

COPY



Transcript of the Hearing of

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UNITED REPORTERS, INC.

Phone: 866-534-3383

Fax: 877-534-3383

Email: info@unitedreporters.com

Internet: www.unitedreporters.com

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Docket No. 448

Application From Cellco Partnership d/b/a
Verizon Wireless for a Certificate of
Environmental Compatibility and Public Need
for the Construction, Maintenance, and
Operation of a Telecommunications Facility
Located at 831 Derby Milford Road, Orange,
Connecticut

Continued Public Hearing held at the
Public Utilities Regulatory Authority, Ten
Franklin Square, New Britain, Connecticut,
Tuesday, August 12, 2014, beginning at 1:00
p.m.

H e l d B e f o r e:

ROBERT STEIN, Chairman

<p style="text-align: right;">Page 166</p> <p>1 A p p e a r a n c e s: 2 Council Members: 3 JAMES J. MURPHY, JR., 4 Vice Chairperson 5 PHILIP T. ASHTON 6 DR. MICHAEL W. KLEMENS 7 DANIEL P. LYNCH, JR. 8 9 LARRY LEVESQUE, 10 PURA Designee 11 12 Council Staff: 13 MELANIE BACHMAN, ESQ., 14 Executive Director and 15 Staff Attorney 16 ROBERT MERCIER 17 Siting Analyst 18 19 For Cellco Partnership d/b/a Verizon 20 Wireless: 21 ROBINSON & COLE, LLP 22 280 Trumbull Street 23 Hartford, Connecticut 06103 24 By: KENNETH BALDWIN, ESQ. 25</p>	<p style="text-align: right;">Page 168</p> <p>1 THE CHAIRMAN: Good afternoon, 2 ladies and gentlemen. I'd like to call to 3 order the meeting of the Siting Council 4 today, Tuesday, August 12, 2014 at one p.m. 5 My name is Robin Stein. I'm Chairman of the 6 Siting Council. 7 The hearing today is a 8 continuation of the hearing that was held on 9 July 17, 2014, at the Shelton City Hall 10 Auditorium, in Shelton. It was held pursuant 11 to the provisions of Title 16 of the 12 Connecticut General Statutes and of the 13 Uniform Administrative Procedure Act, upon an 14 application from Cellco Partnership, d/b/a 15 Verizon Wireless for a Certificate of 16 Environmental Compatibility and Public Need 17 for the Construction, Maintenance and 18 Operation of a Telecommunication Facility 19 Located at 831 Derby Milford Road, in Orange, 20 Connecticut. 21 This application was received 22 by the Council on May 13, 2014. A verbatim 23 transcript will be made of this hearing and 24 deposited with the clerk's office in the 25 Orange Town Hall and the Shelton City Hall</p>
<p style="text-align: right;">Page 167</p> <p>1 A p p e a r a n c e s (Cont'd): 2 For the Intervenor: 3 BERCHEM, MOSES & DEVLIN, P.C. 4 1221 Post Road East 5 Westport, Connecticut 06880 6 By: MARIO F. COPPOLA, ESQ. 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 169</p> <p>1 for the convenience of the public. We will 2 proceed in accordance with the prepared 3 agenda, copies of which are available on the 4 table back there. 5 We have a second motion for 6 continuance dated August 5, 2014, from the 7 Intervenor. 8 Attorney Bachman, do you wish 9 to comment? 10 MS. BACHMAN: Thank 11 Mr. Chairman. 12 The second motion for a 13 continuance was filed on August 5th and it 14 was to continue the date and time of this 15 hearing. And since we are here now and we 16 are in the proceeding, I believe this motion 17 is moot at this point. 18 THE CHAIRMAN: Thank you. 19 The Council also has added one 20 item to its administrative notice list, which 21 is listed as Roman Numeral I, D, Item 49, 22 Cisco Systems, Inc, Global Mobile Data 23 Traffic Forecast Document. Does the party or 24 Intervenor have any objection? 25 MR. COPPOLA: No,</p>

<p style="text-align: right;">Page 170</p> <p>1 Mr. Chairman. 2 THE CHAIRMAN: Seeing and 3 hearing none, this is administratively 4 noticed. 5 We will continue with the 6 appearance of the Applicant to swear in their 7 new witnesses. I believe it's Douglas 8 Talmadge and Juan Latorre to verify the 9 exhibits marked as Roman numeral II, item B8 10 through 12 on the hearing program. 11 And Attorney Bachman will 12 swear in the witnesses. 13 MR. ASHTON: Mr. Chairman? 14 If I may, just a point of 15 personal privilege. I would like the record 16 to show that I did visit the site on 17 July 22nd and I've read the approximately 18 180-page transcript as of August 6th. So I 19 consider myself fully up to speed. 20 THE CHAIRMAN: Thank you very 21 much, Mr. Ashton. 22 So will the two new witnesses 23 please rise to take the oath? 24 MR. BALDWIN: Thank you, 25 Mr. Chairman. As listed in the hearing</p>	<p style="text-align: right;">Page 172</p> <p>1 listed in the hearing program under Roman II, 2 Subsection B, Items 8 through 12. I also 3 handed out this morning and gave copies to 4 the Intervenors, copies of Mr. Talmadge's 5 resume. He was a late addition to our panel, 6 so I brought his resume with me today. 7 We also submitted a 8 replacement page, or I should say an 9 additional page to what is listed in the 10 hearing program as Cellco's Exhibit 9, behind 11 Attachment 2, page 2. This is Section 6, if 12 you will, under the capacity discussion. 13 We noticed in preparing for 14 this hearing that there was a difference 15 between the timeframe discussed in the data 16 versus what was in the narrative. And the 17 original narrative was discussing 18 months 18 of data and the new narrative that we're 19 replacing it with has been adjusted so that 20 it's consistent with the graphs and data also 21 attached in Attachment 2, 12 months worth of 22 data. 23 Both -- both narratives are 24 still correct, but the replacement page for 25 the Attachment 2, page 2 is now consistent</p>
<p style="text-align: right;">Page 171</p> <p>1 program our new witnesses today, filling in 2 for Mrs. Carter, is Mr. Doug Talmadge, a real 3 estate consultant with Structure Consulting 4 Group. 5 And Mr. Juan, also known as 6 Jay, Latorre, a radio-frequency engineer with 7 Verizon Wireless. 8 JUAN "JAY" LATORRE, 9 DOUGLAS TALMADGE, 10 called as witnesses, being first duly 11 sworn by Ms. Bachman, were examined and 12 testified on their oaths as follows: 13 JAIME LAREDO, 14 MICHAEL LIBERTINE, 15 DEAN GUSTAFSON, 16 HARRY M. ROCHEVILLE, JR., 17 having been previously sworn, were 18 examined and testified further on their 19 oaths as follows: 20 THE CHAIRMAN: Attorney 21 Baldwin, would you please continue by 22 verifying the new exhibits you filed. 23 MR. BALDWIN: Yes, 24 Mr. Chairman. 25 There are five new exhibits</p>	<p style="text-align: right;">Page 173</p> <p>1 with the data that was submitted. I don't 2 know that we need to make that a new exhibit, 3 Mr. Chairman. So we actually have exhibits 4 now 8 through 13 if we include Mr. Talmadge's 5 resume. 6 THE CHAIRMAN: Please continue 7 with the verification. 8 MR. BALDWIN: Thank you, 9 Mr. Chairman. 10 For the new exhibits 11 referenced in the hearing program under 12 Item 2, Section B, numbers 1 through 13, now 13 did you prepare -- assist in the preparation 14 or supervise in the preparation of the 15 information in those exhibits. 16 Mr. Rocheville? 17 THE WITNESS (Rocheville): Yes. 18 MR. BALDWIN: Mr. Gustafson. 19 THE WITNESS (Gustafson): Yes. 20 And just one point of clarification on 21 Exhibit 10, Attachment 1. It is a vernal 22 pool in the eastern block stone habitat 23 assessment, dated August 4th, prepared by 24 Mr. Eric Davison. 25 I consulted with Mr. Davison</p>

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1 during the preparation of his report and his
2 field visit of July 28th of this year, and
3 feel I am qualified to address any questions
4 related to -- to this report.
5 MR. BALDWIN: Thank you.
6 Mr. Libertine?
7 THE WITNESS (Libertine): Yes.
8 MR. BALDWIN: Mr. Talmadge?
9 THE WITNESS (Talmadge): Yes.
10 MR. BALDWIN: Mr. Laredo?
11 THE WITNESS (Laredo): Yes.
12 MR. BALDWIN: Mr. Latorre?
13 THE WITNESS (Latorre): Yes.
14 MR. BALDWIN: Do you have any
15 corrections, amendments or clarifications to
16 offer to any of those exhibits?
17 Mr. Rocheville?
18 THE WITNESS (Rocheville):
19 Yes, I have one correction to Exhibit 11. My
20 response to Question Number 68 shows a blank
21 in the response and that blank should be
22 replaced with 0.6 miles. And that's all the
23 corrections I have.
24 MR. BALDWIN: Mr. Gustafson?
25 THE WITNESS (Gustafson): No

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1 corrections.
2 MR. BALDWIN: Mr. Libertine?
3 THE WITNESS (Libertine): No
4 corrections.
5 MR. BALDWIN: Mr. Talmadge?
6 THE WITNESS (Talmadge): I
7 have one correction. Question 61, the
8 response refers to 814 Glenbrook Road. It
9 should be 870 Garden Road.
10 MR. BALDWIN: Mr. Laredo?
11 THE WITNESS (Laredo): None.
12 MR. BALDWIN: Mr. Latorre?
13 THE WITNESS (Latorre): None.
14 MR. BALDWIN: And is the
15 information with those corrections true and
16 accurate to the best of your knowledge?
17 Mr. Rocheville?
18 THE WITNESS (Rocheville): Yes.
19 MR. BALDWIN: Mr. Gustafson?
20 THE WITNESS (Gustafson): Yes.
21 MR. BALDWIN: Mr. Libertine?
22 THE WITNESS (Libertine): Yes.
23 MR. BALDWIN: Mr. Talmadge?
24 THE WITNESS (Talmadge): Yes.
25 MR. BALDWIN: Mr. Laredo?

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1 THE WITNESS (Laredo): Yes.
2 MR. BALDWIN: Mr. Latorre?
3 THE WITNESS (Latorre): Yes.
4 MR. BALDWIN: And do you adopt
5 the information in those exhibits as your
6 testimony today?
7 Mr. Rocheville?
8 THE WITNESS (Rocheville): Yes.
9 MR. BALDWIN: Mr. Gustafson?
10 THE WITNESS (Gustafson): Yes.
11 MR. BALDWIN: Mr. Libertine?
12 THE WITNESS (Libertine): Yes.
13 MR. BALDWIN: Mr. Talmadge?
14 THE WITNESS (Talmadge): Yes.
15 MR. BALDWIN: Mr. Laredo?
16 THE WITNESS (Laredo): Yes.
17 MR. BALDWIN: Mr. Latorre?
18 THE WITNESS (Latorre): Yes.
19 MR. BALDWIN: Mr. Chairman, I
20 offer them as full exhibits.
21 MR. LYNCH: Mr. Chairman?
22 THE CHAIRMAN: Mr. Lynch?
23 MR. LYNCH: Mr. Baldwin, I
24 must have missed it. Did you offer
25 Mr. Talmadge's resume as Exhibit 13, or

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1 you're going to?
2 MR. BALDWIN: We offered it as
3 Exhibit 13.
4 DR. KLEMENS: Mr. Chairman?
5 THE CHAIRMAN: Yes,
6 Dr. Klemens?
7 DR. KLEMENS: Yes, I mean, I
8 noticed under the witness Mr. Davison is
9 being -- are you going to produce Mr. Davison
10 at a subsequent hearing for
11 cross-examination?
12 MR. BALDWIN: Mr. Davison will
13 be available at the September 16th hearing.
14 He was not available to be here today. We
15 had hoped he'd be here today. But as
16 Mr. Gustafson stated, he did work with
17 Mr. Davison on his report and is capable of
18 responding to any question. To the extent
19 that he is not, Mr. Davison will be here on
20 the 16th.
21 DR. KLEMENS: Thank you.
22 THE CHAIRMAN: Okay. Does the
23 Intervenor have any objection to the
24 admission of these exhibits?
25 MR. COPPOLA: No,

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<p>1 Mr. Chairman. 2 But just one question for 3 clarification with regard to the correction 4 that Mr. Rocheville had cited. He spoke a 5 little bit quickly and I was unable to get 6 all the information that he had referenced. 7 I believe he said it was Exhibit 11. What 8 was the page number that you referenced? 9 MR. BALDWIN: I think it was 10 Question 61. 11 THE WITNESS (Rocheville): 12 Question 68. It's page number 24. 13 MR. BALDWIN: Which one are we 14 talking about? 15 THE WITNESS (Rocheville): 16 Yes, page number 24, the response to 17 Question Number 68. 18 MR. COPPOLA: Okay. Thank 19 you. 20 THE CHAIRMAN: Okay. 21 Therefore the exhibits are admitted. 22 (Exhibits 1 through 13: 23 Admitted in evidence - described in index.) 24 THE CHAIRMAN: We'll now 25 proceed with cross-examination starting with</p>	<p>1 THE WITNESS (Talmadge): -- is 2 .9 miles. 3 MR. MERCIER: From where? 4 THE WITNESS (Talmadge): From 5 the center of our search area to the center 6 of the cemetery, distance. 7 MR. MERCIER: Okay. 8 THE WITNESS (Talmadge): It 9 was outside of our -- our search area for 10 coverage. 11 MR. MERCIER: It's .9 miles 12 from the tower site proposed in this 13 application? 14 THE WITNESS (Talmadge): The 15 original search area. I can refer to 16 Harry -- 17 MR. MERCIER: Okay. 18 THE WITNESS (Talmadge): -- 19 for that location. 20 MR. MERCIER: Okay. How close 21 to the edge of the search area is it? 22 THE WITNESS (Talmadge): Harry. 23 THE WITNESS (Rocheville): The 24 search ring approximately has a diameter of 25 .6 miles.</p>
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<p>1 Mr. Mercier. 2 CROSS-EXAMINATION 3 MR. MERCIER: Thank you. I 4 would like to begin with the letter from 5 Senator Slossberg. Has everybody received 6 that letter and had a chance to read through 7 it? 8 I guess, this is her first 9 point, was suggested location at Mount 10 St. Peter's Cemetery. Could someone just 11 explain to me whether that site was viable or 12 not. 13 MR. BALDWIN: Whether it was 14 what or not? 15 MR. MERCIER: Viable. 16 THE WITNESS (Talmadge): Doug 17 Talmadge. This cemetery is -- the center of 18 the cemetery, the center of our search area 19 was .9 miles, so it was outside the vicinity 20 of our search. 21 MR. MERCIER: Could you repeat 22 that? The center of your search area? 23 THE WITNESS (Talmadge): Yes, 24 the center of the cemetery -- 25 MR. MERCIER: Yes.</p>	<p>1 MR. BALDWIN: Could I just 2 have a minute with Mr. Rocheville? 3 (Pause.) 4 THE WITNESS (Rocheville): The 5 search ring has a radius about .3 miles. The 6 center of the cemetery is about .9 miles from 7 the center of that search ring leaving 8 .6 miles outside of the search ring. And the 9 ground elevations from where the center of 10 the search ring is to the cemetery, the 11 ground elevation at the cemetery is about 50 12 feet above sea level. It's about 130 to the 13 highest point of the cemetery. 14 THE WITNESS (Talmadge): Maybe 15 I'll add in, looking at the cemetery it 16 doesn't look there's much buffer area as 17 well, even if it was closer to the search 18 area. As to where we would put it were it to 19 have enough tree coverage, the cemetery is 20 mostly plots right now. There's very 21 little -- a group trees in the middle of the 22 cemetery, which we be based our measurements 23 off of. And we reached out to Mr. Pinone who 24 the letter came from to the Council, and he 25 hasn't been able to supply us with a location</p>

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1 that he was thinking that would work, so we
2 can tell if it's the ground elevation issue.
3 MR. MERCIER: What date did
4 you reach out to Mr. Pinone?
5 THE WITNESS (Talmadge): We
6 reached out to him on 8/7, and again this
7 Tuesday as well.
8 MR. MERCIER: You mean today?
9 THE WITNESS (Talmadge):
10 Monday. This Monday. Sorry.
11 MR. MERCIER: Okay.
12 Yesterday?
13 THE WITNESS (Talmadge): Yeah.
14 Got my days mixed up.
15 MR. MERCIER: Okay. Thank
16 you.
17 Regarding the second location,
18 something called Tucker's Ravine parcel. Did
19 the Town ever direct Verizon to this parcel
20 initially during this pre-application
21 process?
22 THE WITNESS (Talmadge): Doug
23 Talmadge.
24 No, they did not. This was
25 not a suggestion from them.

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1 I don't know if there was formal
2 consultation, but certainly there have been
3 phone calls to folks up there. And the
4 policy, we've always been told, is that
5 they're not interested in tying up state
6 property for these type of developments.
7 In the case of the Housatonic
8 Overlook there is a bit of a conservation
9 restriction on there that -- this is helpful.
10 We did take a look at that. It's actually
11 two different parcels. There's a larger
12 parcel of about 39 acres or so, which is more
13 or less from the cul-de-sac and moves more or
14 less southwestward along that rise. That's
15 all in conservation land with restrictions
16 for development.
17 There is a smaller parcel of
18 about 19 acres that more or less abuts the
19 Housatonic River. If you're familiar with
20 that site area, I've been up there, it's a
21 steep cliff that just drops off towards the
22 water and the rail line. So it's not really
23 much of a developable parcel, but that does
24 not have the restrictions on it. And that is
25 still in town ownership -- or actually,

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1 MR. MERCIER: Now on an
2 administrative notice list we have a letter
3 from -- it's Number 32. It's a letter from
4 the DEP to Attorney Fisher. It's in regards
5 to Attorney Fisher reaching out to the DEP
6 for the use of some land.
7 Has Verizon itself ever
8 submitted a request to the Commissioner of
9 the Department of Energy and Environmental
10 Protection, or the former DEP, for that
11 matter, for permission to develop a tower on
12 any state-owned or state-funded open space
13 parcels?
14 THE WITNESS (Libertine): This
15 is Mike Libertine. I can speak -- I'm not
16 sure if there's been a formal correspondence
17 that's been documented. I know I've been
18 involved in several dockets, and actually
19 prior to becoming dockets during site
20 searches where certain state forestland or
21 other state properties appear to be
22 potentially viable from our perspective.
23 There were conversations over the years. I
24 know there have been more than a -- probably
25 more than I can count on both hands. Again,

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1 they're both in town ownership, but one with
2 a conservation restriction that came through
3 a state fund funding mechanism. So there are
4 some restrictions on what I would consider to
5 be the developable portions of that property.
6 MR. MERCIER: Okay. Thank
7 you.
8 In the last paragraph of the
9 letter, could you please respond to her
10 statement that there is no immediate need for
11 this facility? It appeared in her last
12 paragraph.
13 MR. BALDWIN: Mr. Mercier, I
14 saw that, too, when I read this this morning,
15 and it's not clear in the letter what the
16 basis of that statement is. So I'm not sure
17 how we can respond to that. And she doesn't
18 cite to anything in particular in the
19 application, but frankly I'd be surprised if
20 there was something in there that said
21 there's no immediate need.
22 MR. MERCIER: Okay. Fair
23 enough.
24 In the response to the
25 Council's request for additional information

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1 we asked for some type of data that could be
2 submitted so we could -- the Council could
3 review it to determine capacity need at
4 this -- at this particular location. And
5 you've submitted a bunch of material under
6 Attachment 2.
7 I just want to actually just
8 turn to the fourth page of Attachment 2,
9 that's the Milford Northeast Alpha Sector
10 charts. Just taking the first one, could
11 someone just please explain what this chart
12 is showing?
13 THE WITNESS (Laredo): Jaime
14 Laredo. This chart -- chart basically shows
15 the trend of data volume. That's the first
16 one on the top, which we had referred as the
17 forward data volume. Actually the total
18 downlink data volume traffic being downloaded
19 in this specific sector for several busy
20 hours for each month. So from this trend we
21 can see that it is increasing.
22 The next chart at the
23 bottom --
24 MR. MERCIER: Hold on for a
25 second.

