

**STATE OF CONNECTICUT  
SITING COUNCIL**

IN RE: T-MOBILE NORTHEAST, LLC	:	DOCKET #393
APPLICATION FOR A CERTIFICATE OF	:	
ENVIORNMMNETAL COMPATIBILITY	:	
AND PUBLIC NEED FOR A	:	
TELECOMMUNICATIONS FACILITY	:	
AT 61-1 BUTTONBALL ROAD,	:	
OLD LYME, CONNECTICUT	:	April 5, 2010

**AFFIDAVIT OF RAYMOND M. VERGATI**

I, Raymond M. Vergati, do hereby declare and state:

1. I am over the age of 18 years, and believe in the obligation of an oath.
2. I am the vice president of operations of HPC Development, LLC ("HPC")

with respect to projects in New England.

3. HPC has overseen the development of the telecommunications facility proposed by T-Mobile Northeast LLC ("T-Mobile") at 61-1 Buttonball Road, Old Lyme, Connecticut ("Facility"). I assisted in all facets of the site acquisition and have personal knowledge of the development of the Facility including the specific contents of this affidavit.

4. I communicated with representatives of the National Railroad Passenger Corporation ("Amtrak") about the possibility of co-locating T-Mobile's wireless equipment on the catenaries along the Amtrak right of way in Connecticut.

5. On or about January 6, 2010, I communicated with Brian S. Webster, Project Director with Amtrak Real Estate Development, via electronic mail, to discuss the possibility of T-Mobile co-locating its equipment and antennae on Amtrak's catenaries in Connecticut.

6. On or about January 14, 2010, Mr. Webster responded to my inquiry via electronic email. According to Mr. Webster, Amtrak maintains a policy in which it prohibits wireless providers from co-locating their equipment and antennae on Amtrak catenaries in Connecticut. *(Please see Webster email attached hereto as Exhibit A.)*

7. Because of Amtrak's policy, co-locating on the Amtrak catenaries is not a viable alternative to the proposed Facility.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal this 5th day of April, 2010.

  
\_\_\_\_\_  
Raymond M. Vergati

Subscribed and sworn to before me this 5th day of April, 2010.

  
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Notary Public  
My Commission Expires: 6/30/2010

ERIKA M. MAGNUSSEN  
Notary Public  
My Commission Expires 06/30/2010

# **EXHIBIT A**

**From:** Webster, Brian [mailto:WebsteB@amtrak.com]  
**Sent:** Thursday, January 14, 2010 12:25 PM  
**To:** Ray Vergati  
**Cc:** Fiedler, Hans; David.Karpinski@T-Mobile.com; mike.bath@t-mobile.com  
**Subject:** RE: T-Mobile request on Amtrak policy not allowing use of catenary structure for antenna mounting

Ray:

Amtrak Engineering has indicated that the catenary structures in Connecticut are not designed to handle the additional weight of cellular antennas, cables and supporting equipment, and, therefore, will not consider these types of installations on those structures.

Thanks,

Brian S. Webster  
Project Director  
Amtrak Real Estate Development  
30th and Market Streets  
Box 25, 5S-031  
Philadelphia, PA 19104  
Phone: 215-349-3901  
Fax: 215-349-1983

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**From:** Ray Vergati [mailto:rvergati@hpcdevelop.com]  
**Sent:** Wednesday, January 06, 2010 2:44 PM  
**To:** Webster, Brian  
**Cc:** Durst, Cindy; Fiedler, Hans; David.Karpinski@T-Mobile.com  
**Subject:** T-Mobile request on Amtrak policy not allowing use of catenary structure for antenna mounting  
**Importance:** High

Brian,

In all our prior conversations, you have told us that Amtrak's policy will not allow T-Mobile to install their antennas on the existing catenaries here in Connecticut. If T-Mobile were to install a wireless antenna facility within the Amtrak Right of Way, a new pole would need to be constructed by T-Mobile.

Kindly respond back via email and verify Amtrak's policy for us as I believe we have never received anything in writing on this from you.

Best regards,

Ray

Raymond Vergati  
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HPC Development, LLC  
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Northford, CT 06472  
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