STATE OF CONNECTICUT

PUBLIC UTILITIES REGULATORY AUTHORITY
TEN FRANKLIN SQUARE
NEW BRITAIN, CT 06051

DOCKET NO. 26-09-07 APPLICATION FOR CELLCO PARTNERSHIP DBA VERIZON WIRELESS FOR APPROVAL OF CONSTRUCTION OF SMALL CELL WIRELESS FACILITIES IN THE PUBLIC RIGHT-OF-WAY – NEW CANAAN SC47 CT

November 10, 2026

By the following Commissioners:

Thomas H. Wiehl
David Arconti, Jr.
Janice A. Beecher
Holly H. Cheeseman
Everett Smith, III

PROPOSED FINAL DECISION

This proposed final Decision is being distributed to the parties in this proceeding for comment. The proposed Decision is not final. The Authority will consider the parties' arguments and exceptions before reaching a final Decision, which may differ from the proposed Decision. Therefore, this proposed Decision does not establish any precedent and does not necessarily represent the Authority's final conclusion.

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PROPOSED FINAL DECISION

I. INTRODUCTION

A. SUMMARY

In this Decision, the Public Utilities Regulatory Authority grants approval of Cellco Partnership d/b/a Verizon Wireless's Application of a construction plan to install wireless facilities within certain rights-of-way – NEW CANAAN SC47 CT.

B. BACKGROUND OF THE PROCEEDING

On September 11, 2026, the Public Utilities Regulatory Authority (Authority or PURA) received an application from Cellco Partnership d/b/a Verizon Wireless (Verizon or Company), requesting that the Authority approve its construction plan to install a small cell wireless telecommunications facility on a Utility Pole No. 3819S located within the public right-of-way (PROW) adjacent to 954 Ponus Ridge, New Canaan, CT.

The Application was filed pursuant to pages 2-10 of the Authority's Decision dated June 2, 2017, in Docket No. 17-02-49, PURA Formalization of Small Cell Antenna Applicant Processes and Procedures to Construct Facilities in Connecticut's Public Rights-of-Way (Small Cell Process Decision). The Company is a commercial mobile radio service (CMRS) provider, as that term is described in 47 C.F.R. Part 20.

C. CONDUCT OF THE PROCEEDING

There is no statutory requirement for a hearing, no person requested a hearing, and none was held.

D. PARTICIPANTS

The Authority recognized the following as Participants to this proceeding: Cellco Partnership d/b/a Verizon Wireless, 20 Alexander Drive Road, Wallingford, CT 06492; the Office of Education, Outreach, and Enforcement (EOE), Ten Franklin Square, New Britain, CT 06051; the Office of Consumer Counsel (OCC), Ten Franklin Square, New Britain, CT 06051; Michael J. and Immacolata Cognetta, 954 Ponus Ridge, New Canaan, CT 06840; Daniel S. and Marie S. Messina, 955 Ponus Ridge New Canaan, CT 06840, and the Commissioner of the Department of Energy and Environmental Protection (DEEP), 79 Elm Street, Hartford, CT 06106. . Additionally, the Authority has designated the Town of New Canaan as an intervenor.

The proposed Facility is a small wireless telecommunications attachment on Utility Pole No. 3819S located within the public right-of-way adjacent to 954 Ponus Ridge, New Canaan, CT. The utility pole is owned by Eversource and The Southern New England Telephone Company d/b/a Frontier Communications of Connecticut. The Company has identified the Facility as NEW CANAAN SC47 CT. Verizon has entered into master pole

attachment agreements with the pole owners. The Company is undertaking the project to "provide the general public, Cellco Partnership d/b/a Verizon Wireless ("Cellco") customers and emergency service providers with enhanced and more reliable wireless and data services near the Facility." Application, p. 1.

II. AUTHORITY ANALYSIS

A. LEGAL STANDARD

General Statutes § 16-247h states:

> The authority shall authorize any certified telecommunications provider to install, maintain, operate, manage or control poles, wires, conduits or other fixtures under or over any public highway or street for the provision of telecommunications service authorized by section 16-247c, if such installation, maintenance, operation, management or control is in the public interest, which includes but is not limited to, facilitating the efficient development and deployment of an advanced telecommunications infrastructure, facilitating maximum network interoperability and interconnectivity, and encouraging shared use of existing facilities and cooperative development of new facilities where legally possible and technically and economically feasible.