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1 Just the vertical axis,
2 there's four-digit numbers. What are the
3 units associated with that?
4 THE WITNESS (Laredo): Those
5 are actually megabytes.
6 SENATOR MURPHY: What are we
7 looking at?
8 MR. MERCIER: On the fourth
9 page it's a forward data volume chart. At
10 the top it says, Milford Northeast Alpha
11 Sector. This is Attachment 2 on Exhibit 9.
12 DR. KLEMENS: Thank you.
13 SENATOR MURPHY: All right.
14 Gotcha.
15 THE WITNESS (Laredo): Just to
16 continue, the red bar on top for the forward
17 data volume chart refers to the calculated
18 FDV capacity for the sector.
19 THE REPORTER: That's FDV, you
20 said?
21 THE WITNESS (Laredo): Yes,
22 FDV, or forward data volume capacity for that
23 specific sector.
24 It was calculated based from
25 the latest peak hour forward data volume. We

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1 looked at the sectors loading at that
2 specific hour and tried to do a linear
3 regression and come up with what will be the
4 forward data volume once we reach
5 100 percent.
6 MR. MERCIER: 100 percent?
7 THE WITNESS (Laredo): Loading
8 for that sector.
9 The next chart at the bottom
10 refers to average scheduled eligible users.
11 That data responds to how many users were
12 being scheduled for a specific time.
13 THE CHAIRMAN: Senator Murphy?
14 SENATOR MURPHY: Looking --
15 sorry to interrupt you, but what does
16 "Average Scheduled Eligible User" mean?
17 What's an "eligible user"?
18 THE WITNESS (Laredo): Yeah.
19 If you refer to the first page of this
20 Attachment 2 --
21 SENATOR MURPHY: Yeah, I've
22 got that.
23 THE WITNESS (Laredo): -- it
24 says here it measures how many customers are
25 using a particular sector of a cell site.

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1 SENATOR MURPHY: So it's
2 simply a customer? I mean, I don't
3 understand the terminology, "Eligible User."
4 That's a customer?
5 THE WITNESS (Latorre): Jay
6 Latorre, Verizon Wireless.
7 It's a good question because
8 it can get a little confusing. So if I may,
9 let me --
10 SENATOR MURPHY: I just want
11 to understand --
12 THE WITNESS (Latorre): Sure.
13 SENATOR MURPHY: -- what it's
14 all about because this is really the first
15 time we've really had a crack at this kind of
16 stuff.
17 THE WITNESS (Latorre):
18 Absolutely. Absolutely.
19 Under Attachment 2 under the
20 capacity section, Number 4, the three --
21 SENATOR MURPHY: Yeah, I have
22 that in front. I -- I read it.
23 THE WITNESS (Latorre): Yeah.
24 To explain average schedule eligible users
25 let's first start very quickly with average

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<p>1 active connections because you used the word 2 "customer." 3 So under Subsection C, Average 4 Active Connections, or AC, that that is a 5 customer number. So meaning in a specific 6 busy hour for a sector how many customers on 7 average are connected to that sector 8 performing some sort of LTE data session. 9 That's a little bit different than what the 10 average scheduled eligible users are. 11 The LTE system that Verizon 12 Wireless operates uses what we call an LTE 13 scheduler, which in addition to allowing our 14 network to allow users to download or upload 15 data, also handles different control 16 mechanisms, such as the mobility of a 17 particular cell phone to move from Sector A 18 to Sector B as a cell -- as a user maybe 19 drives down a particular road, and also 20 handles a lot of other additional signaling. 21 So average scheduled eligible 22 users refers more to the loading on a 23 particular sector to handle all the different 24 control mechanisms necessary for the LTE 25 network to operate so that a customer can</p>	<p>1 correct, given -- 2 SENATOR MURPHY: It's not 3 those that use it over that day? 4 THE WITNESS (Latorre): No. 5 This data is presented in what we call a busy 6 hour and each sector has one. 7 SENATOR MURPHY: Well, is it 8 during the hour, or at a given time in that 9 hour that you give us these statistics? 10 THE WITNESS (Latorre): Over 11 the course of an hour that we've determined 12 to be the busiest hour for a sector, this 13 number represents at any given point in time/ 14 SENATOR MURPHY: My follow-up 15 question to that is, if I use your system 16 three times in an hour or once in an hour, if 17 I use it once I get counted as once, but if I 18 use it three times what do I get counted for? 19 THE WITNESS (Latorre): If you 20 looked at the active connections in a given 21 hour and you used it at the ten-minute mark, 22 you would be considered an active user. If 23 you looked at it at a, you know, the 24 20-minute mark and you were not doing 25 anything, you would not be considered an</p>
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<p>1 establish a connection to a cell and perform 2 their normal transactions, you know, such as 3 checking their bank account or accessing a 4 webpage. 5 So again, average active 6 connections can be thought of as the amount 7 of people trying to do something on their 8 phone at the same time. And average 9 scheduled eligible users refers to, at any 10 given point in time, the amount of users that 11 are accessing the cell to perform the control 12 mechanisms of the network to make sure that 13 the functions that you and I are all very 14 comfortable with, like accessing the network, 15 work properly. 16 SENATOR MURPHY: So to 17 follow-up, because my perception of what 18 you're talking about appears to be a lot 19 different from what you're doing. 20 THE WITNESS (Latorre): Sure. 21 SENATOR MURPHY: That's why I 22 wanted to ask you. So the average active 23 connection is those that are using it at a 24 given time? 25 THE WITNESS (Latorre): That's</p>	<p>1 active user. 2 SENATOR MURPHY: Well, suppose 3 that I was on there at the 20-minute mark. 4 THE WITNESS (Latorre): So you 5 would be -- for that instantaneous moment you 6 would be calculated at the ten-minute mark. 7 And if you were doing something at the 8 20-minute mark you would again be calculated 9 as one of those number of connections. 10 The -- the average active 11 connections is used to help smooth any, you 12 know, irregularities over the course of hour. 13 For example -- 14 SENATOR MURPHY: So simply 15 put, this really is the number that are using 16 it at a given time during the busy hour? 17 THE WITNESS (Latorre): That's 18 an accurate statement. 19 THE CHAIRMAN: Mr. Lynch. 20 MR. LYNCH: Just a follow up. 21 You were talking about the LTE system, the 22 700. But that, there's no voice on that. So 23 there's no voice being calculated into this 24 average hour? 25 THE WITNESS (Latorre): Jay</p>

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1 Latorre.
2 That's correct. At this time
3 for the purposes of average active
4 connections, the numbers that we are citing
5 only speak to data connections currently
6 being performed on the LTE network.
7 MR. LYNCH: And to follow up
8 on Senator Murphy's usage within the hour, if
9 I'm using one app at 5:10 and I stay on it,
10 but I switch to another app at 5:15, is that
11 still one use or is that two uses?
12 THE WITNESS (Latorre): If the
13 way the network -- I'm sorry, Jay Latorre.
14 The way the network works, if
15 you continue to maintain an active app and
16 use a second or third app, for example if
17 you're checking the Internet and then also
18 opened your e-mail browser, if your first
19 application maintains its connection, we
20 wouldn't double-count in our system because
21 you're already active.
22 Once you become an active
23 user, additional applications would not cause
24 you to, you know, create multiple active
25 users. Only once you de-establish all of

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1 I'm having trouble
2 understanding the individual customers. To
3 me, it appears how much of the network is
4 being taken up and that leads you to the need
5 for greater capacity. And I can understand
6 that if you look at the forward data volume,
7 I can see it -- I can see that need. You can
8 see a very clear trend that you're
9 approaching that need. I don't see it
10 supported by the other, the average
11 connections or the other -- I don't see that
12 as a very reliable measure compared to that
13 forward data volume.
14 Can you comment on that,
15 please?
16 THE WITNESS (Laredo): Jaime
17 Laredo.
18 The way we evaluate these
19 sectors in terms of projected to exhaust
20 dates, we have a condition wherein we have to
21 satisfy the exhaust both for forward data
22 volume and average scheduled eligible users.
23 And another way to set -- to conclude if it's
24 exhausting is if, in terms of average active
25 connections, it is exhausting. So to

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1 your connections, which you cease to be what
2 we would call an active user. And then when
3 you reestablish something, you checked CNN
4 later, then you become an active user again
5 at that time.
6 MR. LYNCH: Thank you. I've
7 got it now. Thank you.
8 THE WITNESS (Latorre): You're
9 very welcome.
10 THE CHAIRMAN: Dr. Klemens?
11 DR. KLEMENS: Yeah. I'm
12 trying to grapple with this also. And thank
13 you for actually, I think, trying to be
14 responsive to the questions we raised last
15 time about documenting these needs. And I
16 wish Dr. Bell was here, because I know she
17 would enjoy this discussion very much.
18 As I understand this, and I'm
19 thinking also of Senator Slossberg's letter
20 of the need, I'm seeing on these graphs that
21 if you look at the aggregate data volume, the
22 amount of space that is being taken up on the
23 network I would consider that to be the
24 forward data volume. That's as much --
25 that's all the different things.

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1 summarize the conditions, it's like end of
2 forward data volume and ASEU both should be
3 exhausting, or average active connections
4 should be exhausted.
5 DR. KLEMENS: So what you're
6 saying is to document a need it's one or the
7 other?
8 THE WITNESS (Laredo): Yes,
9 sir.
10 DR. KLEMENS: So the fact that
11 two of your measures seem to be fairly flat,
12 the fact that one of your measures, the
13 forward data volume and the average scheduled
14 eligible users are near exhaustion, that is
15 sufficient, in your professional judgment,
16 for need for this tower?
17 THE WITNESS (Laredo): Yes,
18 sir. That's correct.
19 DR. KLEMENS: Thank you.
20 THE WITNESS (Latorre): Jay
21 Latorre.
22 If I may just add to -- to
23 your comment. I'd like to refer to the Cisco
24 visual networking index document that was
25 included for today's discussion.

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1 One of the interesting points
2 to note is on page 2 of the document where it
3 states in bold, in 2013 on an average a smart
4 device generated 29 times more traffic than a
5 nonsmart device. I think if I understand
6 your question, your thought was, well, you
7 don't seem like you have a lot of average
8 connections, but you've got a ton of data
9 being used.

10 And the reality is what we're
11 experiencing with on our LTE network right
12 now is that we have smart phone users who are
13 capable of using data at a significantly
14 higher portion than their nonsmart phone
15 equivalents. And -- and in many cases, it
16 doesn't necessarily always require that many
17 users are necessary to create an exhaustion
18 criteria for a site.

19 DR. KLEMENS: Thank you.
20 That's very helpful. Thank you.

21 THE WITNESS (Latorre): You're
22 very welcome.

23 THE CHAIRMAN: Mr. Ashton?

24 MR. ASHTON: I'm a little bit
25 confused by all this, too. One thing I'd

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1 below is number of users.

2 MR. ASHTON: Number of users.
3 Is that units, hundreds, or thousands?

4 THE WITNESS (Laredo): No,
5 that's -- is straight users.

6 MR. ASHTON: Okay. So it's
7 saying you've got on July 13, 2013, you've
8 got about .7 user?

9 THE WITNESS (Laredo): That
10 would be correct, because the way our LTE
11 system works is we schedule these users based
12 from one millisecond time. So that's a
13 thousandth of a second. That's why it would
14 appear as if it's less than one user for that
15 specific time.

16 MR. ASHTON: Okay. And the
17 next page, what's the scale there? What are
18 the units of the scale?

19 THE WITNESS (Latorre): Jay
20 Latorre.

21 Again, this could be labeled
22 as number of users.

23 MR. ASHTON: Number of users.
24 Okay. So I'm reading that, and if I look at
25 the average active connections for July of

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1 like to know, what are the scales on the
2 vertical part of the graph, is it megapixels
3 per ton or gallons per hour or what?

4 The forward data volume, is
5 that units?

6 THE WITNESS (Laredo): Well,
7 the units for forward -- Jaime Laredo. The
8 units for forward data volume is megabytes.
9 So for the chart that refers to Milford
10 Northeast, for example, that's --

11 MR. ASHTON: That's megabytes?

12 THE WITNESS (Laredo): --
13 megabytes, yes.

14 MR. ASHTON: Okay. Just a
15 simple question.

16 THE WITNESS (Laredo): Okay.

17 MR. ASHTON: A
18 straight-forward question.

19 THE WITNESS (Laredo): All
20 right.

21 MR. ASHTON: You know, you
22 never produce a graph unless you express the
23 units. You didn't do it right.

24 What's the scale down below?

25 THE WITNESS (Laredo): Down

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1 '13, that's telling me that at that time
2 there are about 35 users. Is that fair to
3 say?

4 THE WITNESS (Latorre): In the
5 busy hour, yes.

6 MR. ASHTON: Okay. And the
7 average scheduled eligible users for the same
8 period is about .7?

9 THE WITNESS (Latorre): Jay
10 Latorre. That's correct.

11 MR. ASHTON: Is there any
12 mathematical relationship between ASEU and
13 average AC?

14 THE WITNESS (Latorre): Jay
15 Latorre. There is not a direct correlation
16 from one to the other. There is no sort of
17 linear form, but it is logical that as your
18 number of average connections increase it is
19 likely that your average scheduled eligible
20 users will also increase.

21 MR. ASHTON: Okay. The one
22 thing struck me referring to the ASEU in the
23 next curve is that there's a sharp need shown
24 in January of 2014 in the ASEU where the rest
25 of it sort of poops along at a very low

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1 geometric rate. What's going on?
2 THE WITNESS (Laredo): Jaime
3 Laredo. Along the way our -- we totaled up
4 the units to calculate this forecasting.
5 We're trying to optimize it, so we have a
6 team who -- who changes some parameters in
7 order to arrive with a more realistic result.
8 So during this --
9 MR. ASHTON: Well, this is
10 historical. What I'm trying to do is find
11 out what occurred that caused it more or less
12 to go up by 50 percent in a short period of
13 time. You follow what I'm -- what I'm
14 talking about?
15 THE WITNESS (Laredo): Yes.
16 THE WITNESS (Latorre): Jay
17 Latorre. For that specific answer I think we
18 need to go back and do some additional
19 research to identify the specific parameter
20 changes that may have occurred during that
21 time, as well as any sort of network trends.
22 MR. ASHTON: Well, wouldn't
23 you agree it sort of sticks out?
24 THE WITNESS (Latorre): Jay
25 Latorre.

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1 I would say that given the
2 analysis we've seen in the report as well as
3 a lot of the other data we've shown here
4 today, although it may seem like it sticks
5 out, this is consistent with the significant
6 growth in capacity demand that we're seeing
7 across our network both in this area --
8 MR. ASHTON: Well, if you look
9 at the slope of the curve for ASEU, both
10 before that date and after -- well, beginning
11 with February of 2014, the slope is pretty
12 consistent. Isn't it? It's that one
13 interval where the slope goes up about
14 probably by a factor of four or five.
15 THE WITNESS (Latorre): I do
16 see that -- Jay Latorre -- and I believe we
17 have to do some additional clarification just
18 to verify the specific conditions that
19 allowed for that increase in ASEU between the
20 period of December of 2013 and January of
21 2014.
22 MR. ASHTON: Could that
23 increase be a forced increase by directing
24 signals to one set of towers as opposed to
25 another? Can you force that increase?

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1 THE WITNESS (Latorre): Jay
2 Latorre. Yes, the LTE network allows for a
3 significant customization in the various
4 signaling conditions, such as the specific
5 trigger times to have a user move from one
6 sector to another sector. So it is possible
7 that parameter changes within the LTE network
8 could affect the ASEU of a specific sector.
9 MR. ASHTON: Would that also
10 include physical changes? For example, you
11 install or replace some antennas and are near
12 -- you know, are near that site?
13 THE WITNESS (Latorre): Jay
14 Latorre. Yes, physical changes such as a
15 change in antenna could result in a change in
16 a trending ASEU.
17 MR. ASHTON: I'm sorry. I
18 don't want to fog up the -- thank you,
19 Mr. Chairman.
20 THE CHAIRMAN: Thank you.
21 Mr. Lynch?
22 MR. LYNCH: Mr. Latorre, you
23 referenced in your discussion earlier about
24 the average user time, an hour, smart phones.
25 But are tablets and laptops also included in

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1 that calculation?
2 THE WITNESS (Latorre): Jay
3 Latorre. Yes, they are. Any device that is
4 capable of accessing the LTE network, which,
5 for example, could be a smart phone, it could
6 be a tablet, it could be a wireless air card,
7 a machine-to-machine interface accessing the
8 LTE network, all of which would contribute to
9 that overall number.
10 MR. LYNCH: Thank you.
11 Thank you, Mr. Chairman.
12 THE CHAIRMAN: Thank you.
13 I guess Mr. Mercier was
14 still --
15 MR. MERCIER: Thank you.
16 Just to go back to the average
17 scheduled eligible users. You said that was
18 a number of users per millisecond of time
19 during the busiest hour?
20 THE WITNESS (Laredo): Yes,
21 that's correct.
22 MR. MERCIER: Just to follow
23 up on Mr. Ashton's question regarding the
24 rise in January, the other two sectors also
25 show a slight rise, but there is a rise there

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1 and that was also my question, why that
2 trended upward in January of '14.
3 I just have one last question,
4 and it's in regards to visibility. This
5 question is based on Photo 6 in Tab 9 of the
6 application. Now in regards to the
7 visibility for Rainbow Trail if the tower
8 were extended by 20 feet, as I understand the
9 tower would be built to support such an
10 extension, would it be visible above the tree
11 canopy from Rainbow Trail?
12 THE WITNESS (Libertine): No,
13 a 20-foot extension would not get it above
14 the tree canopy as it is from that
15 perspective along the southern end of Rainbow
16 Trail.
17 MR. MERCIER: Okay. Thank
18 you.
19 I have no other questions at
20 this time.
21 THE CHAIRMAN: Okay. Thank
22 you.
23 We'll now continue with any
24 other questions from the council members.
25 Senator Murphy?

