



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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Daniel F. Caruso
Chairman

February 3, 2010

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

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 Attorney Larson:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than February 16, 2009. 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 January 25, 2010, is enclosed. Fewer copies of bulk material may be provided as appropriate.

Yours very truly,

S. Derek Phelps
Executive Director

SDP/MP

c: Council Members
Parties and Intervenors

Docket No. 396
Pre-Hearing Questions

1. When was the search ring first initiated for a tower in this area? What is the size and shape of the search ring? Where is the center of the search ring?
2. What were the results of SBA Towers II LLC (SBA) notice to abutting property owners? Were the certificates of service returned from all those to whom notice was sent? If not, whose certificate was not returned? What other attempts were made to notify these persons? Provide a copy of all returned certificates of service.
3. For which municipal service(s) (e.g. police, fire, etc.) has the Town of East Lyme expressed an interest in co-locating its antennas on the proposed tower?
4. Would the compound fence have barbed wire?
5. Would blasting be required during the construction process?
6. Has SBA considered the Pondcliff Condominium property at 97 West Main Street, Niantic as a possible tower site? Explain.
7. Has SBA considered the Nebelung Farms, LLC property at 138 North Bridebrook Road, Niantic as a possible tower site? Explain.
8. In SBA's application to the Connecticut Siting Council, Exhibit G, SBA indicates that the 100 Old Black Point Road (assessor's parcel 8.3-138) site was rejected during to access problems. Describe the access problems.
9. Have any wireless carriers other than AT&T, Verizon Wireless, and T-Mobile expressed an interest in co-locating on the proposed tower? Does SBA have lease agreements with these entities?
10. To date, the Council has not received a request to be a party or intervenor from T-Mobile. Does SBA still have the 157-foot level of the proposed tower reserved for a possible future T-Mobile co-location?
11. Describe the land uses surrounding the proposed tower site.
12. Calculate the amounts of cut and fill required to develop the proposed tower site and access drive.

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<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 clarson@pullcom.com
Intervenor (granted 01/07/2010)	<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 kbaldwin@rc.com
Intervenor (granted 01/07/2010)	<input checked="" type="checkbox"/> E-mail	Russell L. Brown 41 Brainerd Road Niantic, CT 06357 (860) 739-5984 (860) 691-1145 fax rds@businessbookpress.com	
Party (granted 01/07/2010)	<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 eboconnell@wallersmithpalmer.com tmcollins@wallersmithpalmer.com
Intervenor (if granted 02/11/2010)	<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 th floor White Plain, NY 10601 (914) 761-1300 (914) 761-5372 fax cfisher@cuddyfeder.com dlaub@cuddyfeder.com

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Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Party (if granted 02/11/2010)	<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 06507-1594 (203) 772-4900 (203) 782-1356 fax krainsworth@snet.net
Intervenor (if granted 02/11/2010)	<input checked="" type="checkbox"/> U.S. Mail	Joseph Raia 97 West Main Street, Unit 9 Niantic, CT 06357 (860) 691-1005 (860) 739-0036 Raia.joseph@sbcglobal.net	