



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

Internet: ct.gov/csc

Daniel F. Caruso
Chairman

December 14, 2010

TO: Council Members

FROM: Linda Roberts, Executive Director *LR*

RE: **DOCKET NO. 409** - New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 8 Barnes Road, Canaan (Falls Village), Connecticut.

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

LR/jbw

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	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> U.S. Mail	New Cingular Wireless PCS, LLC	<p>Christopher B Fisher, Esq. Lucia Chiochio, Esq. Cuddy & Feder LLP 445 Hamilton Avenue, 14th Floor White Plains, NY 10601 (914) 761-1300 (914) 761-5372 fax cfisher@cuddyfeder.com lchiochio@cuddyfeder.com</p> <p>Michele Briggs AT&T 500 Enterprise Drive Rocky Hill, CT 06067-3900 michele.g.briggs@cingular.com</p>



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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 February 17, 2011 beginning at 3:00 p.m., and continued at 7:00 p.m., at the Lee H. Kellogg School, All Purpose Room, 47 Main Street, Falls Village, Connecticut, and thereafter as necessary. The hearing will be on an application from New Cingular Wireless PCS, LLC (AT&T) for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 8 Barnes Road, Canaan (Falls Village), Connecticut.

The purpose of the hearing is to hear evidence on the applicant's contentions that the public need for the facility outweighs any adverse environmental effects that would result from the construction, operation, or maintenance of a tower, ground equipment, and access road. The 3:00 p.m. hearing session will provide the applicant, parties, and intervenors an opportunity to cross-examine positions. The applicant will be allowed a final rebuttal. Briefs will be entertained after the close of the last hearing session. The 7:00 p.m. hearing session will be reserved for the public to make brief statements into the record. Cross-examination of parties and intervenors will resume, if necessary, after all statements have been heard.

The Council will conduct a public field review of the proposed site on Thursday, February 17, 2011, beginning at 2:00 p.m. The applicant will fly a balloon during the field review to simulate the height of the proposed facility.

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 will hold a pre-hearing conference on procedural matters on Wednesday, January 19, 2011, beginning at 10:30 a.m. at the Council's office, 10 Franklin Square, New Britain, Connecticut.

The Council directs that all testimony and exhibits be pre-filed with the Council and all parties and intervenors by February 10, 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 February 10, 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 Town Clerk's Office of the Canaan Town 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 February 10, 2011.

The applicant of this facility is represented by the following:

Applicant

New Cingular Wireless PCS, LLC (AT&T)

Its Representative

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

A copy of the application is available for review at the Council's office during office hours at 10 Franklin Square, New Britain, Connecticut, (860) 827-2935 or on Council website at <http://www.ct.gov> under the link "Pending Proceedings." The Council has assigned this application docket no. 409.

December 14, 2010

Connecticut Siting Council



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Daniel F. Caruso

Chairman

December 14, 2010

The Honorable Patricia Allyn Mechare
First Selectman
Town of Canaan
Town Hall
Falls Village, CT 06031

RE: Hearing Date - February 17, 2011 in connection with **DOCKET NO. 409** - New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 8 Barnes Road, Canaan (Falls Village), Connecticut.

Dear First Selectman Mechare:

The Connecticut Siting Council (Council) has scheduled a public hearing in your town in connection with the above-referenced proceeding. I am writing to invite you to participate in this hearing.

The Council fully understands that municipal input and guidance is absolutely necessary to achieve a thoughtful and balanced decision in matters such as this. Accordingly, I am extending to you my personal invitation to participate in the hearing that is scheduled on February 17, 2011.

Please be advised that the Council's processes enable the affected municipal governments to engage in meaningful discourse and, if they choose, to even assert a legal role in the proceedings of applications that come before the Council. Municipalities are afforded a right of pre-filed technical information and consultation with applicants 60 days before an application is filed with the Council. During this period the municipality may conduct public hearings and meetings, as it deems necessary. Both the municipal and applicant filings become part of the Council's record.