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1 speed throughout its network nationwide.
2 Five to 12 megabits per second down is the
3 current advertised rate for LTE across the
4 country.
5 Specifically to your question
6 about 4 megabits per second. This set of
7 data has been established by our director and
8 executive director team as a means of
9 allowing us to target those sectors in our
10 network which today are failing to reach that
11 criteria, with the thought being that if we
12 have a sector in our LTE network which on
13 average is producing a download speed more
14 than one megabit per second slower than our
15 advertised rate, we need to look at this as a
16 concern for the LTE network and begin to look
17 at various methods at our disposal to ensure
18 that we bring the average download speed of
19 that sector back and above these appropriate
20 thresholds.
21 SENATOR MURPHY: Thank you.
22 I think at this point,
23 Mr. Chairman, I have no further questions.
24 But for the record I want to
25 indicate that I, too, missed the hearing on

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1 SENATOR MURPHY: Am I on?
2 THE CHAIRMAN: Yes.
3 SENATOR MURPHY: Okay. I just
4 have a couple of quick questions.
5 In follow up to why the spike,
6 am I correct in assuming that the method of
7 keeping statistics and the method of
8 computing for these charts remained unchanged
9 from July of '13 through the following July
10 as these charts went?
11 THE WITNESS (Laredo): Jaime
12 Laredo. Yes.
13 SENATOR MURPHY: And the other
14 question I had goes back to your capacity.
15 In Number 2 you indicated in New England --
16 in New England Cellco's design goal is 4
17 megabits. It then goes on to say that the
18 ultimate goal for the company nation -- or
19 network-wise is 5 to 12. Why such a
20 significant difference here than
21 network-wise?
22 THE WITNESS (Latorre): Jay
23 Latorre. The -- that statement, the
24 company's ultimate goal is to achieve data
25 rates of 5 to 12 megabits per second download

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1 the 17th of July. And last Thursday, the 7th
2 of August I read both transcripts of the
3 afternoon session and evening session.
4 Thank you.
5 THE CHAIRMAN: Thank you.
6 I believe, Mr. Ashton?
7 MR. ASHTON: Thank you.
8 Is the Town interested in this
9 site? I don't recall that in the transcript.
10 THE WITNESS (Talmadge): Doug
11 Talmadge. No, they have not expressed any
12 interest.
13 MR. ASHTON: I'm sorry.
14 THE WITNESS (Talmadge): They
15 have not.
16 MR. ASHTON: They have not.
17 Thank you.
18 Was there any consideration
19 given to shifting this tower slightly
20 eastward? They talk about south and
21 southeast, but if you went up the slope a
22 little bit to where it's flatter, could you
23 not reduce the height of the tower?
24 The roadway is approximately
25 north/south. If you moved it a little bit to

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1 the right as you get to the top, the contours
2 flatten out. And my guess is if you can go
3 with the same top of the tower elevation you
4 could knock maybe ten feet off its height.
5 Does everybody understand
6 where I'm talking about moving?
7 MR. BALDWIN: Are you looking
8 at a particular topo map in the application,
9 just to make sure that we're on the same
10 page?
11 MR. ASHTON: Well, no. But
12 they all show the same thing.
13 MR. BALDWIN: Okay.
14 MR. ASHTON: You want me to
15 find one?
16 C-1A would show it.
17 THE CHAIRMAN: Mr. Ashton,
18 you're talking about moving in which
19 direction?
20 MR. ASHTON: East. On C-1A,
21 there's a north-south arrow at the top center
22 and it would upslope slightly.
23 THE WITNESS (Laredo): Jaime
24 Laredo.
25 With our perspective, since

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1 MR. ASHTON: I'd be delighted,
2 because I'm very baffled by it.
3 THE WITNESS (Libertine):
4 We --
5 MR. ASHTON: I think I really
6 threw you a curve, and I don't want your
7 whole team to fall apart.
8 THE WITNESS (Libertine): We,
9 as part of the process of looking at these
10 sites, myself or Mr. Gustafson or both of us
11 typically are on the site design visits,
12 which we both were for this particular one,
13 which was done in the winter and one of the
14 reasons we selected the site as it's proposed
15 today was to actually take advantage of the
16 little bit of a depression there. And
17 primarily because eastbound, or eastward from
18 this site you have an open field and some
19 fairly open properties and so the thought was
20 where we have it today was we could hide or
21 at least shield a great deal of the compound
22 and lower portion of the tower by taking
23 advantage of that knoll. As you suggest, if
24 we go up higher we might be able to achieve a
25 lower tower, but we now start to talk about

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1 we're moving a bit higher and pretty close to
2 the original location I may need to visit the
3 area in order to see if I'm actually clearing
4 some treeline elevations at that specific
5 location. But it might end up either the
6 same or a bit lower than what we propose.
7 There's only a -- there should be only a
8 small difference in terms of height.
9 MR. ASHTON: Well, as I -- as
10 I eyeball it, I see those are two-foot
11 intervals. I was figuring if you moved it
12 somewhere around 50, 60 feet, anyway, you
13 could move it as much as a hundred feet. If
14 you're up to elevation 150, or approaching it
15 where you're now at elevation 135 or
16 something like that?
17 THE WITNESS (Laredo): Jaime
18 Laredo. Yes, it is possible that we can
19 reduce the height by a small amount. We
20 still need to confirm that through an actual
21 site, site visit.
22 MR. ASHTON: I'm puzzled why
23 you came on the side slope.
24 THE WITNESS (Libertine): Can
25 I speak to that, Mr. Ashton?

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1 taking down a significant amount more trees
2 as well as probably more -- more importantly
3 from my perspective, is now we start to
4 really open up views of the entire facility
5 to the east and to -- well, generally to
6 east, whether it's northeast, south,
7 southeast as well.
8 So there was this balancing
9 that we went through to -- to get to where we
10 were. We did look at that knoll. We looked
11 at other portions of the property, but
12 because of trying to balance the physical
13 nature of this property, if you take a look
14 at the application, actually in the executive
15 summary, the aerial photo that's in the very
16 front portion, I believe it's page II, if I'm
17 not mistaken. That gives you a pretty good
18 sense of how -- how much we attempted to
19 center this property certainly from north to
20 south and again, from east to west as best we
21 could and try to take advantage of some
22 cover, some topography breaks, and some of
23 the other natural features so that we could
24 kind of gained that balance of meeting RF
25 objectives and also trying to keep it away

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1 from wetlands and other resource areas as
2 well as trying to minimize overall
3 visibility. So that was the thought process
4 that got us to that point.

5 And I recognize what -- what
6 you're trying to accomplish in terms of if we
7 could suppress the height of the tower. In
8 this case we do have some limitations on the
9 physical features of that property that may
10 actually result in, from my perspective I
11 think it's going to be -- probably open up
12 more views of the facility. Even if we could
13 get down 20 feet shorter, I still think we're
14 talking about significant views of the lower
15 portion of the tower now becoming -- opening
16 up to that eastern side.

17 MR. ASHTON: From where?

18 THE WITNESS (Libertine):

19 There's several homes to the east on Garden
20 Road, Cold Springs. Thank you. There are a
21 few others up in the general neck of the
22 woods, but that -- that's got quite a bit of
23 residential development to the east.

24 MR. ASHTON: If you look at
25 the photograph, it's right at the front right

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1 Mr. Gustafson?

2 THE WITNESS (Gustafson): Dean
3 Gustafson. It would push it further away
4 from Wetland 2.

5 MR. ASHTON: Would it reduce
6 the amount of grading you'd have to do?

7 THE WITNESS (Rocheville): The
8 further we move east -- Harry Rocheville.

9 The further we move east --

10 MR. ASHTON: Turn up your
11 voice. The room is dead.

12 THE WITNESS (Rocheville):
13 Harry Rocheville.

14 The further we move east the
15 grades start to get steeper and steeper. So,
16 it wasn't --

17 MR. ASHTON: Going east?

18 You're saying going east the grades get
19 steeper?

20 THE WITNESS (Rocheville):
21 That's correct. From our --

22 MR. ASHTON: Oh, I see it.

23 Yeah, but not -- by how much? You're talking
24 a gorge or are you talking a mountain cliff
25 or what?

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1 right behind the to-plot map, it shows that
2 you've got what is effectively open space
3 for, more or less, the width of the compound
4 itself that you could move it into. Do you
5 follow me?

6 THE WITNESS (Libertine): I
7 do.

8 MR. ASHTON: So why would that
9 affect your viewing from the east if it's
10 already open at that point?

11 THE WITNESS (Libertine):
12 Again, it starts to rise. So --

13 MR. ASHTON: Right. So it
14 starts to rise, but you're well screened by a
15 lot of heavy cedars in that area and wouldn't
16 you be -- you're saying it's a compromise by
17 what I lose on the tower I might increase
18 exposure at the compound?

19 THE WITNESS (Libertine):
20 That's essentially what the trade-off would
21 be.

22 MR. ASHTON: Does that get it
23 further away from wetlands?

24 THE WITNESS (Libertine): I
25 don't believe so.

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1 THE WITNESS (Rocheville): It
2 would depend how -- how far east you would
3 have to go.

4 MR. ASHTON: It's not
5 material. Is it? Not in the way I read the
6 map and walk the site.

7 THE WITNESS (Libertine):
8 Mr. Ashton, I think there's probably a
9 distinction. If we were talking about
10 shifting this thing, the tower center 40 feet
11 I think then you're probably talking, no, not
12 a substantial difference in the grades and
13 probably not quite as dramatic a shift in the
14 overall visibility as if we were talking
15 about maybe 80 or a hundred feet where we
16 start to get up on top. So just -- just to
17 help maybe put my answer into a little bit
18 better perspective, and I think where Harry
19 is coming from as well, because you know if
20 you're walking that site it does start to
21 rise up as you get closer to the knoll.

22 So yeah, 30, 40 feet, it's
23 probably not going to change anything
24 substantially. You start pushing that 80 to
25 a hundred-foot envelope, now all of the

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1 sudden I think you start to get up on top and
2 that probably does change things.

3 MR. ASHTON: Mr. Libertine, if
4 you had to do it all over again would you
5 pick the same site?

6 THE WITNESS (Libertine): I
7 would, yeah.

8 MR. ASHTON: Okay. Different
9 question, different topic. How much of the
10 loading on the tower -- well, not physical
11 loading, but the electronic loading has the
12 decline in hardwired land lines presented?

13 In other words, we know
14 we're -- actually I guess we're up to about
15 35 percent of the customers have dropped
16 their land lines, maybe a bit more.
17 Connecticut is lower. How much has that
18 driven your need for capacity, if at all?

19 THE WITNESS (Latorre): Jay
20 Latorre. Although I cannot provide you with
21 a formal set of data, I would say from my own
22 personal experience that your point about the
23 number of users who have disconnected their
24 phone lines has definitely driven our
25 capacity needs. Just because people have

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1 Our LTE network allows for the
2 purchasing of devices that would create a
3 wireless network within your homes that would
4 utilize the LTE network that exists today to
5 provide you with an assortment of different
6 wireless data connection opportunities within
7 your home. Some customers may still use a
8 wired line connection in their homes for both
9 their voice and data needs, but our -- we
10 believe the future is very much driven by
11 wireless.

12 MR. ASHTON: Thank you.
13 Nothing further.

14 THE CHAIRMAN: We'll just go
15 see if any of the members who asked questions
16 have additional ones.

17 Dr. Klemens?

18 DR. KLEMENS: Yes, I have two
19 pages. I'll try to go quickly, very quickly.

20 I'd like to first look at the
21 first set of the response to interrogatories
22 on page number 2. Mr. Libertine, your
23 response is that they're based on APT's
24 conservative computer modeling you have
25 there. And then you have another statement

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1 taken their phone lines out of their homes
2 does not mean they stopped being interested
3 in talking on the phone.

4 So while we have seen an
5 explosive growth in LTE, we have continued to
6 see interest in our 1X existing CDMA voice
7 service, which suggests that although in
8 today's communication while people are more
9 likely using data-type connections to
10 communicate with one another such as text
11 messaging or different online messaging apps
12 there is still a strong demand for voice and
13 we've seen that in the sense that our
14 existing 1XCDMA network is still as busy as
15 ever.

16 MR. ASHTON: I'm back in the
17 age of dinosaurs in communication, but I use
18 a hardwired -- it happens to be an AT&T
19 connection to provide computer services. Is
20 the LTE explosion replacing some of that
21 hardwired downloading, download ability, if
22 you will, so it's in portable devices now,
23 not fixed hardwired devices?

24 THE WITNESS (Latorre):
25 Absolutely. Jay Latorre.

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1 further down that says, do not necessarily
2 represent predictive views would be achieved
3 when residential with dwellings, et cetera.

4 So I'm trying to reconcile
5 those two statements. You have a
6 conservative computer modeling, but you're
7 not able to take into account what happens
8 within dwellings or on second stories. So
9 what are the people on Rainbow Trail actually
10 going to see from their houses?

11 THE WITNESS (Libertine):
12 Well, I can -- I can only, I guess, make some
13 predictions based on what I could see from
14 both the right-of-way, public right-of-way
15 between homes when I was out there doing the
16 balloon float and then what the predictive
17 model was showing. My sense is that it
18 was -- I can tell you from the balloon float
19 that we did with the leaves totally off the
20 trees, the one-shot we were able to get where
21 we could physically see the red balloon
22 through the trees was from Photo Number 6,
23 behind Tab 9 in the application.

24 That said, I think it's fair
25 to assume that during those conditions when

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1 the leaves are off the deciduous trees there
2 will be some limited views that are likely
3 going to be similar in nature to what we're
4 seeing in that photo from those backyards and
5 potentially the -- well, certainly the
6 second-story windows I would assume.

7 DR. KLEMENS: So then it
8 really isn't a conservative analysis based on
9 the second-story views?

10 THE WITNESS (Libertine): Say
11 again. I'm sorry?

12 DR. KLEMENS: Then it really
13 is not a conservative analysis as it as it
14 actually pertains to the second-story views
15 that may be visible from those houses?

16 THE WITNESS (Libertine): I
17 don't disagree with that, but I -- we have
18 never done an analysis where we can predict
19 from second stories or folks' homes
20 specifically. We just don't have access to
21 those areas, so we can only use the model and
22 observations from the roadways to try to come
23 up with what we feel is a best estimate.

24 I think it's fair to say that
25 those houses that line the southern portion

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1 DR. KLEMENS: Well, then could
2 you produce the tax card, because I can't see
3 if that makes any sense to me?

4 MR. BALDWIN: We can. We can.

5 THE CHAIRMAN: I don't think
6 it's relevant.

7 DR. KLEMENS: Well, it's
8 relevant only that it -- is it relevant given
9 the fact that the -- well, it's relevant only
10 in fact that possibly the Bespuda's have more
11 to lose than to gain from leasing this tower
12 if it is in PA-490.

13 THE CHAIRMAN: But they said
14 it's not. Didn't you say it's not?

15 MR. BALDWIN: There's no
16 evidence in the title that the property is in
17 the 490 program. And -- and even if it were,
18 that's a conscious choice that the property
19 owner would have to make with respect to the
20 lease, so...

21 DR. KLEMENS: But something
22 doesn't add up on the figures. You
23 introduced a title search for with a value
24 for that property that makes absolutely no
25 sense to me.

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1 of the cul-de-sac, if they know what they're
2 looking for through the trees you will
3 probably be able to say, yeah, at a certain
4 time of year, yeah, there's -- there's that
5 tower. That's the best I could tell you.

6 DR. KLEMENS: Okay. Thank
7 you.

8 On Attachment 1, the title
9 search that was done by Quinnipiac Title
10 Search, I see that 70 percent which is the
11 assessed value, which is 70 percent of the
12 appraised value of that property is \$289,030.
13 And I'm very curious how a piece of property
14 of that size can have such a low assessment,
15 unless it might be in PA-490.

16 So the thrust of this question
17 is, does this -- assuming that this property
18 is in PA-490, which almost has to be given
19 the low assessment, is the emplacement of
20 this cell tower actually going to jeopardize
21 that PA-490 exemption that the Bespuda's
22 receive?

23 MR. BALDWIN: Dr. Klemens
24 there's no evidence that the property is
25 in 490.

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1 MR. BALDWIN: Well, we
2 introduced the title search in order to
3 answer the question I think we had at the
4 first hearing which was, is the property
5 subject to any type of farmland restriction
6 under a specific program, actually that
7 wasn't the 490 program. It was another
8 program that Mr. Mercier referenced at the
9 time. We can produce the property card.

10 DR. KLEMENS: That would be
11 helpful to satisfy my curiosity, even though
12 it may not be a relevant question, as pointed
13 out.

14 Could we go to the bird
15 report, please? I want to move as quickly as
16 I can. We read a lot about the guy wires and
17 the poles. Would you say, Mr. Libertine, or
18 I guess, Mr. Gustafson, that our stealth
19 towers, that is the monopines are potentially
20 less of an impact to birds than single
21 monopoles?

22 I mean, if you read the
23 rationale the fish and wildlife survey says
24 about guy wires and single poles, is there
25 any evidence to show that the monopines

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1 actually have fewer bird strikes?
2 THE WITNESS (Gustafson): I am
3 not aware of any analysis regarding a typical
4 monopole versus a stealth monopine.
5 DR. KLEMENS: But is it the
6 concern about the thinness of the pole or the
7 guy wires, would it not make maybe sense that
8 when you create a tree-like structure that it
9 will have less bird strikes?
10 THE WITNESS (Gustafson): The
11 -- the analysis that I have reviewed with
12 respect to bird strikes regarding tall guided
13 and lit structures results from the effect
14 of during overcast conditions or foggy
15 conditions particularly at night with the
16 lighting in combination with the guy wires,
17 the birds encircle the tower facility because
18 of the lighting. They get disoriented and
19 essentially circle around the tower because
20 with the guy wires projecting out from the
21 tower, that increases the bird strike
22 incident during those conditions.
23 DR. KLEMENS: So it's the guy
24 wires that are of concern, not whether it's a
25 monopole or monopine?

