



Jesse A. Langer
(t) 203.786.8317
(f) 203.772.2037
jlanger@uks.com

LEED Green Associate

March 10, 2015

***VIA FEDERAL EXPRESS AND
ELECTRONIC MAIL***

Ms. Melanie A. Bachman, Esq., Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06501

Re: Docket No. 454 – Application by Tower Holdings, LLC for A Certificate of Environmental Compatibility and Public Need for A Telecommunications Facility at 199 Brickyard Road, Farmington, Connecticut

Dear Attorney Bachman:

This office represents Tower Holdings, LLC (“Tower Holdings”), the applicant in the above-captioned docket. In accordance with § 16-50j-12 of the Regulations of Connecticut State Agencies, I have enclosed an original and fifteen (15) copies of Tower Holdings’ response to the Town of Farmington’s second and third set of interrogatories.

If you have any questions concerning the interrogatory responses, please do not hesitate to contact me.

Very truly yours,

Jesse A. Langer

Enclosures

cc: *Service List (via regular mail and electronic mail)*

STATE OF CONNECTICUT SITING COUNCIL

APPLICATION BY TOWER HOLDINGS, LLC
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPABILITY AND PUBLIC NEED FOR THE
CONSTRUCTION, MAINTENANCE AND OPERATION
OF A WIRELESS TELECOMMUNICATIONS
FACILITY LOCATED AT 199 BRICKYARD ROAD,
FARMINGTON, CT

DOCKET 454

March 3, 2015

**APPLICANT'S RESPONSE TO THE SECOND AND THIRD
SET OF INTERROGATORIES BY TOWN OF FARMINGTON**

The Applicant, Tower Holdings, LLC, ("Tower Holdings"), respectfully submits the following responses to the second and third sets of Interrogatories propounded by the Town of Farmington ("Town"), dated March 3, 2015, in connection with the above-captioned Application for Certificate of Environmental Compatibility and Public Need ("Application") for the construction, maintenance and operation of a telecommunications facility ("Facility") at 199 Brickyard Road, Farmington, Connecticut ("Property").

9. Is it the Applicant's intention to operate a training school on the subject property? If so, where do you anticipate most of the trainees to come from (e.g., nationally, regionally, locally)?

Response: Tower Holdings' affiliate, Northeast Towers, Inc. ("NET"), will utilize the Facility to engage in the training activities set forth in the Application. Currently, NET will use the Facility to train its employees and certain municipal first responders. NET is investigating the possibility of a training school in the future. Should the Applicant and/or NET elect to operate a training school on the Property, they would obtain any and all permits necessary under applicable local, State and Federal laws.

10. Optimally, how many trainees would use the tower in any given year?

Response: NET would like to instruct four to six trainees per course, with four courses offered each year. This would result in approximately sixteen to twenty-four trainees a year. NET would expect to train approximately ten to twelve municipal employees, twice a year. The municipal employee training would consist of some classroom instruction and time on the Facility. Each municipal employee training session would likely cover a standard business day. All of the training would occur during the leaf-on months.

11. Would the Applicant allow surrounding municipalities to use the proposed training tower to train on? If so, would the Applicant charge surrounding municipalities a fee for its use?

Response: Yes, NET will train the municipal first responders of the Town of Farmington (“Town”) who work on towers or related structures, as well those municipal employees employed by the surrounding municipalities of Avon, Canton and Simsbury. See Application, pp. 7-8. NET will train these municipal employees at no charge. Id.

12. Which surrounding towns would the Applicant invite to use the tower for training purposes?

Response: Avon, Canton and Simsbury. Id.

13. Would the Applicant allow other private companies, businesses or enterprises to use the proposed training tower to train on? If so, would the Applicant charge other private companies, business or enterprises a fee for its use?

Response: At the moment, the Facility will be used only to train NET’s employees and the municipal employees of the Town and those of Avon, Canton and Simsbury.

14. When did the Applicant first approach AT&T about mounting AT&T’s panel antenna array on its proposed tower?

Response: Tower Holdings first learned of New Cingular Wireless PCS, LLC’s (“AT&T”) need for a telecommunications facility in the area of the Property in or around January 2013. Please see the Genesis of the Proposed Facility and Legal Authority filed by Tower Holdings contemporaneously with these Interrogatory Responses (“Genesis of Facility”).

15. When did the Applicant first approach Dunning Sand & Gravel about mounting Dunning’s DB224 Dipole antenna on its proposed tower?

Response: In or about July 2013, Dunning, Sand & Gravel (“Dunning”) approached Tower Holdings about locating its equipment on the Facility.

16. When did the Applicant first approach Marcus Communications, LLC about mounting Marcus’s RFI BA40-67 antenna on its proposed tower?

Response: In or about January 2014, Marcus Communications, LLC (“Marcus”) approached Tower Holdings about locating its equipment on the Facility.

17. When did the Applicant first approach 106.5 WBWM about mounting 106.5 WBWM’s DCR-LI FM radio antenna on its proposed tower?

Response: In or about August 2013, the radio station “Soft Rock” 106.5 WBWM (“WBWM”) approached Tower Holdings about locating its equipment on the Facility.

18. Has the Applicant entered into a lease agreement with Dunning Sand & Gravel for its use of the proposed tower? If so, what are its terms?

