

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

www.ct.gov/csc

April 20, 2011

TO: Council Members

FROM: Linda Roberts, Executive Director *LR/MB*

RE: **DOCKET NO. 316A** - SBA Infrastructure LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 50 Fairchild Road in Middletown, Connecticut. Reopening.

Enclosed please find a copy of the Council's notice of public hearing.

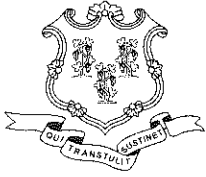
LR/laf

Enclosure (1)

c: Secretary of the State (via e-mail service)
Robert L. Marconi, Assistant Attorney General
Melanie A. Bachman, Staff Attorney
Parties and Intervenors
Application Service Recipients
Ginger Teubner, DPUC (via e-mail service)

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Certificate Holder Approved 10/16/2008	SBA Infrastructure LLC	Carrie L. Larson, Esq. Pullman & Comley, LLC 90 State House Square Hartford, CT 06103-3702 (860) 424-4312 (860) 424-4370 fax clarson@pullcom.com
Joint Participant in Reopening Intervenor (granted 04/14/11)	New Cingular Wireless PCS LLC (AT&T)	Christopher Fisher, Esq. Cuddy & Feder, LLP 445 Hamilton Avenue, 14 th Floor White Plains, NY 10601 (914) 761-1300 (914) 761-5372/6405 fax cfisher@cuddyfeder.com
Intervenor (approved 06/27/06)	Nextel Communications of the Mid-Atlantic, Inc.	Thomas J. Regan, Esq. Brown Rudnick Berlack Israels LLP 185 Asylum Street, CityPlace I Hartford, CT 06103-3402 (860) 509-6522 (860) 509-6501 tregan@brownrudnick.com mkozlik@brownrudnick.com
Intervenor (granted 07/27/06)	Barbara Melia 379 Bow Lane Middletown, CT 06457 (860) 346-4334 bardebdave@yahoo.com	
Intervenor (granted 07/27/06)	Debora Bagley Michael Bagley 393 Bow Lane Middletown, CT 06457 (860) 346-5373	
Intervenor (granted 07/27/06)	Earle Roberts 785 Bow Lane Middletown, CT 06457 (860) 346-0068 (860) 344-9327 eroberts4675@sbcglobal.net	



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HEARING NOTICE

Pursuant to provisions of General Statutes § 16-50m and Section 16-50j-21 of the Regulations of Connecticut State Agencies, notice is hereby given that the Connecticut Siting Council (Council) will conduct a public hearing on Tuesday, June 21, 2011, beginning at 1:00 p.m., in Hearing Room One, Ten Franklin Square, New Britain, Connecticut, and thereafter as necessary, to reopen **DOCKET NO. 316A** - SBA Infrastructure LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 50 Fairchild Road in Middletown, Connecticut. Reopening..

On March 31, 2011, the Council, pursuant to the provisions of Connecticut General Statute § 4-181a(b), reopened the final decision rendered in this docket. The reopening will allow the Council to consider new information to determine if changed conditions exist which will warrant a modification to the original Decision and Order condition #2, which states, "All telecommunications antennas providing cellular and/or PCS service shall be flush-mounted to the tower." The Council will also consider a proposed extension of this facility.

The 1:00 p.m. hearing session will provide the certificate holder, parties, and intervenors an opportunity to cross-examine positions. The certificate holder will be allowed a final rebuttal. Briefs will be entertained after the close of the last hearing session.

Applicable law for this proceeding includes the Public Utility Environmental Standards Act, General Statutes § 16-50g, et seq., and Sections 16-50j-1 through 16-50v-1a of the Regulations of Connecticut State Agencies.

The Council directs that all testimony and exhibits be pre-filed with the Council and all parties and intervenors by June 14, 2011. In accordance with the State Solid Waste Management Plan, the Council requests that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators.

Individuals are encouraged to participate through their elected officials, and other party/intervenor groupings.

Any person seeking to be named or admitted as a party or intervenor to the proceeding may file a written request to be so designated at the office of the Connecticut Siting Council, 10 Franklin Square, New Britain, Connecticut 06051, on or before June 14, 2011.

Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the hearing.



Any person who is not a party or intervenor to this proceeding may file a written statement with the Council up to 30 days after the close of the hearing. Such statements will become part of the record. No written statement or any other material, evidence, or other information will be accepted from any person not a party or intervenor to the proceeding after 30 days following the close of the hearing, except as otherwise prescribed by law or the Council.

A verbatim transcript of the hearing session(s) will be made and deposited with the City Clerk's Office of the Middletown City Hall for the convenience of the public.

Requests for information in alternative formats or for sign-language interpreter services must be submitted in writing by June 14, 2011.

The applicant of this facility is represented by the following:

Certificate Holder/Joint Participant

Their Representatives

SBA Infrastructure LLC

Carrie L. Larson, Esq.
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702

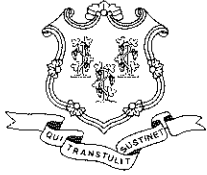
New Cingular Wireless PCS, LLC

Christopher Fisher, Esq.
Cuddy & Feder, LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

A copy of the record is available for review at the Council's office during office hours at 10 Franklin Square, New Britain, Connecticut, (860) 827-2935. The Council has assigned this reopening Docket No. 316a.

April 20, 2011

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April 20, 2011

TO: Kenneth C. Baldwin, Esq.
Robinson & Cole LLP

Thomas J. Regan, Esq.
Brown Rudnick Berlack Israels LP

Sandy M. Carter
Verizon Wireless

Julie M. Kohler, Esq.
Cohen and Wolf P.C.

Hans Fiedler
T-Mobile

FROM: Linda Roberts, Executive Director

RE: **DOCKET NO. 316A** - SBA Infrastructure LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 50 Fairchild Road in Middletown, Connecticut. Reopening.

The Connecticut Siting Council has reopened the record in the above referenced docket in Middletown.

If you would like to participate in this proceeding, your response on or before June 14, 2011, will be appreciated.

LR/laf

Enclosure: Hearing Notice

c: Parties & Intervenors
Council Members