



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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### VIA ELECTRONIC MAIL

April 17, 2019

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

RE: **DOCKET NO. 463A** - New Cingular WirelessPCS, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 2 Arbor Crossing, East Lyme, Connecticut.

Dear Attorney Fisher:

The Connecticut Siting Council (Council) is in receipt of the request for an extension of construction time in the above-referenced matter dated April 17, 2019. Pursuant to Condition No. 6 of the Certificate dated December 22, 2016, the Council hereby grants your second request for an extension of construction time in this matter until July 1, 2020, to complete the construction of this facility.

Pursuant to Condition No. 7 of the Certificate, any request for an extension to fully construct this telecommunications facility with at least one fully operational wireless telecommunications carrier shall be filed with the Council not later than 60 days prior to the expiration of this Certificate and shall be served on all parties and intervenors, as listed on the current service list and the Town.

This extension is granted with the understanding that the Council will be notified should the Certificate Holder decide not to proceed with construction.

Sincerely,

Melanie A. Bachman  
Executive Director

MAB/RDM/laf

c: Parties and Intervenors  
Council Members



CONNECTICUT SITING COUNCIL

Affirmative Action / Equal Opportunity Employer

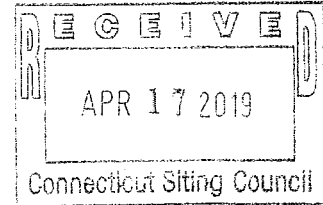


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April 17, 2019

VIA FEDERAL EXPRESS

Melanie A. Bachman, Esq., Executive Director  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, Connecticut 06051



Re: New Cingular Wireless PCS, LLC (AT&T)  
Docket No. 463A  
2 Arbor Crossing  
East Lyme, Connecticut  
Certificate Transfer, Notice of Intent to Commence Construction &  
Request for Extension of Time

Dear Ms. Bachman:

We are writing on behalf of New Cingular Wireless PCS, LLC (“AT&T”) with respect to Docket 463A.

The purpose of our letter is to provide the Council with notice in accordance with the Council’s Decision & Order (“463A D&O”) of an intent to commence construction of the facility, seek an extension of time for completion of construction of the facility currently set to expire July 1, 2019, and authorization to transfer the Certificate issued by the Council in Docket 463A.

1) 463A D&O Condition No. 10 – Notification of Intent to Commence Construction

The Development & Management Plan for the Facility issued a Certificate in Docket 463A was previously approved by the Council in June 2017. A Town of East Lyme building permit was obtained by AT&T in 2018, a copy of which is enclosed.

AT&T has been coordinating with several parties over the course of the past year, including the property owners and utility companies, with respect to construction of the Facility as approved in Docket 463A. Additionally, it is anticipated that the property owner will conduct site preparation work in accordance with its ongoing development of the surrounding residential community.

Enclosed for the Council’s files are a full set of the latest construction drawings for the Facility, last revised May 17, 2018. These drawings are compliant with the 463A D&O and D&M Plan approvals and you will note that the equipment barn has had a small architectural cupola added



to it since the set approved by the Council in 2017. Additionally, they incorporate details for a 80kw shared generator.

2) 463A D&O Conditions No. 6 and 7 – Extension of Time to Complete Construction

The current deadline for completion of construction as extended by the Council is July 1, 2019. In order to construct the new Facility and make it operational prior to removal of the existing tower facility, the Certificate holder requests a further one-year extension of time to July 1, 2020. This request is being timely made in furtherance of Conditions 6 and 7 of the Council's 463A D&O.

3) Transfer of the Certificate Request - AT&T to TowerCo

AT&T has agreed to assign its ground lease and transfer the Certificate issued by the Council in Docket 463A to TowerCo 2013 LLC ("TowerCo"). AT&T will be subleasing space back from TowerCo for its specific wireless facility. TowerCo will be the party responsible for ensuring construction, operation and maintenance of the Facility approved and issued a Certificate in Docket 463A. TowerCo is a national tower company and more information can be found about the company on its website <http://www.towerco.com/simplicityfound/>. The parties executed the enclosed Certificate Transfer Request on April 10<sup>th</sup> and 11<sup>th</sup> of this year. Neither party contemplated this transaction at the time of the Certificate issuance in Docket 463A.

We would respectfully request confirmation of receipt of AT&T's notice of intent to commence construction and approval of a one year extension of time to complete same along with transfer of the Certificate in Docket 463A from AT&T to TowerCo. Thank you for your assistance and consideration of the foregoing, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "CB Fisher".

Christopher B. Fisher

Cc: Parties and Intervenors  
AT&T  
TowerCo