

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

**IN RE:**

**APPLICATION OF OPTASITE TOWERS LLC  
AND OMNIPOINT COMMUNICATIONS, INC.  
FOR A CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY AND PUBLIC NEED FOR  
THE CONSTRUCTION, MAINTENANCE AND  
OPERATION OF A TELECOMMUNICATIONS  
FACILITY AT 39 MAENNERCHOR AVENUE  
NORWICH (TAFTVILLE), CONNECTICUT**

**DOCKET NO. 365**

**Date: AUGUST 14, 2008**

**PRE-FILED TESTIMONY OF CHARLES REGULBUTO**

**Q1. Mr. Regulbuto, please summarize your professional background in telecommunications.**

**A. I am the Director of Northeast Development at Optasite where I head a development team in the growing Northeast Region telecommunications development and site acquisition activities. My responsibilities include site selection and design, municipal and community relations associated with Optasite's and T-Mobile's efforts to develop new tower sites in Connecticut, coordination and support during the approval process and supervision of project construction once approved. I have been part of the telecommunications industry for more than ten years and have been involved in all aspects of the development of telecommunications facilities. I joined Optasite from Northstar Site Development, LLC where I was a partner. I have successfully completed all aspects of development activities for more than 150 sites in Connecticut and Massachusetts.**

Q2. What is the purpose of your testimony?

A. My testimony provides background information relating to Optasite's application for a Certificate of Environmental Compatibility and Public Need for the proposed Norwich facility at 39 Maennerchor Avenue located in the Taftville section of Norwich. In addition, I will address the specific site search resulting in the proposed sites as well as both Optasite and T-Mobile's activities prior to initiation of this application.

Q3. What is Optasite's and T-Mobile's relationship in this application?

A. As described in detail below, Optasite has a working relationship with T-Mobile to co-develop new tower facilities in the State of Connecticut. T-Mobile identified a need for a new facility in this area of Norwich and conducted an initial site search and, later, Optasite completed the site search. The arrangement between T-Mobile and Optasite provides for Optasite and T-Mobile to make a joint application to the Council; for Optasite to own, construct and maintain the site as the Certificate holder; and for T-Mobile to serve as the anchor tenant.

Q4. How does Optasite conduct a site search?

A. Optasite maintains close relationships with T-Mobile as well as other wireless carriers, follows the development activities of others and has an in-depth understanding of the fluctuating market conditions. When T-Mobile (or another wireless carrier) contacts Optasite regarding the need for a new facility, Optasite conducts an extensive review of the area. The first activity after assignment of a

search ring to acquisition personnel is a review of the area for suitable existing structures, such as existing telecommunications facilities, transmission lines available for co-location and other, existing tall structures. Only once Optasite exhausts its search for existing structures on which to locate, does it then begin to study the area for suitable locations to construct a new facility. Optasite first studies the area to determine whether industrial, commercial areas or town-owned parcels which have appropriate environmental and land use characteristics are present. Potential locations are studied by radio frequency engineers to determine whether the locations will meet the technical requirements for a site in the area. The list of potential locations is then further refined based on the willingness of property owners to make their property available.

Q5. Please describe Optasite's search for the proposed Norwich wireless facility.

A. Optasite commenced a search for a site in this area of Norwich in December, 2005. Specifically, T-Mobile identified an existing coverage gap along Routes 12, 97 and 169 and the surrounding areas in this area of Norwich and had previously commenced a site search in this area. When Optasite commenced its site search, it found no existing towers suitable for use as a wireless communications facility. The nearest tower(s) suitable for use as a wireless communications facility are outside of T-Mobile's search area, are not useable due to existing terrain in the area or T-Mobile is already located on those facilities. In addition, Optasite identified no existing structures which were suitable for use and available. Specifically, Optasite did investigate the

possibility of locating equipment on an existing CL&P transmission lines in the area. However, T-Mobile determined that the transmission lines were of insufficient height to fill its existing coverage gap in this area of Norwich. In addition, Optasite explored the possibility of constructing a Facility at property owned by CL&P. After several months of negotiations, Optasite was unable to reach an agreement with CL&P.

Turning to locations for a new tower proposal, Optasite found that site selection in the area was limited by existing residential development throughout the area. There are no large areas of commercial or industrial development in the site search area. The proposed Site is uniquely suited for the development of a telecommunications facility given its relatively large size for this area of Norwich and the existence of natural screening at the Site.

Q6. Have the Applicants consulted with municipal officials with regard to their plans?

A. Yes. In compliance with Section 16-50(e), consultation with municipal officials was undertaken by Optasite. On June 28, 2007, Optasite provided technical information to the Mayor of Norwich, who referred the matter to the City Attorney. On August 22, 2007, representatives from Optasite met with the City Council to discuss the proposed Facility. At that meeting, the City Council requested that Optasite investigate the possibility of locating the proposed Facility at Mohegan Park.

Since that meeting in August of 2007, Optasite investigated the possibility of locating a facility at Mohegan Park, which was rejected by T-Mobile. Prior to filing this Application, Optasite again followed-up with the City Attorney to

determine if the City would like Optasite to appear at any other meetings or if the City would like any additional information regarding the proposed Facility.

Optasite has not heard back from the City Attorney since that time.

Q7. Has Optasite offered co-location to the Town of Norwich so it can locate its emergency service equipment at this Site?

A. As is its customary practice, Optasite will make space available for the Town's emergency service equipment, free of charge and has already offered to do so. To date, the Norwich Fire Department has indicated that it is interested in locating its emergency equipment on the proposed Facility.

Q8. Pursuant to statutory requirements, did Optasite post a sign giving the public notice of the hearing on this Application?

A. Yes, on August 7, 2008, Optasite posted a sign at the Site giving the public notice of the hearing on this Application. Photographs of the hearing sign is attached hereto as Exhibit 1.

The statements above are true and complete to the best of my knowledge.

8/11/08  
Date

  
Charles Regulbuto

Subscribed and sworn before me this 11 day of August, 2008.

By:   
Commissioner of the Superior Court

# **EXHIBIT 1**

# **PUBLIC NOTICE**

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Optasite Towers, LLC and Omnipoint Communications, Inc. have filed an application with the Connecticut Siting Council (Council) for construction of a telecommunications facility on this site. The maximum height of said facility shall not exceed 120 ft. The council will hold a public hearing on August 21, 2008 at the Norwich City Hall, Room 335, 3rd Floor, 100 Broadway, Norwich at 3 & 7 p.m. A copy of the application can be reviewed at the town hall or at the Council offices in New Britain, Ct. For more information, please contact the Council by telephone at 860-827-2935, electronically at [www.ct.gov/csc](http://www.ct.gov/csc), or by mail at 10 Franklin Square, New Britain, Ct 06051.

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