



STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

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November 5, 2014

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

RE: **DOCKET NO. 453** – American Tower Corporation and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at Manchester Tax Assessor Map 133, Block 3700, Lot 701, 701 Lydall Street, Manchester, Connecticut.

Dear Attorneys Chiochio and Fisher:

The Connecticut Siting Council (Council) received the application for the above-referenced telecommunications facility on November 4, 2014.

According to Section 16-50/-1a of the Regulations of Connecticut State Agencies, “no certificate of environmental compatibility and public need shall be granted to any person until a complete application containing all information deemed relevant by the Council has been filed.”

Staff has reviewed this application for completeness and has identified a deficiency in notice to State Representative Geoff Luxenberg, 12<sup>th</sup> Assembly District – Manchester, and to Commissioner Klee of the Department of Energy and Environmental Protection (DEEP). Pursuant to Section 16-50/(b) of the Connecticut General Statutes, “each application shall be accompanied by proof of service of a copy of such application on: ... (3) each member of the legislature in whose assembly or senate district the facility or any alternative location listed in the application is to be located and (5) each state department, agency and commission named in subsection (h) of section 16-50j.” DEEP is also a state agency named in subsection (h) of section 16-50j.

Therefore, the application is incomplete at this time. The Council recommends that the applicant provide proof of service of a copy of the application on State Representative Geoff Luxenberg – House District 12 and DEEP in accordance with C.G.S. §16-50/ on or before November 12, 2014.

The Council’s request for proof of service of a copy of the application on State Representative Luxenberg and DEEP shall have the effect of tolling the Federal Communications Commission (FCC) 150-day tower siting timeframe in accordance with Paragraph 53 of the FCC Declaratory Ruling issued on November 18, 2009 (FCC WT Docket No. 08-165) and the FCC Order on Reconsideration adopted on August 3, 2010 (FCC 10-144).

Thank you for your attention to this matter. Should you have any questions, please feel free to contact me at 860-827-2951.

Sincerely,

Melanie A. Bachman

Acting Executive Director/Staff Attorney

cc: Blake Paynter, ATC  
Michelle Briggs, AT&T