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1 THE WITNESS (Gustafson):
2 That's correct.
3 THE WITNESS (Libertine):
4 Dr. Klemens --
5 THE WITNESS (Gustafson): In
6 combination with the lighting.
7 THE WITNESS (Libertine): --
8 I'd also mention that the vast majority of
9 studies that we have seen all deal with
10 towers typically higher than 300 feet in
11 height, so there seems to be some correlation
12 with lower towers not having the same
13 effects.
14 DR. KLEMENS: Okay. On page 6
15 of the report you discussed something, the
16 NDDDB, that the exact locations are masked to
17 protect landowners' rights. I've never seen
18 that before. Can you tell me where that --
19 where that came from?
20 THE WITNESS (Gustafson):
21 Could you point to --
22 DR. KLEMENS: Sure. On page 6
23 of the bird report there is a statement that
24 says that part of the reason the NDDDB -- the
25 last sentence on the page: "....collection

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1 and disturbance and to protect landowner's
2 rights." I have never seen that statement
3 anywhere for masking NDDDB records.
4 THE WITNESS (Gustafson):
5 That, that language has been collected from
6 references from directly from the National
7 Diversity Database. So I can -- I can look
8 into the specific reference for that.
9 DR. KLEMENS: I would
10 appreciate that. Thank you.
11 THE WITNESS (Gustafson): Sure.
12 DR. KLEMENS: Okay. And on
13 page number 7, Item Number 4, in the italics,
14 the "Towers should not be sited in or near
15 wetlands." You respond that it's not in the
16 wetland. Would you say that the current
17 tower as proposed is near the wetland?
18 THE WITNESS (Gustafson): Yes,
19 it's approximate, you know, it's
20 approximately a hundred feet from Wetland 2,
21 so I would consider that, that's it's near a
22 wetland resource.
23 DR. KLEMENS: So then you're
24 not quite complying. You're sort of
25 semi-complying with point 4 of the fish and

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1 wildlife guidance then?
2 THE WITNESS (Libertine): I'm
3 -- I'm not sure it's that black-and-white to
4 answer that. I can't argue that, but at the
5 same time I'm not sure it's -- there's no
6 setback or distance that is provided in any
7 guidance from the U.S. Fish and Wildlife
8 Service. So what we try to do is answer the
9 question as best we can.
10 Obviously we're not within it,
11 and we try to provide the distances so that
12 everyone can understand what those setbacks
13 are.
14 DR. KLEMENS: Okay. On
15 Point Number 8 you talk about the idea of
16 mowing. If you're going to use that roadway,
17 mowing to make the site unattractive for
18 grassland birds, which you say is probably
19 not a good potential, and I probably tend to
20 agree with you on that. But how wide a swath
21 would you mow if you were to go with -- if
22 you were to go with what you're proposing,
23 Number 1, Under 8, if construction activities
24 occur how wide a swath are you talking about
25 mowing to discourage grassland-nesting birds?

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1 THE WITNESS (Gustafson): I
2 would mow the -- the limits of -- of work,
3 and then to the southeast extend an
4 additional 20 feet.

5 DR. KLEMENS: You think
6 20 feet is enough just to -- I mean, I'm
7 asking your advice here, because if I were
8 doing it I would think you would want a
9 larger exclusion area. That's just my --

10 THE WITNESS (Gustafson): I --
11 I think when you take into consideration that
12 it's maintained hayfield and provides
13 suboptimal grassland-bird habitat. I think
14 that that -- that is a sufficient width.

15 DR. KLEMENS: It's sufficient?
16 Because I think that's a far preferable
17 approach than the other Number 2. I would
18 certainly go with the mowing as opposed to
19 what you're suggesting under Number 2,
20 because I think that gets very complicated to
21 determine the presence of that.

22 Okay. I want to move to the
23 second set of interrogatories -- oh, I want
24 to move to the letter of July 23rd from
25 Mr. Baldwin. There was a page missing from

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1 my comments for Mr. Davison when he's going
2 to come on the 16th. But there's one thing
3 that's been repeated in the bird report,
4 repeated in Mr. Davison's report, and always
5 saying, well, the impact is no greater than a
6 single-family house. What threshold does a
7 single-family house have that makes it so
8 terribly benign that it's a pass if it's no
9 worse than a single-family house
10 biologically? I understand from a public
11 relations standpoint it doesn't sound like a
12 lot, but biologically why is a single-family
13 house not a problem?

14 THE WITNESS (Gustafson): I
15 think the -- the rationale for providing that
16 statement is just to provide a point of
17 reference for the -- the typical aerial
18 extent on a horizontal plane of your level of
19 disturbance, particularly during
20 construction.

21 There is -- there is a
22 differential with respect to long-term
23 activities associated with the residential
24 use and the use by the proposed application.
25 And I agree that -- that also taking that

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1 the wetlands report. I didn't even notice it
2 when I analyzed the wetlands report and when
3 I looked at the attachment I realized why.

4 Would you say that a fair
5 characterization of what was left out of the
6 wetlands report was a standalone page
7 basically of regulatory boilerplate language?

8 THE WITNESS (Gustafson):
9 That's correct. It -- it's only -- provides
10 specific information beyond the boil plate
11 with respect to the local inland wetland
12 regulations.

13 DR. KLEMENS: Right. And the
14 way it was set up in your report, it was a
15 standalone page. So I missed it when I
16 reviewed it, and wasn't any the less for not
17 having it.

18 THE WITNESS (Gustafson):
19 Yeah, it doesn't provide any specific
20 information regarding the actual wetlands on
21 the subject property. It's -- it is
22 essentially a standalone regulatory summary.

23 DR. KLEMENS: Okay. Okay.
24 That makes sense. Thank you.
25 I'm going to reserve most of

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1 into context you need to understand the
2 resources that you're dealing with on a
3 particular site.

4 DR. KLEMENS: So there could
5 be a specific site where the placement of a
6 single-family house in a particular area
7 could have a severe impact to certain
8 species?

9 THE WITNESS (Gustafson):
10 Certainly.

11 DR. KLEMENS: Thank you.
12 On your vernal pool map, and
13 I've seen a lot of these vernal pool maps,
14 you have aggregated the vernal pool envelope
15 and the critical upland habitat zone. And I
16 think if you could submit those unaggregated,
17 because I think your percent development in
18 the critical upland habitat zone is less when
19 you aggregate it with the vernal pool
20 envelope. And generally these analyses are
21 done whether you do the analyses of the
22 envelope and its percentage, and then you do
23 the second doughnut, which is the 100 to
24 750-foot. So I would ask if you could redo
25 that because I think it will give us a

1 greater understanding of whether or not the
2 development in the critical upland habitat
3 approaches or exceeds the 25 percent
4 threshold.

5 THE WITNESS (Gustafson):
6 Understood. Thank you.

7 DR. KLEMENS: And the very
8 last question I have, your were also asked to
9 address the concepts of avoidance versus
10 mitigation. I didn't see that in your
11 response, but I understand you're going to
12 address that at some point.

13 THE WITNESS (Gustafson): With
14 respect to?

15 DR. KLEMENS: General concepts
16 of is it better to avoid impacts or better to
17 mitigate? We have a lot of discussion and
18 were we going to put in here, we're going to
19 mitigate, we're going to do this. And I
20 think it would be nice to have some analysis
21 of the benefits of avoidance versus always
22 mitigating. And that was a part of my
23 interrogatory that didn't make it in, but I
24 believe it was phoned into you by our
25 Executive Director.

1 was a consensus of the location that was
2 chosen for a number of reasons. And so that
3 is their preferred site.

4 I can't speak for them, but I
5 know it's not -- it's not their first
6 preference. They would prefer to leave the
7 site where it is somewhere over that, that
8 small knoll.

9 DR. KLEMENS: That includes
10 the area that Mr. Ashton has been talking
11 about?

12 THE WITNESS (Libertine): I
13 think we may have some more -- we might have
14 more flexibility there if we're talking about
15 something, you know, 40, 50 feet one way or
16 the other, but still takes advantage of that,
17 that rise in land to somehow shield from the
18 east.

19 So yes, I think that probably
20 has some -- I think in this case, to answer
21 your question, it does probably exclude the
22 area that Mr. Ashton is talking about. We
23 spoke primarily of moving it about 380 feet
24 to the southwest.

25 DR. KLEMENS: Right.

1 THE WITNESS (Gustafson): Is
2 there -- would you like that in -- and just
3 to get some further clarification on that
4 point, would you like that in the context of
5 eastern box turtle habitat or vernal pool
6 habitat?

7 DR. KLEMENS: Both of these
8 subjects. This is the subject of this
9 docket.

10 THE WITNESS (Gustafson): Okay.

11 DR. KLEMENS: And the very
12 last question I have and I'm going to wrap
13 this up is, have the landowner's indicated
14 any willingness to move this tower to an area
15 that may have less environmental impacts as I
16 suggested or as Mr. Ashton is suggesting? Is
17 there a willingness, a flexibility on the
18 part of the landowner?

19 THE WITNESS (Libertine): My
20 understanding is the landowner has been
21 approached with the potential of the move and
22 it is not their first or second preference.

23 Again, I go back to the -- the
24 site design visit we had on which the
25 property owners were present, and we -- there

1 THE WITNESS (Libertine): And
2 that was something that they were -- again we
3 had visited that early on in the process. It
4 was not something that they were preferable
5 to.

6 DR. KLEMENS: That's down the
7 ridgeline?

8 THE WITNESS (Libertine):
9 Correct.

10 DR. KLEMENS: So, but I mean,
11 if in fact Mr. Ashton's proposal not only
12 makes for a shorter tower, but actually gets
13 more distance between the wetlands and that
14 area that's the -- which I consider to be an
15 important box turtle interface, the wetland
16 upland interface, you may be able to
17 accomplish at least some of the concerns I've
18 raised --

19 THE WITNESS (Libertine):
20 Absolutely.

21 DR. KLEMENS: -- by looking
22 closely at Mr. Ashton's proposal.

23 THE WITNESS (Libertine): Fair
24 enough.

25 DR. KLEMENS: Thank you.

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1 No further questions,
2 Mr. Chairman.
3 THE CHAIRMAN: Thank you.
4 Mr. Levesque?
5 MR. LEVESQUE: No additional
6 questions.
7 THE CHAIRMAN: Mr. Lynch?
8 MR. LYNCH: Mr. Latorre, let's
9 revisit the wireless world that you and
10 Mr. Ashton were talking about, especially
11 since I see all the people walking out of
12 court talking on their phone -- I promise
13 that I'm not going to the big house today.
14 But in light of the wireless
15 world that we're going to into and it could
16 be like a tsunami coming our way, and seeing
17 that yourself, Verizon, and AT&T seem to be
18 the only games in town, you know, the
19 800-pound gorilla saying that,
20 whatchamacallit, the merger last week fell
21 apart with T-Mobile and Sprint, and I see
22 people who are using T-Mobile and Sprint
23 going to one of two the 800-pound gorillas.
24 And the younger generation, and I'm saying
25 under 40 -- I'm being nice, you know, doesn't

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1 use anything, but wireless. Is LTE able to
2 handle the capacity that's coming along? Or
3 would somewhere in the future would future
4 frequencies -- I know Mr. -- the commissioner
5 probably doesn't want it, but future
6 frequencies have to be auctioned off. I know
7 there's a long question, but --
8 THE WITNESS (Latorre): Jay
9 Latorre. We do feel that the LTE technology
10 will be the technology that will be utilized
11 for the next several years to meet the data
12 needs of our customers. As LTE expands, so
13 do the capabilities of the hardware and
14 various technologies that we deploy to help
15 meet with that demand.
16 In regards to your question
17 regarding the need for additional
18 frequencies, it would be inappropriate for me
19 to comment on that as the auction of spectrum
20 is really something that's handled at the
21 federal level. And at a regional level,
22 myself and Mr. Laredo, we're not involved in
23 any sort of conversations regarding
24 acquisition of additional spectrums.
25 MR. LYNCH: And one follow-up.

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1 Have you, throughout Connecticut, and now
2 this in is New England in general, outfitted
3 all of your towers to deliver LTE? Because
4 every time I drive on the highway I see
5 somebody working on the tower. You know, you
6 wouldn't get me up there, but they're all
7 working on the tower.
8 THE WITNESS (Latorre): Jay
9 Latorre. You would not get be up there
10 either, sir. At this point in time, nearly
11 100 percent of our towers within our network,
12 which includes for our region the State of
13 Vermont, the four counties that make up
14 Western Massachusetts and the State of
15 Connecticut have the LTE service. We do have
16 a few sites remaining in our network that due
17 to either structural issues, leasing issues,
18 other pertinent issues, are still waiting to
19 have their final upgrade to LTE.
20 MR. LYNCH: That leads me to
21 my last question, is when they refit these
22 new antennas for LTE, how much larger are
23 they than then what's on the original tower?
24 THE WITNESS (Latorre): Jay
25 Latorre. The addition of LTE to a cell site

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1 does not necessarily require a larger
2 antenna. The antennas that we are deploying
3 today are largely in part of a similar size
4 as what we used for our previous deployments
5 of the cellular 850 band and the PCS 1900
6 band.
7 MR. LYNCH: Thank you.
8 No more questions,
9 Mr. Chairman.
10 THE CHAIRMAN: Thank you.
11 I will now go to the
12 cross-examination by Attorney Coppola.
13 MR. COPPOLA: Mr. Chairman,
14 just a point of clarification on an issue
15 that one of the members, Mr. Klemens had
16 asked with regard to the tax status of the
17 property, the subject property, 831 Derby
18 Milford Road.
19 I do have a copy of the field
20 card here if I can present that to the
21 Council, which indicates that in fact this
22 property is currently exempt from tax -- the
23 land is currently exempt from taxation under
24 Public Act 490. My assumption is that it is
25 based on the categorization of this property

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1 as farmland, and I believe that the
2 construction of a cell tower on that property
3 would negate that exemption, and furthermore
4 would result in a look-back by the
5 municipality as to the previous assessments
6 which were exempt from taxation.

7 So if I may, Mr. Chairman,
8 present this. I also believe the Applicant
9 might have a copy of the field card as well.
10 If the Applicant would like to present it,
11 that's fine as well.

12 MR. BALDWIN: Mr. Chairman,
13 I'm going to object.

14 THE CHAIRMAN: Attorney
15 Baldwin, do you want to --

16 MR. BALDWIN: I'm going to
17 object. Again, I don't think the issue of
18 whether the property is subject to some tax
19 benefits associated with the 490 program is
20 relevant to this proceeding. It's a program
21 that Mr. Bspuda, as the property owner,
22 would take advantage of.

23 It may answer Dr. Klemens'
24 questions, which I'm happy to do, but that
25 might be the only benefit of having the field

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1 just brought up by your Council, so I just
2 wanted to point out that, in fact, it is
3 exempt. And if the Applicant -- it looks
4 like the Applicant might have a more official
5 looking field card that I have. I have one
6 printed from the -- simply printed from the
7 Internet. It looks like the Applicant might
8 have one that can only be received by going
9 to the tax assessor's office in town hall.

10 THE CHAIRMAN: Mr. Baldwin,
11 you -- Attorney Baldwin, you said you were
12 going to provide it. So I don't know if you
13 want to provide it now or at the September
14 meeting.

15 MR. COPPOLA: Mr. Chairman,
16 I'll be more than happy to provide what I
17 have, anyways, to the Council. And I would
18 suggest submitting both because they're in
19 two different formats.

20 THE CHAIRMAN: Okay.

21 MS. BACHMAN: Do you need a
22 copy? Is this your only copy?

23 MR. COPPOLA: No, I have one
24 right here. Thank you, though.

25 MR. BALDWIN: Mr. Chairman, I

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1 card in this record. It's a program that
2 provides Mr. Bspuda with tax relief. He's
3 the only one that would be harmed if there
4 are any look-back programs as Attorney
5 Coppola referenced. It has no relevance to
6 this proceeding.

7 MR. COPPOLA: I would just,
8 also in response to the objection, just point
9 out that the description of the property as
10 farmland is somewhat relevant. Also there's
11 other issues such as, you know, does what's
12 being proposed comply with the town plan of
13 conservation and development with regard to
14 the preservation of farmland in Orange,
15 et cetera, so...

16 THE CHAIRMAN: Well, okay.
17 I'd buy that. Yeah, I'll accept the field
18 card for what it's worth, but I'm not sure at
19 this point whether we want to go beyond that.

20 SENATOR MURPHY: Do you have
21 the year of the filing and the effective date
22 for the look back?

23 MR. COPPOLA: I don't know.
24 It was certainly not an issue which I was
25 prepared to discuss today. Again, it was

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1 mean, it's been a while since I've looked at
2 this, but I'm still leaning on this property
3 card. I'm not sure whether this is going to
4 help us out on the issue. Again, I'm not --

5 THE CHAIRMAN: Well, we just
6 asked for the card. So I'm not sure the
7 issue is even maybe germane to the issue
8 between the property owner and the Town. I'm
9 not sure that having a cell tower negates the
10 ability to farm, but that could be something
11 for somebody else to discuss, so --

12 MR. BALDWIN: I don't see any
13 reference on the card to the 490 program, but
14 if the Council could make a copy of this so
15 that I could keep one for my file, I'm happy
16 to submit it.

17 THE CHAIRMAN: Okay. I
18 thought you had somebody there that could
19 make instant copies, but --

20 MR. BALDWIN: We could take a
21 picture of it, probably.

22 THE CHAIRMAN: All right,
23 Attorney Coppola, can you --

24 MR. COPPOLA: Sure. One more
25 comment, not with regard to that issue, but

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1 one issue that came up in questioning of the
2 panel was the ability to view the proposed
3 cell tower from certain properties. And the
4 panel indicated that there was a lack of
5 access to certain properties.

6 I just wanted to inform the
7 panel as well as inform the Siting Council
8 that certainly my clients, the Intervenors in
9 this action, I have confirmed with them would
10 be willing to allow access to their property
11 so that Verizon could identify what views
12 they would have from their properties, if
13 that's something that we believe would be
14 helpful. I offer that to the Council and I
15 offer that to the panel.

16 THE CHAIRMAN: We'll take that
17 under advisement.

18 Would you like to continue?

19 CROSS-EXAMINATION

20 MR. COPPOLA: Thank you.

21 With regard to some of the
22 alternate locations in the submittal that was
23 received today by the Siting Council from
24 Senator Slossberg and the three other State
25 Representatives who have intervened in this

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1 action. I'd just like to ask some questions
2 about those, in particular those two
3 alternate sites. I assume Mr. Talmadge would
4 be the witness.

5 MR. BALDWIN: Whoever might be
6 appropriate, we'll just -- why don't you just
7 ask and then we'll make sure we get the right
8 answer for you.

9 MR. COPPOLA: Mr. Talmadge, is
10 it correct that we just received your resume
11 for the first time today during this hearing?

12 THE WITNESS (Talmadge): Yes.

13 MR. COPPOLA: Okay. And what
14 is your role with Verizon Wireless with
15 regard to determining the feasibility of
16 potential sites?