Under regulations promulgated by the Authority, "[n]o certified telecommunications company shall install, maintain, operate, manage or control facilities under or over any public highway or street for the provision of telecommunications service without the approval of the [Authority]." Conn. Agencies Regs. § 16-247c-5(a).[1] The Authority finds that the Facility is in the public interest because it increases the capacity of the existing telecommunications system and does not represent a threat to public health and safety. Under General Statutes § 16-247h, the public interest is served by, among other things, "facilitating the efficient development and deployment of an advanced telecommunications infrastructure." The Company's Application satisfies the requirements of Conn. Agencies Regs. § 16-247c-5(b). In addition, Verizon submitted evidence that the Facility will comply with Federal Communications Commission (FCC) standards for radio frequency (RF) emissions.[2] Consequently, the Facility is consistent

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[1] In its Decision dated April 27, 2011, in Docket No. 08-06-19RE01, DPUC Investigation into the Deployment of Distributed Antenna Systems (DAS) in the Public Rights of Way in Connecticut – CPCN Requirement (CMRS Decision), the Authority deemed CMRS providers to be certified telecommunications companies for purposes of Conn. Gen. Stat. § 16-247h and Conn. Agencies Regs. § 16-247c-5. The Company is a CMRS and, therefore, is not required to have a Certificate of Public Convenience and Necessity (CPCN) to install facilities in the PROW.

[2] In its Decision dated April 5, 2017, in Docket No. 16-07-45, Application of Cellco Partnership d/b/a Crown Castle Wireless For Approval Of A Construction Plan To Install Wireless Facilities Within Certain Public Rights-Of-Way - Stamford SC1 CT, the Authority determined that the FCC has the sole legal authority for establishing and/or amending the radio frequency (RF) emissions limits for wireless telecommunications equipment. The Authority also determined that 47 USC § 332(c) preempts the states from regulating the placement, construction, or modification of personal wireless service facilities

with the statutory language encouraging the efficient deployment of telecommunications infrastructure as being in the public interest.

In addition to seeking Authority approval in accordance with General Statutes § 16-247h, applicants seeking to erect fixtures and apparatus in the PROW must also obtain the consent of property owners adjoining the proposed installation. General Statutes § 16-234(f). By letters dated May 26, 2026, the Company sought the consent of all owners of property adjoining the proposed utility pole and provided notice to the Town of New Canaan. In response to the Company's notification, Verizon received an objection to the proposed facility by Immacolata Cognetta, 954 Ponus Ridge, New Canaan, CT 06840. Application, p. 2. Verizon informed the Authority that it did not receive any other objection or request for a hearing from immediate adjoining property owners. The Authority issued correspondence to Immacolata Cognetta on September 22, 2026, which required her to notify PURA directly within 30 days of an objection. Cognetta did not respond to the Authority's letter. The Authority, therefore, deems that all adjoining property owners have consented to the construction as required by General Statutes § 16-234(f).

ORDERS FOR COMPANY

For Orders requiring a compliance filing, file an electronic version through the PURA's website at www.ct.gov/pura. Submissions filed in compliance with the Authority's Order must be identified by all three of the following: Docket Number, Title and Order Number.

1. Prior to commencing construction of each Facility, the Company shall obtain pole attachment licenses from the pole owners and acquire all other applicable state and municipal permits.

2. No later than ten days after the completion of construction of the Facility, Verizon shall provide the actual date of completion of the construction. In the event final construction deviates in any respect from that represented in this proceeding, Verizon shall describe all such differences in the filing.

3. No later than 60 days after the last date an antenna is in operation, the Company shall remove the Facility from the utility pole. Within 15 business days of removal of the Facility, the Company shall notify the Authority of their removal.

4. No later than April 1, 2027, and annually thereafter, the Company shall submit an annual report to the Connecticut Siting Council (CSC) identifying all small cell facilities approved by the Authority and constructed by Verizon on a form prescribed by the CSC, as required by General Statutes § 16-50ee(b).

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based on the environmental effects of radio frequency emission to the extent that such facilities comply with FCC regulations. Id., pp. 7 and 8.

5. The approval to construct this Facility expires after 18 months of issuance of this Decision, unless extended by the Authority for good cause, upon request by Verizon.

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This Decision is adopted by the following Commissioners:

Thomas H. Wiehl David Arconti, Jr. Janice A. Beecher

Holly H. Cheeseman Everett Smith, III

CERTIFICATE OF SERVICE

The foregoing is a true and correct copy of the Decision issued by the Public Utilities Regulatory Authority, State of Connecticut, and was forwarded by Certified Mail to all parties of record in this proceeding on the date indicated.

Jeffrey R. Gaudiosi, Esq.
Executive Secretary
Public Utilities Regulatory Authority

Date