Once an application is filed with the Council at least one public hearing is held in the affected community as well as a public inspection of the proposed site(s). Your participation at such hearing may take many forms; municipal officials may make opening statements to the Council, present written documents, or may seek Party or Intervenor Status and put on a case with witnesses.

Our staff is available to assist you in understanding our process and your options. In the event you have specific legal questions, please contact our Staff Attorney Melanie Bachman (860 827-2951). Otherwise, you may contact Executive Director Linda Roberts (860 827-2935).

The Council weighs many issues before rendering its decisions. It is important that we know the Town's views as part of that decision making process. We hope you will take part in our hearing process.

Sincerely,

Daniel F. Caruso
Chairman

DFC/LR/jbw





Daniel F. Caruso
Chairman

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TO: Kenneth C. Baldwin, Esq. Thomas J. Regan, Esq.
 Robinson & Cole LLP Brown Rudnick Berlack Israels LP

 Sandy M. Carter Julie M. Kohler, Esq.
 Verizon Wireless Cohen and Wolf P.C.

 Carrie L. Larson, Esq. Hans Fiedler
 Pullman & Comley, LLC T-Mobile

FROM: Linda Roberts, Executive Director *LR*

RE: **DOCKET NO. 409** - New Cingular Wireless PCS, LLC application for a
 Certificate of Environmental Compatibility and Public Need for the construction,
 maintenance and operation of a telecommunications facility located at 8 Barnes
 Road, Canaan (Falls Village), Connecticut.

The Connecticut Siting Council has received an application for a proposed telecommunications facility in Canaan.

If you would like to participate in this proceeding, your response on or before February 10, 2011, will be appreciated. Moreover, in furtherance of the spirit of C.G.S. §16-50aa, we ask that each carrier affirmatively state whether that carrier would likely seek to be located on this proposed facility any time within the foreseeable future.

LR/jbw

Enclosure: Hearing Notice

c: Parties & Intervenors
 Council Members



Daniel F. Caruso
Chairman

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TO: Commissioner Amey Marrella
Department of Environmental Protection

Commissioner J. Robert Galvin
Department of Public Health

Commissioner Kevin M. DelGobbo, Chrmn.
Department of Public Utility Control

Commissioner Joan McDonald
Department of Economic and
Community Development

Commissioner Peter J. Boynton
Department of Emergency Management
and Homeland Security

Commissioner F. Philip Prelli
Department of Agriculture

Karl Wagener, Executive Director
Council on Environmental Quality

Brenda Sisco, Secretary
Office of Policy and Management

Thomas A. Harley, P.E., Chief Engineer
Bureau of Engineering and Construction
Department of Transportation

FROM: Linda Roberts, Executive Director 

RE: **DOCKET NO. 409** - New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 8 Barnes Road, Canaan (Falls Village), Connecticut.

Pursuant to General Statutes § 16-50j(h), the Connecticut Siting Council hereby solicits your written comments and consultation. Your response by or before February 10, 2011 will be appreciated.

A copy of the application with location maps has previously been provided to you, pursuant to General Statutes § 16-50l.

LR/jbw

c: Parties & Intervenors
Council Members

Screening Checklist
Connecticut Department of Transportation
Potential Transportation Infrastructure Impacts
Connecticut Siting Council Docket# 409
Location: 8 Barnes Road, Canaan (Falls Village), Connecticut

1. Is the proposed facility abutting the right-of-way of a State maintained highway?
 No
 Yes – Specify the location and show location on a detail site plan.

2. Is access for construction or maintenance of the proposed facility needed directly from a State maintained highway
 No
 Yes – Identify specific needs and access location.

3. Does the proposed construction or maintenance of the proposed facility impact any licensed aviation facility (L.A.F.)? Definition: L.A.F. is a facility licensed to operate by DOT, airport, heliport or parachute coop area.
 No
 Yes – Please provide an area and site plan.

4. Is the proposed facility within or abutting a State owned Railroad Right-of-Way?
 No
 Yes – Please provide an area and site plan.