17 THE WITNESS (Talmadge): It is
18 my role, Doug Talmadge, to take direction
19 from RF on locations, drive the area
20 thoroughly and choose locations, as we've all
21 mentioned today, that have a least visible
22 impact, a -- enough land, number one. You
23 know, A lot of these residential areas don't
24 have enough land, and ground elevation. And
25 then from there it goes back to RF for

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1 approval, and that's how we get sites going.
2 MR. COPPOLA: So do you walk
3 the sites generally when you --

4 THE WITNESS (Talmadge):
5 Generally, most of them yes, unless I'm
6 not -- yeah.

7 MR. COPPOLA: If I could just
8 finish my question.

9 And so with this site at Mount
10 St. Peter Cemetery I assume you've had an
11 opportunity to walk the site?

12 THE WITNESS (Talmadge): I've
13 -- I've driven in there. I've driven there.
14 Yes.

15 MR. COPPOLA: So you've had an
16 opportunity then to walk the site. Is that
17 correct?

18 THE WITNESS (Talmadge): I
19 drove it. I mean, you can drive around the
20 whole cemetery.

21 MR. COPPOLA: So you didn't
22 get out of your car, but you drove around the
23 cemetery?

24 THE WITNESS (Talmadge): Yes.
25 Yes.

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1 MR. COPPOLA: And when did you
2 do that?

3 THE WITNESS (Talmadge): On my
4 initial search.

5 MR. COPPOLA: And when was
6 that?

7 THE WITNESS (Talmadge): I'm
8 going to go with August of last year.

9 MR. COPPOLA: Okay. And have
10 you produced in this proceeding any records
11 indicating what you've determined during that
12 search, any pictures that you took --

13 THE WITNESS (Talmadge): Of
14 this --

15 MR. COPPOLA: -- any notes
16 that you -- if I could just finish. -- any
17 notes that you took, have you produced any of
18 those records in this application?

19 THE WITNESS (Talmadge): In
20 regards to the cemetery?

21 MR. COPPOLA: Yeah.

22 THE WITNESS (Talmadge): No.

23 MR. COPPOLA: And why is that?

24 THE WITNESS (Talmadge):
25 Because the cemetery was outside the search

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1 area.
2 MR. COPPOLA: Okay. But let
3 me start with this, do you have any records
4 indicating what you determined when you
5 examined the feasibility of that property?
6 THE WITNESS (Talmadge): No.
7 MR. COPPOLA: So you didn't
8 create any records at that time?
9 THE WITNESS (Talmadge): No.
10 MR. COPPOLA: And why is that?
11 THE WITNESS (Talmadge): We
12 verbally discussed with RF if the site will
13 work or not, or if it's too far out of the
14 search area. It's internal. There's no --
15 MR. COPPOLA: Okay. But how
16 about internal records? Are there any
17 internal records of your examination of that
18 property?
19 THE WITNESS (Talmadge): For
20 the cemetery, no.
21 MR. COPPOLA: Okay. So when
22 you examined the cemetery property did you
23 create any records whatsoever or any
24 correspondences with regard to your search of
25 that property?

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1 MR. BALDWIN: I think
2 Mr. Talmadge has already answered no to that
3 question.
4 THE CHAIRMAN: I tend to
5 agree.
6 MR. COPPOLA: Well, he's also
7 said that -- he actually kind of hedged his
8 answer. He said that it was an internal
9 examination. And so I'm just trying to
10 figure if there's any records whatsoever.
11 THE WITNESS (Talmadge): That
12 answer was in regards to you saying if I had
13 any actual documents. No.
14 MR. COPPOLA: How about any
15 electronic correspondences?
16 THE WITNESS (Talmadge): No.
17 MR. COPPOLA: Okay.
18 THE WITNESS (Talmadge): No.
19 MR. COPPOLA: So when you
20 search a site you generally don't -- is it
21 fair to say that you generally then don't
22 create any records with regard to your
23 examination of that property?
24 THE WITNESS (Talmadge): That
25 is not true. It depends how viable the

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1 candidate is. I call them candidates. If
2 it's a viable candidate from my perspective,
3 it goes to RF. It has to be viable for them.
4 It's not viable for them, we don't go any
5 further.
6 MR. COPPOLA: How do we know
7 that you even examined the site if there's no
8 records indicating that you did so?
9 THE WITNESS (Talmadge): I
10 guess you don't.
11 MR. COPPOLA: And how do we
12 know what date that you visited the site if
13 there's no records indicating when you
14 visited it?
15 MR. BALDWIN: Mr. Chairman --
16 THE CHAIRMAN: What is the
17 relevance of the question?
18 MR. COPPOLA: The relevance --
19 THE CHAIRMAN: He said -- I
20 mean, this could go on forever the way you're
21 going.
22 He said he visited the site.
23 He said he drove around it. He gave an
24 approximate date. He says he doesn't have
25 any specific records to share. And I assume

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1 this may be the case with other sites, but
2 anyway. So beyond that, what are we trying
3 to obtain, that he's not telling the truth or
4 what?
5 MR. COPPOLA: Well, first of
6 all I'm trying to confirm, you know, were
7 there any -- for example, he said there were
8 communications with RF, is that correct, with
9 regard to this site?
10 THE WITNESS (Talmadge): With
11 regards to any of my searches.
12 MR. COPPOLA: Okay. But with
13 regards the Mount St. Mary's -- I'm sorry,
14 the Mount St. Peter's site, is it correct --
15 you testified you visited the site. Correct?
16 THE WITNESS (Talmadge): Yes.
17 MR. COPPOLA: All right. And
18 then is it true that you testified that after
19 you visited the site you reviewed it with
20 other professional -- with at least some
21 other professional at Verizon wireless? Is
22 that correct?
23 THE WITNESS (Talmadge): Yes.
24 We -- we just did that.
25 MR. COPPOLA: If you could

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1 speak up? I can't hear you.
2 THE WITNESS (Talmadge): Yes.
3 Yes.
4 MR. COPPOLA: Okay. And so
5 when you -- when you examined this site for
6 its feasibility --
7 THE WITNESS (Talmadge): Yes.
8 MR. COPPOLA: -- whom did you
9 speak with at Verizon at that time?
10 THE WITNESS (Talmadge): Jaime
11 Laredo.
12 MR. COPPOLA: So after you
13 visited the site, how long -- approximately
14 how long after you visited the site did you
15 contact Mr. Laredo to discuss the feasibility
16 of that site?
17 THE WITNESS (Talmadge): I
18 would say within the month, to give a
19 guesstimate. I mean, it's been a year, so...
20 MR. COPPOLA: Which month?
21 THE WITNESS (Talmadge):
22 August.
23 MR. COPPOLA: Okay. In
24 August --
25 THE WITNESS (Talmadge): And

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1 then we revisited when we got the letter.
2 MR. COPPOLA: But that's
3 August of 2013. Right?
4 THE WITNESS (Talmadge): Yes.
5 MR. COPPOLA: Okay. So you
6 believe that you visited the site sometime
7 around August of 2013?
8 THE WITNESS (Talmadge): Yes.
9 MR. COPPOLA: And after you
10 visited the site what did you do as far as
11 communicating with any other professionals at
12 Verizon?
13 THE WITNESS (Talmadge): I
14 thought I already answered that question. It
15 goes -- it goes back to RF, whether it's
16 Jaime Laredo who's site it would be. With
17 this site it's Jaime's, and they'll decide if
18 it's -- the site is viable.
19 MR. COPPOLA: So when you
20 contacted Mr. Laredo, is it correct that you
21 didn't provide him with any records
22 whatsoever regarding the property?
23 MR. BALDWIN: Asked and
24 answered, Mr. Chairman. This could go
25 on for --

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1 MR. COPPOLA: No, that's not
2 asked and answered.
3 THE WITNESS (Talmadge): No.
4 You asked if there were any records, no.
5 MR. COPPOLA: The first time
6 he said -- you talked to Mr. Laredo, so I'm
7 asking if when he spoke to Mr. Laredo he had
8 given him any records. For example, did he
9 e-mail him anything?
10 THE WITNESS (Talmadge): No.
11 MR. COPPOLA: Okay. So is it
12 accurate to say that you merely provided him
13 with your own oral description of the site?
14 THE WITNESS (Talmadge): Yes.
15 MR. COPPOLA: Okay. And --
16 THE WITNESS (Rocheville):
17 And -- and shown on a map, but yes, it's
18 oral.
19 MR. COPPOLA: And there's no
20 electronic thing, correspondences --
21 THE WITNESS (Talmadge): No.
22 MR. COPPOLA: -- such as
23 e-mails, et cetera?
24 THE WITNESS (Talmadge): No.
25 No.

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1 MR. COPPOLA: Okay. What was
2 your opinion of the site at that time?
3 THE WITNESS (Talmadge): It
4 was not a great candidate due to location.
5 MR. COPPOLA: So when you
6 spoke with Mr. Laredo what did you tell him
7 about this particular site?
8 THE WITNESS (Talmadge): We
9 just -- I just usually show him a location
10 and say, will something in this area work, or
11 do you prefer a different area?
12 MR. COPPOLA: How did you show
13 him the location?
14 THE WITNESS (Talmadge): On
15 a -- usually I go to their desk, and it's --
16 they've got the map up, and they'll pull it
17 up on their -- on their map.
18 MR. COPPOLA: So you looked at
19 a record with regard to this property when
20 you showed it to him?
21 THE WITNESS (Talmadge): Like
22 a Google Earth.
23 MR. COPPOLA: Okay. But I
24 just asked you earlier if there was any --
25 THE WITNESS (Talmadge): The

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1 thing --
2 MR. COPPOLA: Excuse me, if I
3 could finish?
4 I just asked you earlier if
5 there was any records with regard to this
6 property that were reviewed including any
7 electronic records?
8 THE WITNESS (Talmadge): I
9 don't believe that's a record. That's a
10 Google Earth website. It's not a record.
11 MR. COPPOLA: Okay. So when
12 you reviewed the site with Mr. Laredo, you --
13 is it correct to say that you both looked at
14 a Google map of the property?
15 THE WITNESS (Talmadge): You
16 could say that, yes.
17 MR. COPPOLA: Was that true?
18 Is that what happened?
19 THE WITNESS (Talmadge): Yes.
20 Yes.
21 MR. COPPOLA: Okay. Did you
22 and Mr. Laredo look at any other pictures or
23 maps or records of the property at that time?
24 THE WITNESS (Talmadge): No.
25 MR. COPPOLA: How does Verizon

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1 Wireless know if you looked at a property if
2 there's no records whatsoever of your review
3 of the property?
4 THE WITNESS (Talmadge): I
5 don't know how they know.
6 MR. COPPOLA: So for example,
7 let's say you left, that you were no longer
8 working with Verizon Wireless, how would they
9 know if anybody went to the property to
10 determine whether the Mount St. Peter's
11 property is a viable alternate location if
12 you've created no records whatsoever and
13 you've also created no correspondences
14 whatsoever with regard to your review of the
15 property?
16 THE WITNESS (Talmadge): I
17 guess they wouldn't know, because it wasn't a
18 viable candidate. It wasn't as good a
19 candidate as the proposed site. We don't --
20 we don't spend a lot of time on candidates
21 that we feel aren't as viable as a proposed
22 candidate.
23 MR. COPPOLA: Well, when you
24 say, we feel, it would actually be you and
25 Mr. Laredo. Correct?

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1 THE WITNESS (Talmadge):
2 Usually, yes.
3 MR. COPPOLA: And so nobody
4 else at Verizon Wireless had reviewed this
5 property?
6 THE WITNESS (Talmadge): No.
7 MR. COPPOLA: Are you the only
8 person associated with Verizon Wireless who
9 had an opportunity to inspect the property?
10 THE WITNESS (Talmadge): No.
11 I can't say that I am. I mean, there's a lot
12 of employees, I wouldn't be me to say that I
13 am.
14 THE REPORTER: Could you speak
15 up?
16 THE WITNESS (Talmadge): I
17 can't say that I am.
18 MR. COPPOLA: Well, do you
19 know who else from Verizon Wireless then
20 inspected the property?
21 THE WITNESS (Talmadge): No.
22 MR. COPPOLA: What were some
23 of the reasons that you thought supported
24 your decision that this property was not a
25 viable alternate location?

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1 THE WITNESS (Talmadge):
2 Distance from the original search area,
3 fluctuating ground elevations, and the lack
4 of a buffer.
5 MR. COPPOLA: So there are
6 three reasons then. Is that correct?
7 THE WITNESS (Talmadge): And
8 depending where it can go, it could be like a
9 ground space, too, was the thought. Most of
10 the cemetery is covered in, you know, it's
11 filled already for the most part.
12 MR. COPPOLA: So that would be
13 four reasons?
14 THE WITNESS (Talmadge): That
15 would be four reasons.
16 MR. COPPOLA: Okay. With
17 regard to distance, could you tell me a
18 little bit why this property lacked the
19 requisite distance?
20 THE WITNESS (Talmadge): Well,
21 I think that would be an RF question.
22 THE WITNESS (Laredo): Okay.
23 Jaime Laredo. We identified specific search
24 area, and it is less than a mile away from --
25 from St. Peter's Cemetery. The search area

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1 that we identified will satisfy other
2 objectives in terms of loading, capacity and
3 serving the sites and filling some gaps in
4 coverage in the area.
5 MR. COPPOLA: I'm still a
6 little bit confused. Mr. Talmadge, you said
7 that distance was one of the issues.
8 Correct?
9 THE WITNESS (Talmadge): Yes.
10 MR. COPPOLA: Okay. And when
11 you're saying distance, distance from what?
12 THE WITNESS (Talmadge): From
13 the search area that we're given.
14 MR. COPPOLA: Okay. So you're
15 saying that this property was too far. Is it
16 correct to say that you're stating that this
17 property was too far outside of the search
18 area?
19 THE WITNESS (Talmadge): In my
20 opinion, yes.
21 MR. COPPOLA: In your opinion,
22 but actually you asked Mr. Laredo to answer
23 the question. Correct?
24 THE WITNESS (Talmadge):
25 Correct. For --

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1 MR. COPPOLA: Okay. So is it
2 your opinion or Mr. Laredo's opinion?
3 THE WITNESS (Talmadge):
4 Mr. Laredo would have the facts. It was my
5 opinion, then I -- I go over to Mr. Laredo.
6 MR. COPPOLA: Okay. So
7 Mr. Laredo was it your opinion that this
8 property was located too far away from your
9 search area?
10 THE WITNESS (Laredo): That's
11 correct.
12 MR. LYNCH: Mr. Laredo. Can
13 you please speak up? I'm right next to you
14 and I can't hear you.
15 MS. BACHMAN: There's a
16 microphone there. Just pull it closer to you
17 so your voice will project.
18 THE WITNESS (Laredo): That is
19 correct.
20 MR. COPPOLA: But aren't there
21 sometimes properties which are outside of
22 Verizon's search area, initial search area,
23 which Verizon then determines are, in fact,
24 feasible alternate locations?
25 THE WITNESS (Laredo): There

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1 are some circumstances yes, but for this
2 specific one it's not going to work.
3 MR. COPPOLA: But in general,
4 is it -- let me ask you this, in general is
5 it a Verizon Company policy that if -- that
6 if a location is outside of the initial
7 search area that it cannot be looked at by
8 Verizon?
9 THE WITNESS (Laredo): We
10 basically try to see what is being planned in
11 the area and -- and conclude if another plan
12 can be done in order for -- for that specific
13 candidate to work, but for this specific
14 candidate it's not going to conform with what
15 we plan in the area.
16 MR. COPPOLA: But I'm asking
17 in general, today you're here to testify as
18 an expert for Verizon Wireless. Is that
19 correct?
20 THE WITNESS (Laredo): That's
21 correct.
22 MR. COPPOLA: Okay. So in
23 your capacity as an expert witness on behalf
24 of Verizon Wireless, is it correct that
25 Verizon Wireless never looks at other

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1 locations outside of an initial search area
2 to determine whether, you know, if there's
3 any other viable alternate locations?
4 THE WITNESS (Talmadge): Could
5 you rephrase that question?
6 MR. COPPOLA: Would you like
7 me to rephrase the question?
8 THE WITNESS (Laredo): Yes,
9 please.
10 MR. COPPOLA: Okay. So my
11 question is this, in general you have an
12 initial search area. Correct?
13 THE WITNESS (Laredo): Correct.
14 MR. COPPOLA: Okay. And so
15 I'm asking in general if a property, a
16 property is outside of that general search
17 area, will Verizon ever consider that
18 property?
19 THE WITNESS (Laredo): The
20 answer is, yes, but we definitely look at it
21 first, and see if it's --
22 MR. COPPOLA: Mr. Chairman,
23 I'd also like to ask that if I ask the
24 witness a question, a direct question, that I
25 have that witness answer.

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1 If the witness doesn't
2 understand the question or can't answer the
3 question I'd ask the witness to just indicate
4 that he can't answer the question, or doesn't
5 understand the question.
6 THE CHAIRMAN: Okay. Let the
7 Chairman --
8 MR. COPPOLA: Sure.
9 THE CHAIRMAN: I think he's
10 answered the question on the general. He's
11 also answered the question on the specific.
12 MR. COPPOLA: Okay.
13 THE CHAIRMAN: So can we
14 please go on?
15 MR. COPPOLA: So the second
16 reason, Mr. Talmadge, that you cited I
17 believe was that there was an issue with the
18 ground location. Is that correct?
19 THE WITNESS (Talmadge): Ground
20 location or ground elevation?
21 MR. COPPOLA: Maybe I
22 misspoke.
23 THE CHAIRMAN: It was ground
24 elevation.
25 MR. COPPOLA: I misunderstood

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1 it. So ground elevation. Is that correct?
2 THE WITNESS (Talmadge): Yes.
3 MR. COPPOLA: What was the
4 specific issue with the ground elevation
5 here?
6 THE WITNESS (Talmadge): It
7 fluctuated.
8 MR. COPPOLA: In what way?
9 THE WITNESS (Talmadge): Some
10 parts where there's no buffer are as high as,
11 I believe, 130 feet, and some are as low as
12 50. The farther you get away from the search
13 area the higher the elevation.
14 MR. COPPOLA: But issues of
15 elevation could be dealt with. Is that
16 correct?
17 THE WITNESS (Talmadge): I
18 don't know if I'm -- if I can answer that
19 question.
20 MR. COPPOLA: Okay. Well, you
21 do site reviews for Verizon Wireless.
22 Correct?
23 THE WITNESS (Talmadge): Yes.
24 MR. COPPOLA: So when you're
25 looking at a particular site with Verizon

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1 wireless if there's an issue with the
2 elevation can't that be addressed by doing
3 certain things such as infill, et cetera?
4 THE WITNESS (Talmadge): It's
5 not my area. I know what you're trying to
6 say. I mean, you're talking 50-foot
7 elevation. I'm not an expert to say we're
8 going to do 50 feet of fill to raise the
9 elevation 50 feet, and that goes back to
10 having an extended tower an extra 50 feet.
11 MR. COPPOLA: But your role
12 with Verizon Wireless is to look at potential
13 locations for the siting of a cell tower.
14 Correct?
15 THE WITNESS (Talmadge): Yeah.
16 Yes.
17 MR. COPPOLA: Okay. And when
18 you conduct those reviews if there appears to
19 be an issue with elevations, in your
20 experience is that an issue that Verizon
21 Wireless could sometimes deal with?
22 THE WITNESS (Talmadge): Yes,
23 depending on how extensive the elevations are
24 and the area surrounding the elevation.
25 MR. COPPOLA: I believe the

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1 third issue you cited was buffers. Correct?
2 THE WITNESS (Talmadge): Yes.
3 MR. COPPOLA: Okay. Could you
4 explain that?
5 THE WITNESS (Talmadge):
6 There's not a lot of foliage at the cemetery.
7 It's pretty open. There's not many trees
8 surrounding it. There's not many trees
9 surrounding it from the views to the north,
10 which are residential neighborhoods
11 across 34.
12 MR. COPPOLA: In your
13 experience does Verizon Wireless sometimes
14 plant trees to create buffering?
15 THE WITNESS (Talmadge): Yes,
16 if I can say that usually for the compounds
17 we don't plant 80-foot trees to buffer a
18 monopole or a monopine.
19 MR. COPPOLA: But is it your
20 general experience that Verizon Wireless does
21 install plantings quite often to try to
22 provide for buffering of either a cell tower
23 or related facilities?
24 THE WITNESS (Talmadge): Yes,
25 I believe I just answered that. Yes.

