

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

RE: APPLICATION BY CELLCO  
PARTNERSHIP, d/b/a VERIZON WIRELESS,  
FOR A CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY AND PUBLIC NEED  
FOR A TELECOMMUNICATIONS FACILITY  
AT 723 LEETES ISLAND ROAD, (MEDLYN  
FARM), IN THE TOWN OF BRANFORD,  
CONNECTICUT

DOCKET NO. 413

Date: June 28, 2011

**T-MOBILE'S PROPOSED FINDINGS OF FACT**

Pursuant to § 16-50j-31 of the Regulations of Connecticut State Agencies, the Intervenor, T-Mobile Northeast LLC ("T-Mobile") submits these proposed findings of fact.

**Introduction**

1. On December 10, 2010, Cellco Partnership d.b.a. Verizon Wireless ("Verizon") filed with the Connecticut Siting Council ("Council") an application for Certificate of Environmental Compatibility and Public Need for the construction, operation and maintenance of a wireless telecommunications facility ("Facility") at 723 Leetes Island Road, Branford, Connecticut ("Property"), pursuant to General Statutes § 16-50aa and § 16-50j-34 of the Regulations of Connecticut State Agencies ("Application"). (*Verizon, Exhibit 1.*)

2. On December 16, 2010, T-Mobile filed a Petition to Intervene in Docket 413, as the Facility would be an important component of T-Mobile's network design in New Haven County, pursuant to General Statutes § 16-50n and Regulations of Connecticut State Agencies § 16-50j-15a. On January 6, 2011, the Council granted T-Mobile intervenor status. (*T-Mobile, Exhibit 1; Council Memorandum, dated January 13, 2011.*)

3. On December 20, 2011, New Cingular Wireless PCS, LLC ("AT&T") filed a Petition to Intervene in Docket 413. On January 6, 2011, the Council granted AT&T intervenor status. (*AT&T, Exhibit 1; Council Memorandum, dated January 13, 2011.*)

4. On April 6, 2011, the Town of Branford ("Town") filed a Petition to Intervene in Docket 413. Thereafter, the Council granted the Town intervenor status. (*Town, Exhibit 1.*)

5. Pursuant to General Statutes § 16-50m, the Council, after giving due notice thereof, held a public hearing on April 20, 2011, beginning at 3:00p.m., and continued to 7:00p.m., at the Italian-American Social Club, 40 Hamre Lane, Branford, Connecticut. The Council closed the public comment portion of the hearing on April 20, 2011; however, the Council continued the evidentiary portion of the hearing to May 31, 2011, conducted at the Council's offices in New Britain. (*Hearing Notice; Council Memoranda Regarding Continued Hearing, dated April 27, 2011.*)

6. The Council and its staff conducted a field review of the Site on April 20, 2011, at 2:00p.m. (*Hearing Notice.*)

### **Need**

7. There is a coverage gap in T-Mobile's network in the areas surrounding the proposed Facility. (*Pre-Filed Testimony of Scott Heffernan ["Heffernan,"] pp. 3-4; T-Mobile's Responses to the Council's First Set of Interrogatories ["T-Mobile First Interrog. Resp."]; T-Mobile's Responses the Town's First Set of Interrogatories, including supplemental responses ["T-Mobile Response to Town Interrog."].*)

8. The coverage gap in the areas surrounding the proposed Facility consists of coverage below T-Mobile's minimum design threshold of -84 dBm. (*Heffernan, pp. 3-5; T-Mobile First Interrog. Resp.*)

9. The Facility would be an integral component of T-Mobile's wireless network in the Town. The Facility would remedy the existing coverage gap in this area of the Town, specifically along Route 146, Old Quarry Road, Andrews Road and Inner Circle, as well as the Amtrak rail line that passes through the area and the areas surrounding the site of the Facility. (*Heffernan, pp. 3-4; T-Mobile First Interrog. Resp.; April 20, 2011 3:00p.m. Hearing Transcript [4.20.11 3:00p.m. Tr.], p. 74.*)

#### Coverage

10. To provide effective coverage in the area of the proposed Facility, T-Mobile would need to mount its antenna array at approximately 80 feet above grade level ("AGL"). This position would allow T-Mobile to minimize the number and height of future telecommunications facilities in this area of the Town. (*Heffernan, pp. 4-5; T-Mobile First Interrog. Resp.; T-Mobile Response to Town Interrog.*)

11. An antenna array at 80 feet AGL would allow T-Mobile to overcome the mature vegetation and topography in the area, and achieve the coverage objective. (*Heffernan, pp. 4-5; T-Mobile First Interrog. Resp.; T-Mobile Response to Town Interrog.; 4.20.11 3:00p.m. Tr., p. 77.*)

12. An antenna array at 80 feet AGL would allow T-Mobile to provide reliable 911/emergency call service to T-Mobile users. (*Heffernan, p. 5; T-Mobile First Interrog. Resp.*)

### **Site Search**

13. T-Mobile initiated a site search in the area of the proposed Facility to address the existing coverage gap on or about July 10, 2008. The starting point for the search area was between Route 146 and the Amtrak rail line, approximately 0.30 miles west of the Route 146 rail line crossing. (*Pre-Filed Testimony of Ray Vergati ["Vergati,"] pp. 3-4; T-Mobile First Interrog. Resp.; T-Mobile Response to Town Interrog.*)

14. T-Mobile's search inquiry included the site of the proposed Facility. When T-Mobile approached the owner of the Property, T-Mobile learned that Verizon had already initiated negotiations regarding a lease for the proposed Facility. (*4.20.11 3:00p.m. Tr., p. 71.*)

15. T-Mobile opted to locate on the Facility to alleviate a coverage gap and to obviate the need for another telecommunications facility in the immediate area. (*Vergati, pp. 3-4; T-Mobile First Interrog. Resp.; T-Mobile Response to Town Interrog.*)

### **Municipal Consultation**

16. Although T-Mobile is not the applicant, T-Mobile met with representatives of the Town regarding the efficacy of the Facility as well as T-Mobile's search for alternative sites. On October 8, 2010, T-Mobile representatives attended a meeting with Verizon, AT&T and Town representatives to discuss the Facility. At the meeting, T-Mobile discussed its need to co-locate on the Facility. T-Mobile also met with representatives of the Town in 2008 to discuss possible locations for a telecommunications facility in the vicinity of the Property. (*Vergati, p. 4; 4.20.11 3:00p.m. Tr., pp. 71, 75.*)

Dated at Bridgeport, Connecticut this 28th day of June, 2011.

**THE INTERVENOR,  
T-MOBILE NORTHEAST LLC**

By: 

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**CERTIFICATION OF SERVICE**

I hereby certify that on this day a copy of the foregoing was delivered by Electronic Mail and regular mail, postage prepaid, to all parties and intervenors of record, as follows:

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