Response: Tower Holdings objects to this Interrogatory to the extent it is vague and/or seeks information that is irrelevant, confidential and proprietary, protected by the attorney client privilege and/or not otherwise discoverable under Connecticut law. Subject to this objection, Tower Holdings responds as follows: Tower Holdings is in discussions with Dunning concerning Dunning's collocation on the Facility.

19. Has the Applicant entered into a lease agreement with Marcus Communications, LLC for its use of the proposed tower? If so, what are its terms?

Response: Tower Holdings objects to this Interrogatory to the extent it is vague and/or seeks information that is irrelevant, confidential and proprietary, protected by the attorney client privilege and/or not otherwise discoverable under Connecticut law. Subject to this objection, Tower Holdings responds as follows: Tower Holdings is in discussions with Marcus concerning Marcus' collocation on the Facility.

20. Has the Applicant entered into a lease agreement with 106.5 WBWM for its use of the proposed tower? If so, what are its terms?

Response: Tower Holdings objects to this Interrogatory to the extent it is vague and/or seeks information that is irrelevant, confidential and proprietary, protected by the attorney client privilege and/or not otherwise discoverable under Connecticut law. Subject to this objection, Tower Holdings responds as follows: Tower Holdings is in discussions with WBWM concerning WBWM's collocation on the Facility.

21. At the time that the Applicant submitted its booklet for purposes of presenting to the Town the construction and operation of the proposed training tower, did the Applicant intend to host a cellular antenna(s) on the tower?

Response: Tower Holdings submitted a preliminary and conceptual visibility analysis, with photo-simulations, to the Town at its request. Prior to that submission, Tower Holdings was in discussions with AT&T about the possibility of AT&T locating its wireless antennas on the Facility. Around the time Tower Holdings submitted the preliminary and conceptual visibility analysis to the Town, AT&T had just approved the Property as a potential site. See Genesis of Proposed Facility.

22. Did the Applicant ever contact the Town of Avon to determine whether the proposed facility would enable the Town of Avon to enhance and improve their wireless communications capabilities for the Town of Avon's police, fire and emergency service departments?

Response: Yes. The Town of Avon was not interested in locating some of its emergency communications equipment on the Facility at that time. Tower Holdings has extended an open invitation to the Town of Avon to locate some of its emergency communications equipment on the Facility so long as that equipment does not interfere with the equipment of the other operators on the Facility.

23. Did the Applicant ever contact the Town of Farmington to determine whether the proposed facility would enable the Town to enhance and improve their wireless communications capabilities for the Town's police, fire and emergency service departments?

Response: Yes. The Town was not interested in locating its emergency communications equipment on the Facility at that time. Tower Holdings has extended an open invitation to the Town to locate its emergency communications equipment on the Facility.

24. If the Siting Council grants the Applicant's application but limits the height of the tower to 140 feet and requires the tower to be of a monopole design, would the Applicant nevertheless build such a tower?

Response: No. A monopole cannot be used for the type of training necessary for NET's business of constructing, modifying, reinforcing, maintaining and decommissioning towers or similar structures. NET needs a lattice structure. See Application, pp. 6-7; Tower Holdings' Responses to the Town's Interrogatories, Interrogatory No. 2; February 3, 2015 Hearing Transcript, p. 116.

25. Does the Applicant service any towers owned by Marcus Communications, LLC? If so, where are these towers located and what are the terms of the service agreement?

Response: Tower Holdings objects to this Interrogatory to the extent it is vague and/or seeks information that is irrelevant, confidential and proprietary, protected by the attorney client privilege and/or not otherwise discoverable under Connecticut law. Subject to this objection, Tower Holdings responds as follows: NET has serviced facilities for Marcus. NET is unaware of the nature of the ownership interest, if any, Marcus has in any of the facilities NET has serviced. Additionally, Marcus does not have an exclusivity agreement with NET; therefore, NET generally has to bid for work on those facilities. NET has provided services to more than twenty facilities throughout the State.

26. Does the Applicant service any towers that Marcus Communications, LLC is mounted on? If so, where are these towers located and what are the terms of the service agreement?

Response: Tower Holdings objects to this Interrogatory to the extent it is vague and/or seeks information that is irrelevant, confidential and proprietary, protected by the attorney client privilege and/or not otherwise discoverable under Connecticut law. Subject to this objection, Tower Holdings responds as follows: NET has serviced facilities for Marcus. NET is unaware of the nature of the ownership interest, if any, Marcus has in any of the facilities NET has serviced. Additionally, Marcus does not have an exclusivity agreement with NET; therefore, NET generally has to bid for work on those facilities. NET has provided services to more than twenty facilities throughout the State.

Respectfully submitted by,

TOWER HOLDINGS, LLC

A handwritten signature in blue ink, appearing to read "Jesse A. Langer".

By: _____

Jesse A. Langer
Updike, Kelly & Spellacy, P.C.
265 Church Street
New Haven, CT 06510
(203) 786-8310
Email: jlanger@uks.com

CERTIFICATION

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

Counsel for New Cingular Wireless PCS, LLC ("AT&T")

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

Counsel for the Town of Farmington

Kenneth R. Slater, Jr.
Duncan F. Forsyth
Halloran & Sage, LLP
One Goodwin Square
225 Asylum Street
Hartford, CT 06106



Jesse A. Langer
Commissioner of the Superior Court