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1 MR. COPPOLA: I believe the
2 fourth issue here was lack of ground space.
3 Is that correct?
4 THE WITNESS (Talmadge): Yes.
5 MR. COPPOLA: So what did you
6 mean by that?
7 THE WITNESS (Talmadge): From
8 what I saw though my drive around most of the
9 area was taken up by plots already.
10 MR. COPPOLA: You say "a drive
11 around," but you never got out of the car.
12 Right?
13 THE WITNESS (Talmadge): I
14 didn't feel I needed to get out of the car,
15 yes.
16 MR. COPPOLA: Okay. But could
17 there have been other areas of the property
18 which you did not have an opportunity to view
19 because you never got out of your car?
20 THE WITNESS (Talmadge): You
21 could say that, yes.
22 MR. COPPOLA: Did you have a
23 map with you, for example, when you viewed
24 the property?
25 THE WITNESS (Talmadge): No.

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1 MR. COPPOLA: So you didn't
2 know where the property lines actually were
3 when you did your site visit.
4 THE WITNESS (Talmadge): Where
5 the exact property lines were? No.
6 MR. COPPOLA: Did you even
7 have an idea where the rough property lines
8 were?
9 THE WITNESS (Talmadge): To
10 the east, yes, due the road, on Derby Milford
11 Road, and then the neighboring areas, but not
12 to the whole property, no.
13 MR. COPPOLA: And again, you
14 testified you have no records with you?
15 THE WITNESS (Talmadge): I
16 have no records, no.
17 MR. COPPOLA: So you didn't
18 know how many acres actually the property
19 was?
20 THE WITNESS (Talmadge): No.
21 MR. COPPOLA: Okay. And so
22 therefore, you didn't have a -- you weren't
23 able to determine when you did your
24 inspection where the property begin and
25 essentially ended?

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1 THE WITNESS (Talmadge): No.
2 MR. COPPOLA: And did you
3 testify, I believe, that since your first
4 visit, which was in August of 2013, that you
5 visited the property again?
6 THE WITNESS (Talmadge): I
7 checked the property out briefly.
8 MR. COPPOLA: What do you mean
9 by that?
10 THE WITNESS (Talmadge): I did
11 a drive-by.
12 MR. COPPOLA: Okay. When you
13 say you did a drive-by, did you go onto the
14 property?
15 THE WITNESS (Talmadge): No.
16 MR. COPPOLA: Did you examine
17 any records with regard to the property?
18 THE WITNESS (Talmadge): No.
19 It was to confirm what I originally thought
20 when I originally reviewed it.
21 MR. COPPOLA: Okay. But you
22 didn't -- but when you did your follow-up
23 review of the property you didn't attempt to
24 obtain any records with regard to the
25 property?

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1 THE WITNESS (Talmadge): No.
2 MR. COPPOLA: So at this point
3 do you know how many acres the property is?
4 THE WITNESS (Talmadge): No.
5 MR. COPPOLA: Do you even know
6 actually which municipality or municipality
7 this property is located in?
8 THE WITNESS (Talmadge): No.
9 MR. COPPOLA: Is it correct
10 that you said you contacted the Executive
11 Director of the Cemetery's Association, which
12 is the owner of the property?
13 THE WITNESS (Talmadge): I
14 contacted Mr. Pinone. Yes. Yes.
15 MR. COPPOLA: Did you have an
16 opportunity to meet with Mr. Pinone.
17 THE WITNESS (Talmadge): No.
18 MR. COPPOLA: And why is that?
19 THE WITNESS (Talmadge): It
20 just didn't come to fruition. It may, but it
21 didn't.
22 MR. COPPOLA: So when you
23 first looked at the property back in August
24 of 2013, did you contact the property owner?
25 THE WITNESS (Talmadge): No.

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1 MR. COPPOLA: And how did you
2 end up contacting the property owner at this
3 time?
4 THE WITNESS (Talmadge): Based
5 on the letter to the Council.
6 MR. COPPOLA: And was there
7 also a letter that was sent by Mr. Pinone
8 directly to Verizon Wireless?
9 THE WITNESS (Talmadge): Yes.
10 MR. COPPOLA: Mr. Chairman, if
11 I may present these exhibits to the Council,
12 a copy of the letter that was sent by
13 Mr. Pinone to Mr. Baldwin, to Attorney
14 Baldwin, which I was CC'd on, and as well as
15 the letter to the Siting Council from
16 Mr. Benoit.
17 If I may approach?
18 THE CHAIRMAN: Attorney
19 Baldwin, do you want to --
20 MR. BALDWIN: No objection.
21 THE CHAIRMAN: Okay. We'll
22 take that for what it's worth.
23 MR. COPPOLA: So Mr. Talmadge,
24 did Mr. Pinone indicate in writing that the
25 Catholic Cemeteries Association of the

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1 That's not why I asked.
2 MR. COPPOLA: Okay.
3 THE WITNESS (Talmadge): I
4 asked him for a location because I know plots
5 get reserved, and space is reserved for
6 burials. So he might have a location that he
7 prefers that's not going to be used for that.
8 MR. COPPOLA: So did you ask
9 him where there were potential locations on
10 the property that were available?
11 THE WITNESS (Talmadge): I
12 e-mailed him and I have not received a
13 response yet.
14 MR. COPPOLA: And do you have
15 a copy of that e-mail?
16 THE WITNESS (Talmadge): I did
17 not bring a copy of the e-mail.
18 MR. COPPOLA: Is that
19 something that you could provide to us?
20 MR. BALDWIN: Mr. Chairman,
21 we're spending a lot of time talking about a
22 site. And if the question is simply, does
23 the cemetery work, then I think what
24 Mr. Talmadge is saying, we need to know from
25 Mr. Pinone what portion of the cemetery might

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1 Archdiocese of Hartford had an interest in
2 having Verizon Wireless look at its property
3 at the Mount St. Peter Cemetery for a
4 potential cell tower and related facilities?
5 THE WITNESS (Talmadge): Yes.
6 MR. COPPOLA: And when this
7 letter was received by Verizon what actions
8 did you take?
9 THE WITNESS (Talmadge): I
10 attempted to call as well as Mr. Baldwin. I
11 also e-mailed Mr. Pinone and requested that
12 he supply a map with a location that he was
13 thinking based on his letter that he would
14 like to see a tower go on his property, so we
15 had an idea, since we knew there was a lot of
16 acreage. We didn't know how much, but there
17 was a lot of acreage and we're waiting on a
18 response.
19 MR. COPPOLA: But Mr. Pinone
20 is not -- let me retract that question.
21 To the best of your knowledge,
22 does Mr. Pinone have any knowledge of radio
23 frequencies or expertise in where it would be
24 an appropriate location for a tower?
25 THE WITNESS (Talmadge): No.

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1 be available. It's a cemetery. What portion
2 of the cemetery might be available.
3 When we hear back from
4 Mr. Pinone about which portion of the
5 cemetery might be available what I would
6 recommend -- perhaps we can shortcut, and I
7 wish I had said this a while ago, but perhaps
8 we can shortcut some of the cross-examination
9 as it relates to this site, we have another
10 hearing coming up in September between now
11 and then, we'll connect with Mr. Pinone.
12 We'll take a look at the location. We'll
13 have RF analyze that location and we'll make
14 a determination as to whether it's something
15 that satisfies the needs of the Orange North
16 search area. Maybe that's the way we can
17 resolve this, instead of going any further
18 into a lengthy discussion.
19 THE CHAIRMAN: I think that
20 makes sense.
21 MR. COPPOLA: It would be
22 helpful to know, you know, what efforts that
23 Verizon makes. And I think we've also --
24 THE CHAIRMAN: Well, we'll
25 find that out in September. Right now I

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1 think it's time based on the offer, which I
2 think that should say, well, when we see the
3 results of the offer, it should satisfy, I
4 assume there are concerns, or there's a
5 rationale why you're doing this
6 cross-examination at this point. And we will
7 see in September.

8 And I'd like you to go on to,
9 if you have -- assuming you have another
10 subject.

11 MR. COPPOLA: I do,
12 Mr. Chairman. Just one thing. We did
13 request in our discovery request any records
14 with regard to any examination or of
15 feasibility of alternate locations such as
16 this one. So I would ask that if there are
17 any records produced, any correspondences,
18 that we receive complying -- that we receive
19 copies of those as there's an ongoing duty to
20 disclose with regard to the discovery
21 request. So I ask that those be provided to
22 us, and I would hope that those documents be
23 provided to us in advance of the next
24 hearing. And quite frankly, I hope there's
25 an attempt before the next hearing to make a

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1 and vice versa?

2 MR. BALDWIN: Yes, sir.

3 SENATOR MURPHY: And any other
4 sites we might come across today?

5 MR. BALDWIN: Yeah. Again, I
6 think it's a large parcel. It's a cemetery.
7 It's occupied by a lot of graves, and so we
8 just need to figure out where on that
9 property Mr. Pinone might be willing to
10 consider a tower location.

11 SENATOR MURPHY: You really
12 don't expect to go traipsing around the
13 cemetery without permission.

14 MR. LYNCH: Mr. Chairman?

15 THE CHAIRMAN: Yes, Mr. Lynch?

16 MR. LYNCH: I'd also like to
17 suggest that maybe seeing that the
18 archdiocese now has a new bishop and a new
19 administration, that if you're doing an
20 investigation of the cemetery, that someone
21 from the archdiocese should be there.

22 MR. BALDWIN: I think perhaps
23 we will invite Mr. Pinone if he's going to
24 show us where this tower might go. We're
25 certainly happy to look at that.

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1 genuine effort to determine the feasibility
2 of this site. And the reason I was asking
3 the questions I did is because I was somewhat
4 surprised that there has been a lack of
5 effort with regard to the site. So that's
6 something we would like to see, and also
7 something that the public intervenors, I
8 would point out, have suggested as well.

9 SENATOR MURPHY: I have a
10 question. Are you going to have your expert
11 also give opinions on these sites as to
12 whether they're working?

13 MR. COPPOLA: We're planning
14 on doing so. Yes.

15 SENATOR MURPHY: Okay. Well,
16 maybe you can coordinate with Verizon as to
17 what this, the location is on the cemetery
18 and any other place.

19 MR. COPPOLA: I think that's a
20 good idea. We'd be more than willing to do
21 so if Verizon would like for our expert
22 Mr. Maxson to work with their expert.

23 SENATOR MURPHY: So that if
24 you hear from the cemetery association you'll
25 let them know and make sure they've heard,

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1 MR. COPPOLA: So is it fair to
2 say then, I guess, will we -- I don't know
3 how to arrange for it. I guess Attorney
4 Baldwin and I could discuss this during a
5 break or after the hearing as to how we could
6 arrange for our experts to meet and view the
7 property.

8 SENATOR MURPHY: I think
9 you've got to hear from the archdiocese first
10 and then coordinate to do it altogether.

11 MR. COPPOLA: There's already
12 been an indication I believe in writing from
13 the archdiocese that they're interested in
14 the cell.

15 SENATOR MURPHY: Well, they're
16 indicating they didn't hear any more. So I
17 don't know.

18 MR. BALDWIN: We've heard from
19 Mr. Pinone, and we're trying to connect with
20 him to find out exactly what's he's talking
21 about.

22 SENATOR MURPHY: If you do
23 connect, connect with your --

24 MR. BALDWIN: Absolutely.
25 Absolutely.

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1 MR. COPPOLA: All right. The
2 other alternate location, Mr. Talmadge, I
3 wanted to ask you about was Tucker's Ravine,
4 with was referenced by Senator Slossberg in
5 her submittal today.
6 Did you have an opportunity to
7 review that property?
8 THE WITNESS (Talmadge): Yes,
9 a desktop review.
10 MR. COPPOLA: And when was
11 that done?
12 THE WITNESS (Talmadge): Yeah,
13 we reviewed this Monday. This Monday, yeah.
14 MR. COPPOLA: So the first
15 time you reviewed it was yesterday?
16 THE WITNESS (Talmadge): Yes.
17 MR. COPPOLA: So when Verizon
18 Wireless applied for -- filed this
19 application is it fair to say then that
20 Verizon Wireless had not reviewed this
21 property as a potential alternate location?
22 THE WITNESS (Talmadge): No.
23 This property as, I will say again, was not
24 brought up by the Town as an option, so we --
25 no further review of the property was done.

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1 MR. COPPOLA: So Verizon
2 Wireless only reviews sites that are
3 suggested by a town?
4 THE WITNESS (Talmadge): No,
5 that's not what I said. No, this property
6 was not reviewed prior to our application.
7 MR. ASHTON: Pick your voice
8 up please, Mr. Talmadge.
9 THE WITNESS (Talmadge): No,
10 this was not reviewed prior to application.
11 MR. COPPOLA: Okay. So when
12 Verizon's application was filed this property
13 was not looked at as a potential alternate
14 location. Is that correct?
15 THE WITNESS (Talmadge):
16 Correct. Yes.
17 THE CHAIRMAN: But let me just
18 follow up. But this is town-owned property?
19 MR. COPPOLA: Yes, it is
20 town-owned property.
21 MR. BALDWIN: Mr. Chairman,
22 Mr. Coppola cannot testify. He's doing a lot
23 of it now and I think we need to start
24 getting back to questions and answers.
25 I would also point out that in

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1 our responses to Mr. Coppola's
2 interrogatories we do talk about the
3 Housatonic overlook parcel, we talk about the
4 fact that it is town owned. If we're going
5 to spend another 45 minutes on
6 cross-examination of whether it was looked at
7 and what the ultimate result would be, I
8 think we might be able to cut to the chase.
9 MR. COPPOLA: Okay.
10 THE CHAIRMAN: Can you do
11 that, Attorney Coppola?
12 MR. COPPOLA: Yeah.
13 Is this a potential property
14 that could achieve Verizon's, either achieve
15 Verizon's -- all of Verizon's coverage needs
16 as part of this application, or even part
17 Verizon's coverage needs as part of this
18 application?
19 THE WITNESS (Libertine): I
20 think that's a question for RF, but as I
21 stated earlier it's my understanding that
22 it's just not -- it's simply not available
23 from the State's perspective.
24 SENATOR MURPHY: I guess the
25 first question is to determine whether the

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1 Town was interested.
2 THE CHAIRMAN: Normally in
3 these procedures the town, if they have
4 property --
5 SENATOR MURPHY: They tell
6 them.
7 THE CHAIRMAN: -- they tell
8 them. I mean, there's a whole process, and
9 I'm sure you know, Attorney Coppola.
10 THE WITNESS (Libertine): And
11 they did provide -- the Town did provide
12 certain properties. This was not one of
13 them. And then we looked into it to more
14 thoroughly, and because of the restriction it
15 was taken off the table. It was just not a
16 viable site.
17 So again, whether it worked
18 from an RF perspective, I'm not sure if that
19 really is relevant.
20 MR. COPPOLA: But is it
21 correct that Senator Slossberg has indicated
22 today in and her submittal to the Council
23 that, in fact, this might be a property that
24 could be used for the construction of a cell
25 tower, related facilities?

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1 THE WITNESS (Libertine):
2 Absolutely. And we've seen a similar letter
3 on probably half a dozen or dozen dockets in
4 the 15 or so years that I've been involved,
5 and every time we've gone back to the State
6 of Connecticut, DEP, or DEEP, in this case,
7 we have gotten the same line which is, it's
8 not available for development.

9 MR. COPPOLA: But is it
10 correct that here Senator Slossberg has
11 provided written testimony that, in fact, she
12 believes it is a viable alternate location
13 and that, in fact, there may be an
14 opportunity to -- for it to be used?

15 MR. BALDWIN: Mr. Chairman --
16 THE CHAIRMAN: Okay. I've got
17 a homework assignment. We have September.
18 Please get us something from the town
19 officials that states that this is either
20 available or not. And whichever party wants
21 to do that, because beyond that we're going
22 to continue this going around and around.

23 Don't we want to know from the
24 town, because it is the jurisdiction of the
25 Town. Right?

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1 we're going to go through the same process
2 that we went through on the cemetery.

3 MR. COPPOLA: Understood.

4 THE CHAIRMAN: So I'd like you
5 to suggest how we might move this forward
6 rather than say, we have one letter from one
7 individual and we have a response which
8 apparently you are not happy with, or
9 whatever, but --

10 MR. COPPOLA: I wouldn't --

11 THE CHAIRMAN: -- I don't know
12 how to go beyond this other than, since we're
13 not closing the hearing today, we have
14 reasonably ample time to get a more
15 affirmative response, but we need it, I
16 believe, from the Council's standpoint, we
17 need it from the Town.

18 MR. COPPOLA: Mr. Chairman, I
19 would just point out to you the only reason I
20 even know about this property is because
21 after the first hearing the First Selectman
22 suggested to my clients and I that, you know,
23 this was a property that, but for his
24 assumption that it wasn't -- that there was
25 restriction from the State, would have been a

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1 MR. COPPOLA: And Mr.
2 Chairman --

3 THE CHAIRMAN: I believe it's
4 the jurisdiction of the Town, so we need to
5 know. We've heard from the Applicant that
6 they did not receive any affirmative response
7 from the Town that this property would be
8 available.

9 If you're questioning that,
10 then we have to continue response, but I
11 don't think a legislator can just -- maybe
12 she has conferred with the Town and the Town
13 now has changed their mind, but we need that
14 information from the town. So, we have --

15 MR. COPPOLA: It's my --

16 THE CHAIRMAN: -- we have
17 September. We have another hearing. So I
18 think this is a perfectly good opportunity to
19 get that information.

