollins 2, Q.3; Tr. p.14)
20. The facility site consists of 10.2 acres of mostly wooded land, with a head-end facility, a 300' head-end tower, two earth stations 10 meters and 4.6 meters in diameter respectively, and a private home and garage. (Rollins 1, pp. 7-8; Rollins 1, Ex.6)
21. Access to the site is via a private road off of Parsonage Hill Road. (Rollins 1, p.5)
22. The site and surrounding area are zoned R-40. (Rollins 1, p.8)
23. The site is owned by Veronica Ochenkowski, 88 Parsonage Hill Road, North Branford, CT 06471. (Rollins 1. p.11)

24. The site and surrounding area have no significant scenic, natural, historic, or recreational characteristics. DEP has no recreational properties nearby. (Rollins 1, p.9; DEP comments)
25. The earth station's presence results in no significant changes to the site. (Rollins 1, p.10)
26. The earth station is located approximately 220 feet from the nearest property line. (Rollins 1, Ex.6)
27. The earth station has no effect on private television or radio reception in the area. (Rollins 2, Q.14)
28. Due to existing topography, trees on the site, and the head-end building, the earth station is not visible from any nearby roads or homes. (Rollins 1, p.9)
29. The earth station is not located in an inland wetlands area or watercourse. (Rollins 1, p.10)
30. The earth station does not generate any audible noise. (Rollins 1, p.14)
31. Since the earth station is a receive-only facility, it does not generate any electro-magnetic radiation. (Rollins 1, p.14; Rollins 2, Q.13)
32. The earth station is built to withstand winds of 100 mph with 1" diameter radial ice. The dish has a pointing accuracy of 0.11° rms in winds of 60 mph gusting to 85 mph. (Tr. p.12; Rollins 1, Ex.4)
33. The only potential human health hazard of the earth station might be the collapse of the structure. The structure's location, design, and construction make this event unlikely, however. (Rollins 1, p.14)
34. The site is isolated, and any unauthorized visitors are prohibited from the property. (Rollins 1, p.14)
35. The earth station would not eliminate the need for the other two dishes, nor would it impose limitations on any future technological options. (Rollins 2, Q.5)

36. The total cost of the earth station, including installation costs, was \$16,360. The addition of the earth station has raised Rollins' monthly lease payments by \$325. (Rollins 1, p.10; Rollins 2, Q.1)
37. There are no known practical alternatives to construction of this earth station. Conversion of an existing earth station to a multi-beam system and establishing a microwave link with another CATV company is neither reliable nor practical. (Rollins, 1, pp.12-13)
38. Rollins examined the possibility of installing an earth station at its office in Branford, but this site had improper elevation and natural obstructions. (Rollins 1, p.13)
39. The use of the proposed site concentrates Rollins' facilities at an already developed site. (Rollins 1, p.13)