



Daniel F. Caruso  
Chairman

# 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](mailto:siting.council@ct.gov)

Internet: [ct.gov/csc](http://ct.gov/csc)

November 10, 2010

Christopher B Fisher, Esq.  
Daniel M. Laub, Esq.  
Cuddy & Feder LLP  
445 Hamilton Avenue, 14<sup>th</sup> Floor  
White Plains, NY 10601

RE: **DOCKET NO. 396** – SBA Towers II, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 49 Brainerd Road, Niantic (East Lyme), Connecticut.

Dear Attorneys Fisher and Laub:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than December 1, 2010. To help expedite the Council's review, please file individual responses as soon as they are available.

Please forward an original and 15 copies to this office. In accordance with the State Solid Waste Management Plan, the Council is requesting 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. A list of parties and intervenors dated February 16, 2009, is enclosed. Fewer copies of bulk material may be provided as appropriate.

Yours very truly,

Linda Roberts  
Executive Director

LR/MP

c: Council Members  
Parties and Intervenors

**Docket No. 396 - Reopening  
Pre-Hearing Questions**

1. Did New Cingular Wireless PCS, LLC (AT&T) have a search ring along Rt. 156 between the intersection of Black Point Rd. and west to the vicinity of Park Place? Explain why or why not. Explain whether a hypothetical tower in this location would achieve coverage equal to or better than coverage from the proposed location on Brainerd Rd.
2. Evaluate whether coverage objectives could be met with a hypothetical two-tower solution using two shorter towers, about 75' feet each, (assuming a tree canopy at 55'): one using town property in the middle of Black Point, the other using church property to northeast (Central Ave.) on Black Point.
3. If SBA were to use two shorter towers, comment on the effects on RF propagation due to possible stealth designs: at the church, a bell tower or a cross; at the town property, a tall yacht-club type mast or faux lighthouse.
4. Explain why the relatively small (less than 2 miles square), concentrated, flat and linear area of Black Point couldn't be served by a distributed antenna system similar to the one installed by American Tower for AT&T at Chilmark and Aquinah on Martha's Vineyard in MA?
5. Since the coverage from the proposed Brainerd Rd. site (see transparency sent to the Council with cover letter dated 3-18-10) still leaves a lot of the eastern side of Black Point at either yellow or red, the railroad at the north of Black Point mostly yellow, and a large swath of Rt. 156 just above the north end of Black Point at red, how does AT&T plan to cover these gaps?
6. Please explain why these gaps couldn't be covered by the two-tower solution described in Q 2.
7. Could two towers (at least 20 to 30 feet shorter than the proposed tower) be used in the following configuration: one in the vicinity of Giant's Neck and one at Black Point to adequately achieve AT&T's coverage objectives?

**LIST OF PARTIES AND INTERVENORS  
SERVICE LIST**

<b>Status Granted</b>	<b>Document Service</b>	<b>Status Holder (name, address &amp; phone number)</b>	<b>Representative (name, address &amp; phone number)</b>
<b>Applicant</b>	<input checked="" type="checkbox"/> U.S. Mail	SBA Towers II LLC	Carrie L. Larson, Esq. Pullman & Comley, LLC 90 State House Square Hartford, CT 06103-3702 (860) 424-4312 (860) 424-4370 fax <a href="mailto:clarson@pullecom.com">clarson@pullecom.com</a>
<b>Intervenor (granted 01/07/2010)</b>	<input checked="" type="checkbox"/> E-mail	Cellco Partnership d/b/a Verizon Wireless	Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 fax <a href="mailto:kbaldwin@rc.com">kbaldwin@rc.com</a>
<b>Intervenor (granted 01/07/2010)</b>	<input checked="" type="checkbox"/> E-mail	Russell L. Brown 41 Brainerd Road Niantic, CT 06357 (860) 739-5984 (860) 691-1145 fax <a href="mailto:rds@businessbookpress.com">rds@businessbookpress.com</a>	
<b>Party (granted 01/07/2010)</b>	<input checked="" type="checkbox"/> U.S. Mail	Town of East Lyme	Edward B. O'Connell, Esq. Waller, Smith & Palmer, P.C. 52 Eugene O'Neill Drive P.O. Box 88 New London, CT 06320 (860) 442-0367 (860) 447-9915 fax <a href="mailto:eboconnell@wallersmithpalmer.com">eboconnell@wallersmithpalmer.com</a> <a href="mailto:tmcollins@wallersmithpalmer.com">tmcollins@wallersmithpalmer.com</a>
<b>Intervenor (granted 02/11/2010)</b>	<input checked="" type="checkbox"/> U.S. Mail	New Cingular Wireless PCS, LLC	Daniel M. Laub, Esq. Christopher B. Fisher, Esq. Cuddy & Feder LLP 445 Hamilton Avenue, 14 <sup>th</sup> floor White Plain, NY 10601 (914) 761-1300 (914) 761-5372 fax <a href="mailto:cfisher@cuddyfeder.com">cfisher@cuddyfeder.com</a> <a href="mailto:dlaub@cuddyfeder.com">dlaub@cuddyfeder.com</a>

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<b>Party (granted 02/11/2010)</b>	<input checked="" type="checkbox"/> E-mail	Friends of the Pattagansett Trust	Keith R. Ainsworth, Esq. Evans Feldman & Ainsworth, LLC 261 Bradley Street P.O. Box 1694 New Haven, CT 06507-1694 (203) 772-4900 (203) 782-1356 fax <a href="mailto:krainsworth@snet.net">krainsworth@snet.net</a>
<b>Intervenor (granted 02/11/2010)</b>	<input checked="" type="checkbox"/> U.S. Mail	Joseph Raia 97 West Main Street, Unit 9 Niantic, CT 06357 (860) 691-1005 (860) 739-0036 <a href="mailto:Raia.joseph@sbcglobal.net">Raia.joseph@sbcglobal.net</a>	