20 MR. COPPOLA: I'd just point
21 out to you, Mr. Chairman, since you directed
22 the issue to me, the only reason I even
23 knew --

24 THE CHAIRMAN: Well, I'm
25 objecting to either party, because otherwise

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1 viable property. And at that point we
2 checked with --

3 MR. BALDWIN: Mr. Chairman, I
4 object. This is testimony from Mr. Coppola.
5 It's hearsay testimony from Mr. Coppola. The
6 only evidence, and it's not even evidence in
7 the record yet, is a letter from Senator
8 Slossberg who states -- and in it she states
9 her opinion as to what the possible use of
10 this parcel may be. I agree with the
11 Chairman. Until the Town says it's a viable
12 location to even consider, that's step one.
13 Then we've got to deal with the conservation
14 restrictions. That's step two. And then we
15 can deal with a process, and simply a process
16 that Senator Slossberg establishes in her
17 letter whereby the Commissioner of DEEP might
18 be able to lift certain restrictions. And
19 then we've got to talk about a process by
20 which we would go and do that. So you know,
21 I think we take step one and move on from
22 there.

23 SENATOR MURPHY: And by
24 September's hearing date.

25 DR. KLEMENS: I think this has

<p style="text-align: right;">Page 290</p> <p>1 been answered in the attachment that the 2 Applicant submitted. The restrictions, I 3 don't even see why, to me, what the data they 4 produced, it's the whole attachment in the 5 response to the interrogatories, I think, 6 pretty clear that that property is encumbered 7 by restrictions, was purchased with public 8 funds as open space. I don't see how this 9 could be considered a viable location. 10 THE CHAIRMAN: Thank you. 11 And if you have anything by 12 September that you want to submit to the 13 contrary that would be great, but we have the 14 response from the Applicant and so will you 15 please go and continue with your 16 cross-examination? 17 MR. COPPOLA: I would submit 18 that information per you request, 19 Mr. Chairman. 20 THE CHAIRMAN: Thank you. 21 MR. COPPOLA: Mr. Laredo, is 22 it correct that you're a frequency design 23 engineer? 24 THE WITNESS (Laredo): That's 25 correct.</p>	<p style="text-align: right;">Page 292</p> <p>1 information submitted by the Applicants for 2 why the proposed tower is needed and what it 3 is supposed to achieve? 4 THE WITNESS (Laredo): That's 5 correct. 6 MR. COPPOLA: And I just have 7 a couple general background questions about 8 this application. First according to 9 Cellco's May 13, 2014, application on page 2, 10 is it correct that the proposed plan is for 11 Cellco to deploy only 700 megahertz and 2100 12 megahertz wireless services at the site? 13 THE WITNESS (Laredo): That's 14 the initial plan for the site. It's 15 deploying -- 16 MR. COPPOLA: So is that a 17 yes? 18 THE WITNESS (Laredo): Yes. 19 MR. COPPOLA: And you said 20 that's the initial plan, but do you have any 21 knowledge as to what the near future actually 22 means in terms of timing? 23 THE WITNESS (Latorre): Jay 24 Latorre. 25 As the site comes on air and</p>
<p style="text-align: right;">Page 291</p> <p>1 MR. COPPOLA: I apologize. A 2 radio frequency design engineer. I misspoke. 3 Is that correct? 4 THE WITNESS (Laredo): RF 5 design engineer, that's correct. 6 MR. COPPOLA: And in fact, you 7 submitted prefiled testimony on behalf of the 8 Applicant with the Council that's dated 9 July 8, 2014. Correct? 10 THE WITNESS (Laredo): That's 11 correct. 12 MR. COPPOLA: Is it fair to 13 say that you are a senior RF engineer for the 14 subject property -- or I should say subject 15 project? 16 THE WITNESS (Laredo): Can you 17 repeat that question for me, please? 18 MR. COPPOLA: Is it fair to 19 say that you are a senior RF engineer for the 20 subject project? 21 THE WITNESS (Laredo): I'm 22 just an RF engineer. 23 MR. COPPOLA: Is it fair to 24 say that you are the engineer who is 25 responsible for the coverage and capacity</p>	<p style="text-align: right;">Page 293</p> <p>1 we can begin to trend the capacity demand of 2 the site, at that point in time Verizon 3 Wireless would then evaluate the benefit of 4 adding additional frequencies to the proposed 5 Orange North cell site in order to provide 6 additional LTE capacity and coverage to our 7 customers at a different frequency band. 8 MR. COPPOLA: So Mr. Laredo, 9 do you have a timetable as to when you'll add 10 those additional frequencies, or Mr. Latorre, 11 whichever expert would like to answer, 12 please? 13 THE WITNESS (Latorre): Jay 14 Latorre. It would be inappropriate for us to 15 comment on a specific timetable. The first 16 step would have to be the construction and 17 activation of the cell site, at which point 18 in time Verizon Wireless would have to 19 perform trending on the on-air site to better 20 determine its demand and determine the 21 benefit of adding additional frequencies to 22 that cell site. 23 MR. COPPOLA: So is it fair to 24 say that you don't know what the timetable 25 would be for adding additional frequencies to</p>

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1 that site?
2 THE WITNESS (Latorre): Jay
3 Latorre. At this point in time, that would
4 be correct.
5 MR. COPPOLA: Thank you.
6 MR. LYNCH: Mr. Coppola, can I
7 just ask one question?
8 MR. COPPOLA: Sure.
9 MR. LYNCH: If in the future
10 you don't add any more frequencies this site
11 just stays at capacity at the site. Is that
12 correct? You don't have voice IP, or
13 anything like that?
14 THE WITNESS (Latorre): Jay
15 Latorre. In that event in which you
16 describe, then that would be somewhat
17 correct, although I would also state that
18 this site does also have some coverage
19 objectives that the proposed Orange North
20 facility achieves as well. There are gaps
21 identified in our prefiled testimony that
22 shows how the proposed site will fill some
23 coverage gaps for us.
24 MR. LYNCH: But as of right
25 now they're not filling those gaps. They're

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1 just capacity?
2 THE WITNESS (Latorre): Jay
3 Latorre. To clarify, the proposed Orange
4 North facility, if constructed as in our
5 application today, when brought on air will
6 fill some of the -- the identified gaps shown
7 in our coverage maps provided to the Council.
8 So although the primary purpose is
9 capacity --
10 MR. LYNCH: But for delivering
11 data, not for delivering voice?
12 THE WITNESS (Latorre): Jay
13 Latorre. In the event that Verizon Wireless
14 did not deploy our voice over LTE service at
15 this site, you would be correct in your
16 statement. I can only attest to, at this
17 time, there is no reason for me to believe or
18 think that Verizon Wireless would not deploy
19 our voice over LTE service at this site.
20 MR. LYNCH: Understood.
21 Thank you, Attorney Coppola.
22 MR. COPPOLA: Mr. Laredo, is
23 it correct that according to page 2 of the
24 application at least initially Verizon's
25 reasons for filing this application were

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1 twofold?
2 THE WITNESS (Laredo): Can you
3 repeat? Please, sir, repeat that for me?
4 MR. COPPOLA: According to the
5 application, and I'll reference page 2, is it
6 correct that there were essentially two main
7 reasons why Verizon Wireless filed this
8 application?
9 THE WITNESS (Laredo): That's
10 correct.
11 MR. COPPOLA: And it is
12 correct that one of those reasons was to
13 allow Cellco to provide service to a series
14 of coverage gaps?
15 THE WITNESS (Laredo): That is
16 correct.
17 MR. COPPOLA: And that these
18 coverage gaps were in the Central Orange area
19 as well as portions of Southeast Derby and
20 Eastern Shelton?
21 THE WITNESS (Laredo): That is
22 correct.
23 MR. COPPOLA: For your
24 reference, I'm reading from page 2 of the
25 application.

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1 Is also correct that the
2 second reason was to provide significant
3 capacity relief to Cellco's existing Milford
4 NE, Shelton 2, Derby, Derby North, Orange 2
5 and Orange 3 cell sites?
6 THE WITNESS (Laredo): It
7 would actually create an offload to those
8 sectors.
9 MR. COPPOLA: So is the answer
10 yes?
11 THE WITNESS (Laredo): Yes.
12 MR. COPPOLA: So now with
13 respect to the two objectives for the
14 proposed facility, which are coverage and
15 capacity, would you agree that capacity
16 relief is the primary objective?
17 THE WITNESS (Laredo): That's
18 correct.
19 MR. COPPOLA: If you look at
20 page 11 of the application it states that the
21 goal of the proposed facility is to help
22 resolve existing capacity, and to a lesser
23 extent, coverage problems. Is that correct?
24 THE WITNESS (Laredo): That is
25 correct.

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1 MR. COPPOLA: Likewise at
2 pages 11 to 12 of the application, the Cellco
3 statement, the six adjacent tower sites do
4 not satisfy Cellco's need for additional
5 coverage, and more importantly, capacity
6 relief?

7 MR. BALDWIN: Mr. Chairman,
8 the application speaks for itself.

9 THE CHAIRMAN: It's in
10 writing. He said the same thing three times.
11 Again, can you get the point?

12 MR. COPPOLA: Yeah, I'm asking
13 some foundation questions to get to my point.

14 THE CHAIRMAN: But you've
15 asked it three times. It appears in
16 black-and-white three times. He said, yes,
17 three times. I just --

18 MR. COPPOLA: I understand
19 that he --

20 THE CHAIRMAN: I don't
21 understand.

22 MR. COPPOLA: I'll try to move
23 things along, Mr. Chairman. I'm just trying
24 to lay a foundation for the questions we're
25 asking for the witness to confirm different

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1 address the issue that there's also been
2 changes since the initial application and
3 what's been submitted since then. So I'm
4 trying to go over those issues.

5 I guess, I disagree that the
6 application speaks for itself, because
7 there's things that the application initially
8 said back in -- during the submittal in May,
9 2014, which are different than what the
10 Applicant has submitted since then, including
11 up to last week or so.

12 THE CHAIRMAN: That's
13 exactly -- thank you, for at least explaining
14 why you're doing this, but why don't you just
15 ask him about the discrepancies instead of
16 asking him to repeat what's in
17 black-and-white here?

18 MR. COPPOLA: It's generally
19 an evidentiary hearing to try to lay a
20 foundation before you proceed with questions.
21 That's what I'm trying to do, Mr. Chairman.

22 (Pause.)

23 MR. COPPOLA: Whenever you're
24 ready.

25 THE CHAIRMAN: Go ahead.

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1 information for each question. I'll try to
2 move along.

3 THE CHAIRMAN: Please.

4 MR. COPPOLA: Now I just want
5 to focus on Cellco's stated concerns
6 regarding capacity in general in a
7 nontechnical sense. First, at page 9 of the
8 application, does it state that the proposed
9 facility would provide significant capacity
10 relief to all six of the adjacent tower
11 sites?

12 MR. BALDWIN: The application
13 speaks for itself, Mr. Chairman.

14 MR. COPPOLA: Mr. Chairman,
15 I've asked a question of a witness.

16 MR. BALDWIN: It says -- the
17 application establishes the foundation that
18 you're looking for. What's the question?

19 MR. COPPOLA: That was the
20 question.

21 THE CHAIRMAN: I'll give you
22 it. All right. What's the --

23 MR. COPPOLA: The question was
24 that there's six sites that I was looking to
25 get to. And there's also been some -- and to

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1 THE WITNESS (Latorre): Jay
2 Latorre.

3 THE CHAIRMAN: In 15 minutes
4 we are going to take a break.

5 MR. COPPOLA: Okay,
6 Mr. Chairman.

7 THE CHAIRMAN: Unless you want
8 us to take a break now.

9 MR. COPPOLA: If the Chairman
10 would like, I'm more than happy. Either way.

11 THE CHAIRMAN: No, I'm willing
12 to go for another 15 minutes. I'd like to
13 get --

14 MR. COPPOLA: It's probably an
15 appropriate --

16 THE CHAIRMAN: I'm also
17 interested in your point but --

18 MR. COPPOLA: It's probably an
19 appropriate time to take a break, then. I'm
20 more than happy to do so.

21 THE CHAIRMAN: Okay. We'll
22 take a ten-minute break. We'll take it until
23 3:30.

24 (Whereupon, a recess was taken
25 from 3:19 p.m. until 3:34 p.m.)

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1 THE CHAIRMAN: Okay. We're
2 going to continue with the cross-examination,
3 Attorney Coppola, but we're going to end this
4 session at 4, and then we'll have
5 September 16th is when we'll have the
6 continuing, but --

7 MR. COPPOLA: Mr. Chairman,
8 then granting a forward, before I get started
9 I'd like to request on behalf of the
10 Intervenors in this action that the property
11 owner be ordered to attend the next hearing,
12 and the reason why is -- actually there's
13 multiple reasons why. This Council has
14 asked --

15 THE CHAIRMAN: The answer is
16 no. We cannot order where this -- well, I'm
17 going to ask Attorney Bachman before you get
18 into a lengthy --

19 MR. COPPOLA: Well, could I
20 just state what the -- just the basic reasons
21 are, that there has been questions about
22 where this tower could be located elsewhere
23 on the property and there's -- it's been
24 indicated in the testimony that the --

25 THE CHAIRMAN: No, I

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1 care to comment?

2 MR. BALDWIN: Again, it is not
3 our practice either to bring property owners
4 in. We have a contract with the property
5 owner for a portion of the property which is
6 indicated on the lease exhibit, which is
7 included in the application and the plans
8 included in the application.

9 Based on the Council's second
10 set of interrogatories we had some subsequent
11 conversations that Mr. Libertine referred to,
12 any -- any change from the leased parcel
13 would require additional landlord approval,
14 but I think Mr. Libertine testified as to
15 some level of degree of agreement from the
16 property owner as to, you know, if it were to
17 move, how far it would move and what the
18 preference is. I'm not sure we need the
19 property owner to comment beyond that.

20 MR. COPPOLA: But I think
21 that's exactly the point here. I mean, if
22 you're asking for the tower to be moved over
23 a certain amount of feet, they're going to
24 need to know if the landlord, if it's
25 acceptable to the landlord.

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1 understand that.

2 MR. COPPOLA: -- farmers had a
3 say in that, so --

4 THE CHAIRMAN: But before we
5 get into that, like some of these other
6 questions you've asked, there is an
7 initial -- the question is whether the
8 Council can order, so I would Like Attorney
9 Bachman to respond to that.

10 MS. BACHMAN: Thank you,
11 Mr. Chairman.

12 Ordinarily in these type of
13 proceedings the property owner is not a
14 witness. Certainly they have a contract or a
15 lease agreement with the carrier who is
16 requesting to construct a tower. The Council
17 typically would not subpoena any witnesses,
18 especially the property owner. I would allow
19 Attorney Baldwin, if you would care to remark
20 on the request, but I'm just going to
21 indicate right now it's not even in this
22 Council's real scope of authority to subpoena
23 a private party who's entered into a contract
24 with a party.

25 But Attorney Baldwin, if you

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1 So while I would respect the
2 opinion of your legal counsel that you cannot
3 subpoena or order someone to come here, I
4 would ask that you respectfully ask the
5 applicant to bring the property owner here
6 for the simple reason that if we ask
7 questions about where this tower could
8 potentially be relocated on the property
9 they're going to need to find out exactly
10 what the landlord in this case is willing to
11 allow.

12 Quite frankly, my
13 assumption -- our assumption is that there's
14 going to be a willingness to -- or a lack of
15 willingness to have the tower go closer to
16 Mr. Bspuda's house, but nonetheless we think
17 it would be helpful to have Mr. Bspuda here
18 so when we ask those questions the response
19 we get is not going to be, we haven't talked
20 to the landlord, but rather, you know, the
21 landlord could respond. So that's our
22 request on the record, Mr. Chairman.

23 THE CHAIRMAN: Okay. And I
24 think based on questions from the Council,
25 particularly from Mr. Ashton, I think the

<p style="text-align: right;">Page 306</p> <p>1 Applicant's team can probably elicit to the 2 extent that there may be flexibility without 3 having the individual actually be here for 4 cross-examination, but that's really up to 5 Mr. Baldwin. 6 But again, Attorney Bachman 7 has made it clear that its not really the 8 purview of the Council to order that. 9 MR. COPPOLA: But it would 10 certainly be helpful to know the extent to 11 which the landlord is willing to allow the 12 tower to be moved on the property. So that's 13 a good idea, Mr. Chairman, and I hope that 14 it's taken under consideration by the 15 Applicant. 16 MR. BALDWIN: It's not our 17 first rodeo, Mr. Chairman. We have some 18 direction. We'll talk to the property owner. 19 THE CHAIRMAN: Thank you. 20 Continue, please. 21 MR. COPPOLA: Mr. Laredo, if I 22 continue, I would like to reference page 9 of 23 the application. And I tried to count up 24 here the cell sites and the sectors that were 25 referenced in the first full paragraph on</p>	<p style="text-align: right;">Page 308</p> <p>1 THE WITNESS (Latorre): No, 2 that -- that is not correct. We have 3 submitted in Attachment 2 data regarding 4 three sectors at the Shelton 2 Connecticut 5 Beta Sector, the Orange 2 Connecticut Gamma 6 Sector and the Orange 3 Connecticut Alpha 7 Sector, which currently, based on our 8 internal capacity trending has determined 9 that at this point in time our projected 10 exhaust will extend for those three 11 particular sectors beyond 2016. 12 MR. COPPOLA: Okay. So just 13 for clarification purposes then, is it 14 correct that instead -- that instead of six 15 sites being exhausted by 2016, that now has 16 been changed to three sites -- or let me 17 rephrase the question. Let me retract the 18 question and ask it again. 19 Is it correct to say that the 20 capacity limit that is cited on page 9 of the 21 application which was expected for 2016, is 22 now limited to three sectors, as you've just 23 referenced on Attachment 2 of the Applicant's 24 recent submittal on August 5, 2014? 25 THE WITNESS (Latorre): I</p>
<p style="text-align: right;">Page 307</p> <p>1 page 9. 2 Is that correct then that the 3 proposed facility will -- per your 4 application, in particular page 9 of the 5 application, is it correct to say that the 6 proposed facility will provide significant 7 capacity relief to a total of eight sectors 8 among six cell sites? 9 THE WITNESS (Latorre): Jay 10 Latorre. That's correct. 11 MR. COPPOLA: If I may, then 12 just clarification with regard to the last 13 sentence in the first paragraph, does Verizon 14 still maintain that the operation of each of 15 the surrounding antenna sectors is reaching 16 or is forecast to reach their respective 17 capacity limits by 2016? 18 THE WITNESS (Latorre): Could 19 you restate your question, please? 20 MR. COPPOLA: Okay. Is it 21 still the case that Verizon -- that it's -- 22 that it's Verizon's position that the 23 operation of each of the surrounding antenna 24 sectors is reaching or is forecast to reach 25 their respective capacity limits by 2016?</p>	<p style="text-align: right;">Page 309</p> <p>1 would submit to you that all six of these 2 sites will receive some capacity relief 3 through the deployment of our proposed Orange 4 North Connecticut location, with the three 5 sites, Milford Northeast, Derby, and Derby 6 North seeing the most immediate capacity 7 relief due to their increased capacity demand 8 based on our current trending. 9 MR. COPPOLA: Okay. But you 10 didn't answer my question. My question I 11 thought was clear. I'll try to repeat it and 12 I'll try to rephrase it so that it's more 13 clear for you. 14 On page 9 of the application 15 it's my understanding that Verizon had 16 claimed that there were six sites in eight 17 sectors that would reach respective capacity 18 limits by 2016. And my question is, now is 19 it true that now Verizon has limited that, 20 essentially that statement to three sectors 21 which are referenced on Attachment 2, which 22 was attached to your response on August 5, 23 2014? 24 THE WITNESS (Latorre): I want 25 to make sure we -- we clarify this, because</p>

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1 in the beginning of that paragraph, we -- we
2 state -- and I'll just reread it for
3 everyone's benefit -- that the proposed
4 Orange North facility will provide
5 significant capacity relief to Cellco's, and
6 then we go onto speak of the sectors
7 associated with the six sites. That is still
8 true.