5. Is the proposed facility within a two mile radius of any lands classified as preserved scenic land in accordance with CGS Section 13a-85a, “Acquisition of land adjacent to state highways for preservation and enhancement of scenic beauty and development of rest and recreation areas”, or any designated scenic road in accordance with CGS Section 13b-31c, “Designation of scenic roads”?
 - No
 - Yes - Specify the location of the preserved scenic land and/or road on a detailed site plan.



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Chairman

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December 14, 2010

TO: Classified/Legal Supervisor
409110217
The Register Citizen
190 Water Street
P.O. Box 58
Torrington, CT 06790-0058

Classified/Legal Supervisor
409110217
The Lakeville Journal
33 Bissell Street
P.O. Box 1688
Lakeville, CT 06039

FROM: Jessica Brito-Weston, Secretary I 

RE: **DOCKET NO. 409** - New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 8 Barnes Road, Canaan (Falls Village), Connecticut.

Please publish the attached legal notice for one day on the first day possible from receipt of this notice, except on Saturday, Sunday, or holiday.

Pursuant to General Statutes § 16-50m(c), the general notice to be public shall be published in its entirety in not less than **TEN POINT BOLDFACE TYPE**. If you have any questions concerning the ten point type, please contact me. If your newspaper does not have ten point type, please so state and also state the size type actually used in the legal notice in your affidavit.

Please send affidavit of publication and invoice to: Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

jbw

Enclosure (1)



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Daniel F. Caruso
Chairman

December 14, 2010

Joseph Reese
Tech Theatrical Services, LLC
98 Knight Street
Watertown, CT 06795

RE: **DOCKET NO. 409** - New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 8 Barnes Road, Canaan (Falls Village), Connecticut.

Dear Mr. Reese:

Your attendance will be required at a hearing of the Connecticut Siting Council regarding the subject docket on:

Thursday, February 17, 2011
3-5:00 p.m./7:00 p.m. to conclusion
Lee H. Kellogg School
All Purpose Room
47 Main Street
Falls Village, CT 06031

I am enclosing a copy of our hearing notice for your convenience. If you have any questions concerning this matter, please call me.

Very truly yours,

Jessica Brito-Weston
Secretary I

JBW

Enclosure



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Daniel F. Caruso
Chairman

December 14, 2010

Ruth Girolomo
Post Reporting Service, Inc.
2015 Dixwell Avenue
Hamden, CT 06514

RE: **DOCKET NO. 409** - New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 8 Barnes Road, Canaan (Falls Village), Connecticut.

Dear Ms. Girolomo:

Your attendance will be required at a hearing of the Connecticut Siting Council (Council) regarding the subject docket on:

Thursday, February 17, 2011
3-5:00 p.m./7:00 p.m. to conclusion
Lee H. Kellogg School
All Purpose Room
47 Main Street
Falls Village, CT 06031

The Council will require delivery of the complete transcript, an original and one copy, within one week of the hearing. I am enclosing a copy of the application filing and our hearing notice for your convenience. If you have any questions concerning this matter, please call me.

Very truly yours,

Jessica Brito-Weston
Secretary I

JBW

Enclosure (2)



Daniel F. Caruso
Chairman

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The Honorable Patricia Allyn Mechare
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RE: **DOCKET NO. 409** - New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 8 Barnes Road, Canaan (Falls Village), Connecticut.

Dear First Seletman Mechare:

Confirming our telephone conversation of November 16, 2010, I appreciate the reservation of the **All Purpose Room** at the **Lee H. Kellogg School** for a public hearing on February 17, 2011 from 1:00 p.m. to 10:00 p.m.

For your information, I have attached a general plan for seating arrangements.

If any other information is needed, please contact me at my office. Thank you for your assistance.

Very truly yours,

Jessica Brito-Weston
Secretary I

JBW

Enclosure (1)

Seating Arrangements:

X X X X X X X X X X X X

Council Table
(seating for twelve)
(x = chairs)

X
Table
for
Court
Reporter
& Audio
Tech
(x =
chairs)
X

Party Table
(seating for
four)
(x = chairs)
X
X
X
X

Applicant Table
(x = chairs)
X X X X X

Podium for
public

SEATING FOR PUBLIC
(chairs facing Council table)