9 SENATOR MURPHY: That's not
10 what he asked you.

11 THE WITNESS (Latorre): The
12 specific question as far as forecasted to
13 reach their respective capacity limits by
14 2016, yes, that number is three.

15 MR. COPPOLA: I'd like to go
16 to -- reference you to the Applicant's
17 response to the Siting Council's request for
18 additional information dated August 5th on
19 the same Attachment 2.

20 MR. LYNCH: Attorney Coppola,
21 your voice is fading now, too. Could you
22 keep it up, please?

23 MR. COPPOLA: Okay. If I
24 could just reference you to the second page
25 of Attachment 2 to the Applicant's response

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1 to Siting Council's request for additional
2 information dated August 5, 2014.

3 First, I just want to confirm
4 that there were some changes made to that
5 page which were submitted today. Correct?

6 THE WITNESS (Latorre): Yes.
7 The attachment, Exhibit 9, Attachment 2, that
8 was submitted to the Council today, was
9 changed to reflect a summary of the data that
10 was attached, the charts that are attached
11 with this attachment. Because we are having
12 a capacity discussion and this is something
13 new for the Council to address, we had found
14 in our analysis that our charts were
15 showing 12 months of data, but our -- our
16 summary was discussing the data in terms of
17 an 18-month trend. Although as Attorney
18 Baldwin correctly stated earlier today, that
19 the data that was submitted regarding the
20 18-month summary is in fact accurate, we felt
21 it prudent to also submit a summary showing
22 the 12-month period, so that for the benefit
23 of all parties there was a clear summary
24 description of the charts that were submitted
25 as part of the -- of the testimony.

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1 MR. COPPOLA: So if I could
2 just draw your attention to page 3 of
3 Attachment 2, the same -- yeah, page 3 of
4 Attachment 2 of the same document.

5 So in fact looking at the
6 chart on page 3, is it correct that the
7 summary and associated data support Cellco's
8 need for capacity relief for Shelton 2 Beta,
9 Orange 2 Gamma and Orange 3 Alpha aren't
10 projected to be exhausted for more than three
11 years?

12 THE WITNESS (Latorre): Could
13 you restate your question?

14 MR. COPPOLA: Okay. Looking
15 at page 3 of the Attachment 2, is it correct
16 to state that with regard to the last three
17 sectors cited on the chart, those being
18 Shelton 2, Orange 2, and Orange 3, that those
19 particular sectors are not projected to be
20 exhausted for more than three years?

21 THE WITNESS (Latorre): That's
22 correct.

23 MR. COPPOLA: So is it correct
24 then that what started out as a primary
25 objective of providing significant capacity

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1 relief for eight sectors at six sites is now
2 down to only three sectors with regard to --
3 to the relief?

4 THE WITNESS (Latorre): No, I
5 would state that is incorrect. As I
6 mentioned before, although only three sectors
7 that we have shown here in the chart are
8 currently projecting exhaustion, the creation
9 of the Orange North proposed facility would
10 provide capacity relief to all six sectors.

11 The notion that a sector has
12 to be approaching exhaustion in order for it
13 to receive capacity relief is not necessarily
14 correlated. A sector may not necessarily be
15 at exhaustion yet, but still receive capacity
16 relief by the creation of a new cell site
17 which will allow it to share some of the
18 traffic.

19 MR. COPPOLA: But now it's
20 only three sectors. Correct? That we're
21 talking about with regard to the exhaustion?

22 MR. BALDWIN: I think we've
23 answered the question, Mr. Chairman.

24 MR. COPPOLA: I'm just trying
25 to -- so how do you know then that the Orange

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1 North site would provide relief to all of the
2 sites?
3 THE WITNESS (Latorre): Based
4 on our RF modeling we show that the projected
5 RF footprint will -- of the Orange North
6 facility will provide overlapping coverage to
7 each of the six sectors, or I should say, the
8 six sites identified in our prefiled
9 testimony. Therefore, once the site is
10 created, the proposed Orange North facility
11 will, by the nature of overlap, allow
12 customers to utilize the proposed facility in
13 areas of overlap where currently today they
14 have no additional cell site option for them
15 to access the LTE network.
16 MR. COPPOLA: I'd like to draw
17 your attention to the chart on Attachment 2
18 of the same document, which I believe is
19 page 4. It's titled, "Milford NE CT Alpha
20 Sector Exhaust Analysis Data."
21 I understand from this
22 document that it represents the amount of
23 data sent over that sector in the busiest
24 hour of the month. Is that correct?
25 THE WITNESS (Laredo): That's

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1 correct.
2 MR. COPPOLA: And how is
3 forward data volume measured?
4 THE WITNESS (Laredo): Jaime
5 Laredo. It's a total accumulation of
6 downlink data traffic and a specific busy
7 hour, as stated in -- in our response.
8 MR. COPPOLA: And is forward
9 data volume measured in megabytes?
10 THE WITNESS (Laredo): That's
11 correct.
12 MR. COPPOLA: What is
13 "forward," as that term is used in the chart?
14 THE WITNESS (Laredo): I'm
15 sorry. Can you please --
16 MR. COPPOLA: What does
17 forward mean as is referenced in that chart?
18 THE WITNESS (Latorre): Jay
19 Latorre. It represents downlink data, which
20 means a user requesting data from the
21 network.
22 MR. COPPOLA: And looking at
23 the red line on that chart, the capacity of
24 the Milford NE sector is given as what?
25 THE WITNESS (Latorre): Jay

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1 Latorre. Approximately in this chart it's
2 shown to be about 4900 megabytes.
3 MR. COPPOLA: And on that same
4 chart is that same line also shown as just
5 under 3500? I apologize. Let me retract
6 that question. I'm sorry.
7 On the same chart is the blue
8 line indicating at some point that the number
9 is 3500?
10 THE WITNESS (Latorre): As of
11 June of 2014, in the busy hour, yes.
12 MR. COPPOLA: And that was
13 actually just under 3500. Correct?
14 THE WITNESS (Latorre):
15 Correct. In fact, if you refer back to
16 page 3 and look at the first cell, Milford
17 Northeast Alpha, you will see that the
18 forward data volume referring to it in June
19 of 2014, is 3444. So just under 3500.
20 MR. COPPOLA: You actually
21 answered a couple of my questions.
22 So as it correct that the data
23 in the table should match the data on the
24 charts?
25 THE WITNESS (Latorre): Yes.

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1 MR. COPPOLA: Let's look at
2 the FDV, the forward data volume for the
3 Derby Connecticut Beta, on the table, which I
4 believe page 3 of Exhibit 2. And what is the
5 forward data volume for that site? You could
6 find that on the table.
7 THE WITNESS (Latorre): There
8 -- there appears to be conflicting data here
9 that we will need to address. To answer your
10 question in the summary on page 3, the
11 forward data volume is stated as 3838.65.
12 MR. COPPOLA: What was that
13 number again? It was the 3838?
14 THE WITNESS (Latorre): I
15 think we've seen what we found.
16 MR. COPPOLA: And what did you
17 find?
18 THE WITNESS (Latorre):
19 Mr. Laredo has pointed out to my attention
20 that -- and let me just make sure that
21 everyone can see this. So this would be on
22 page one, two, three, four, five -- it
23 appears that the charts for the Derby
24 Connecticut Beta Sector and the Derby North
25 Connecticut Gamma sector are one and the

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1 same. And this is a clerical error.
2 So I would refer you back to
3 the summary page on 3 to answer your
4 question, Derby Connecticut Beta, forward
5 data volume for the month of June 2014, as
6 3838.65.
7 MR. BALDWIN: Mr. Chairman, we
8 can supplement that response with the
9 corresponding graphs of the Derby Beta Sector
10 analysis.
11 THE CHAIRMAN: This may be a
12 good time to just -- unless you have one or
13 two more specifically on this subject?
14 MR. COPPOLA: Yeah. Just a
15 few follow-ups on this subject.
16 THE CHAIRMAN: Okay. Go
17 ahead.
18 MR. COPPOLA: Again, on
19 Attachment 2, the red line on the forward
20 data volume chart is for maximum one-hour
21 capacity of the LTE on that sector. Is that
22 correct?
23 THE WITNESS (Laredo): Jaime
24 Laredo. It's actually one hour total
25 downlink data traffic data downloaded for

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1 that specific sector.
2 MR. COPPOLA: Is that for LTE?
3 THE WITNESS (Laredo): Yes.
4 MR. COPPOLA: Does your
5 response conflict with what has been
6 submitted so far with regard to that issue?
7 THE WITNESS (Laredo): Can you
8 please repeat the question for me?
9 MR. COPPOLA: Does your
10 testimony now conflict with any of the
11 information you've submitted with regard to
12 that particular issue?
13 THE WITNESS (Laredo): I'm
14 actually referring to your original question
15 before that. Just to make sure I understand
16 your question.
17 MR. COPPOLA: Let me ask you a
18 few more questions to make you understand
19 where I'm going with this. Is the red line
20 as cited on page 4, Attachment 2, of one
21 frequency band, like 700 megahertz?
22 THE WITNESS (Laredo): That's
23 correct.
24 MR. COPPOLA: So that does not
25 include 21 megahertz. Is that correct?

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1 THE WITNESS (Laredo): That's
2 correct.
3 MR. COPPOLA: And it has
4 nothing to do then with 850 megahertz or 1900
5 megahertz?
6 THE WITNESS (Laredo): That is
7 correct.
8 MR. COPPOLA: Let's look at
9 the forward data volumes again on -- let me
10 retract that question, just because I know we
11 only have two minutes.
12 With the table is showing the
13 Derby Beta is the busiest sector, is it
14 correct that the next busiest sector is the
15 Milford NE CT Alpha at 3444?
16 THE WITNESS (Latorre): Jay
17 Latorre. In regards to forward data volume,
18 yes.
19 MR. COPPOLA: Okay. And is it
20 correct that the third busiest sector is the
21 Derby North Gamma?
22 THE WITNESS (Latorre): In
23 regards to forward data volume, yes.
24 MR. COPPOLA: And these three
25 sectors are highlighted on the table meaning

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1 that these three sectors are projected to be
2 overutilized in the next year or so. Is that
3 correct? And when I say --
4 THE WITNESS (Latorre): Within
5 the next year to year and a half.
6 MR. COPPOLA: And you've
7 specifically highlighted dates for that to
8 take place. Is that correct?
9 THE WITNESS (Latorre):
10 Correct.
11 MR. COPPOLA: All right. And
12 so let's just look at the table. There are
13 three sectors that do not have highlighted
14 dates. Is that correct?
15 THE WITNESS (Latorre): That's
16 correct.
17 MR. COPPOLA: All right. So
18 these three sectors then which are not
19 highlighted do not need relief from the
20 proposed facility. Is that correct?
21 THE WITNESS (Laredo): Jaime
22 Laredo. Even the fact that they're not going
23 to be exhaust in the next three years, to
24 that point it's correct.
25 MR. COPPOLA: You also said

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1 that the proposed facility would provide
2 significant capacity relief to a lesser
3 extent to the Milford NE Alpha Sector. Is
4 that correct?
5 THE WITNESS (Latorre): Jay
6 Latorre. I would state that it provides
7 significant capacity relief to that sector.
8 MR. COPPOLA: How do you
9 arrive at the conclusion about the Milford NE
10 Alpha?
11 THE WITNESS (Latorre): I
12 would refer you back to the coverage maps.
13 MR. COPPOLA: Okay.
14 THE WITNESS (Latorre): As
15 well as -- Mr. Laredo, can you tell me --
16 MR. COPPOLA: The coverage
17 maps being where?
18 THE WITNESS (Latorre):
19 Mr. Baldwin, could you cite that for us,
20 please?
21 MR. BALDWIN: Exhibit 11,
22 Attachment 3.
23 MR. COPPOLA: And that's in
24 the original application?
25 MR. BALDWIN: No, these are

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1 Applicant's Exhibit 11. These are our
2 responses to Intervenor's interrogatories.
3 There are coverage maps included in
4 Attachment 3, the coverage maps are also
5 included in the application behind Tab 6.
6 MR. COPPOLA: Are they the
7 same coverage maps?
8 MR. BALDWIN: They are same
9 coverage maps.
10 THE CHAIRMAN: I don't know,
11 are we waiting for a response?
12 MR. COPPOLA: I was waiting
13 for a response, but if you'd like
14 Mr. Chairman, I can proceed with my -- I only
15 have one final question.
16 THE WITNESS (Latorre): On
17 that page we show the existing Milford
18 Northeast -- the existing Milford Northeast
19 Alpha Sector, which we refer to as an
20 orientation of 30 degrees -- 30 degrees which
21 would be an approximate northeast
22 orientation. And you will see that that
23 sector that we cite as exhausting, this
24 sector points roughly into the area where the
25 Orange North CT proposed facility is located.

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1 Our judgment is that when this Orange North
2 Connecticut site is built this will provide
3 capacity relief because we have positioned it
4 in an area where our current Alpha Sector of
5 the Milford Northeast cell site is currently
6 serving some of the capacity demand along
7 with the other sectors in the area.
8 MR. COPPOLA: And when you
9 say, "it's your judgment," what do you mean
10 by that?
11 THE WITNESS (Latorre):
12 Through our expert RF analysis.
13 MR. COPPOLA: And my last
14 question, Mr. Chairman, is just looking at
15 the coverage map that you've drawn our
16 attention to here, with regard to -- and
17 actually that would be the second map of
18 Tab 6 of the original application. The
19 purple area that's indicated on that map,
20 does that indicate where the new facility
21 will provide significant capacity relief to
22 existing facilities?
23 THE WITNESS (Latorre): Jay
24 Latorre. This indicates the proposed
25 facility's 700 megahertz coverage footprint.

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1 MR. COPPOLA: Okay. But just
2 so for my understanding my question is this,
3 does that indicate where the new facility
4 will provide significant capacity relief to
5 existing facilities?
6 THE WITNESS (Latorre): Jay
7 Latorre. Where the purple coverage overlaps
8 with the existing coverage in the dark shade
9 of gray there will be capacity relief for
10 those sectors.
11 MR. COPPOLA: And that would
12 be significant capacity relief?
13 THE WITNESS (Latorre): Based
14 on the analysis provided we feel that,
15 consistent with our testimony, we will
16 provide capacity relief, significant capacity
17 relief to the sectors identified.
18 MR. COPPOLA: Thank you very
19 much.
20 Mr. Chairman, this may be a
21 good time for me to end, I think.
22 THE CHAIRMAN: Thank you very
23 much, Attorney Coppola.
24 We will continue the
25 evidentiary portion of this hearing in New

<p style="text-align: right;">Page 326</p> <p>1 Britain on Tuesday, September 16th. And I'm 2 now told it will be at 11:00 a.m. So that 3 doesn't mean you have six extra hours. 4 Please note that anyone who 5 has not become a party or intervenor but 6 desires to make his or her views known to the 7 Council may file written statements with the 8 Council until 30 days after the record 9 closes. Again, copies of the transcript of 10 the hearing will be filed at the Orange Town 11 Clerk's office and the Shelton City Clerk's 12 Office. 13 I guess this portion of the 14 evidentiary hearing is therefore closed, to 15 be continued September 16th. 16 (Whereupon, the witnesses were 17 excused and the above proceedings were 18 adjourned at 4:07 p.m.) 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 328</p> <p>1 I N D E X 2 WITNESSES JAIME LAREDO 3 JUAN LATORRE 4 DOUGLAS TALMADGE 5 MICHAEL LIBERTINE 6 DEAN GUSTAFSON 7 HARRY M. ROCHEVILLE, JR. - Page 171 8 EXAMINATION 9 Mr. Mercier Page 179 10 Mr. Coppola Page 246 11 12 EXHIBITS 13 (Admitted in evidence.) 14 EXHIBIT DESCRIPTION PAGE 15 II-B-8 Applicant's Resubmittal 178 16 All-Points Technology Corporation 17 Wetland Investigation Report, dated 18 May 2, 2014, including missing 19 page 2 dated July 23, 2014 20 II-B-9 Applicant's Response to 178 21 Council Request for Additional 22 Information, dated August 5, 2014 23 II-B-10 Applicant's Response to 178 24 Council Interrogatories, Set II, 25 dated August 5, 2014 26 II-B-11 Applicant's Responses to 178 27 Intervenor Subbloie, et al, 28 Interrogatories, Part I, dated 29 August 5, 2014 30 II-B-12 Applicant's Responses to 178 31 Intervenor Subbloie, et al, 32 Interrogatories, Part II, 33 dated August 7, 2014 34 II-B-13 Resume of Douglas Talmadge, 178 35 Structure Consulting Group</p>
<p style="text-align: right;">Page 327</p> <p>1 CERTIFICATE 2 I hereby certify that the foregoing 162 3 pages are a complete and accurate 4 transcription of my original verbatim notes 5 taken of the Continued Public Hearing in Re: 6 DOCKET NO. 448, APPLICATION FROM CELLCO 7 PARTNERSHIP D/B/A VERIZON WIRELESS FOR A 8 CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY 9 AND PUBLIC NEED FOR THE CONSTRUCTION, 10 MAINTENANCE, AND OPERATION OF A 11 TELECOMMUNICATIONS FACILITY LOCATED AT 831 12 DERBY MILFORD ROAD, ORANGE, CONNECTICUT, 13 which was held before ROBERT STEIN, 14 Chairperson, at the Public Utilities 15 Regulatory Authority, Ten Franklin Square, 16 New Britain, Connecticut, on August 12, 2014. 17 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">Robert G. Dixon, CVR-M 857 Court Reporter UNITED REPORTERS, INC. 90 Brainard Road, Suite 103 Hartford, Connecticut 06114</p>	