STATE OF CONNECTICUT
PUBLIC UTILITIES REGULATORY AUTHORITY
EDUCATION, OUTREACH, & ENFORCEMENT

VIA FEDEX

November 9, 2026

Darby Fox
304 Wahackme Road
New Canaan, CT 06840

Re: Docket No. 26-10-10 – Application for Approval of a Construction Plan to Install Wireless Facilities Within Certain Public Rights-of-Way

Dear Darby Fox:

The Public Utilities Regulatory Authority (Authority or PURA) is in receipt of an application submitted by Cellco Partnership d/b/a Verizon Wireless. The Company has requested that the Authority approve specific construction plans to install wireless facilities within the public right-of-way. In response to this request, the Authority has opened the above-referenced contested proceeding to review the subject application. The Company has informed the Authority that it has provided notification of its intent to install these facilities to all adjoining property owners as well as the chief elected official in your town, as required by General Statutes § 16-234(f).

The Company has notified the Authority that you have expressed opposition to the installation of these wireless facilities by the Company. Accordingly, you have been designated as a party in the proceeding in which the Authority will consider the Company's application. The Authority has also designated the Office of Consumer Counsel (OCC) and the Commissioner of the Department of Energy and Environmental Protection (DEEP) as parties to this proceeding.

If you intend to formally object to this application, you must file a written summary setting forth the basis of your objection(s) within 30 days of the date of this letter – by **December 9, 2026.** If the Authority does not receive a written objection within 30 days of the date of this letter, the Authority will conclude that your objection is withdrawn, and the Authority will review the application and issue a decision. Your written objection should be sent via e-mail to: pura.executivesecretary@ct.gov**.**

If you are unable to send your written objection via e-mail, please mail it to:

PURA Executive Secretary
Ten Franklin Square
New Britain, CT 06051

PLEASE REFERENCE DOCKET NUMBER 26-10-10 IN CORRESPONDENCE TO THE AUTHORITY REGARDING THIS MATTER.

***Please note that the Authority cannot deny the request to construct wireless facilities on the basis of an objection to the radio frequency (RF) emissions generated by the wireless facilities if the RF levels are within the allowable limits set by the Federal Communications Commission (FCC).[1]**

Attachment 3 of the Company's application in this docket states that the calculations show the total percentage of the maximum permissible exposure under the FCC guidelines is *.35% at two meters above the ground at the pole and 3.13% at the nearest habitable structure (at 99 feet above the ground), for this proposed small cell wireless telecommunications facility*, which is within the allowable limit (less than 100%).

Upon receipt of a written objection, the Authority's Office of Education, Outreach, and Enforcement will reach out to the parties to pursue potential mediation. Should the mediation fail to resolve the dispute to the parties' mutual satisfaction, the Authority will conduct a noticed public hearing in this matter.

Additional information is available at the Authority's website, http://www.ct.gov/pura/, regarding the procedural practices of the Authority. All of the filings in this docket are available on the Authority's website under the "Docket Information" link. Persons may register to receive e-mail notifications when documents are filed or issued in this docket. For assistance with any Authority online service, contact the PURA case coordinator assigned to this docket, **Ussawin "Robin" Bumpen, via email at** Ussawin.Bumpen@ct.gov. The Authority's Office of Education, Outreach, and Enforcement point of contact assigned to this docketed matter is Rebecca Adams, who can be reached at Rebecca.Adams@ct.gov.

Enclosed for your review are the following documents: (1) relevant sections of General Statutes § 16-234, (2) Guide to Public Hearings for Antenna Attachments to Utility Poles, (3) PURA Docket Process, and (4) FAQ/General Information.

Sincerely,

PUBLIC UTILITIES REGULATORY AUTHORITY
Education, Outreach, and Enforcement

Enclosure

cc: Service List

[1] For more information, visit https://www.fcc.gov/engineering-technology/electromagnetic-compatibility-division/radio-frequency-safety/faq/rf-safety#Q10.

Excerpt of General Statutes § 16-234

Sec. 16-234. Conducting vegetation management; notice to abutting and private property owners. Changing location of, erecting or placing wires, conductors, fixtures, structures or apparatus over, on or under any highway or public ground; rights of adjoining proprietors. Objections or requests for modifications.

(a) As used in this section:
(1) "Utility" means a telephone, telecommunications or electric distribution company, each as defined in section 16-1;
(2) "Utility protection zone" means any rectangular area extending horizontally for a distance of eight feet from any outermost electrical conductor or wire installed from pole to pole and vertically from the ground to the sky;
(3) "Hazardous tree" means any tree or part of a tree that is (A) dead, (B) extensively decayed, or (C) structurally weak, which, if it falls, would endanger utility infrastructure, facilities or equipment;
(4) "Vegetation management" means the retention of trees and shrubs that are compatible with the utility infrastructure and the pruning or removal of trees, shrubs or other vegetation that pose a risk to the reliability of the utility infrastructure. Until such time as the Department of Energy and Environmental Protection issues standards for identifying such compatible trees and shrubs, the standards and identification of such compatible trees and shrubs shall be as set forth in the 2012 final report of the State Vegetation Management Task Force;
(5) "Pruning" means the selective removal of plant parts to meet specific utility infrastructure reliability goals and objectives, when performed according to current professional tree care standards and in a manner that retains the structural integrity and health of the vegetation;
(6) "Abutting property owner" means the owner of the property abutting or adjacent to that portion of a public road, public highway or public grounds where the tree or shrub that the utility proposes to remove or prune is located; and
(7) "Private property owner" means the owner of the property where a tree or shrub the utility proposes to remove or prune is located, which may include municipally owned land.
. . .

(f) No utility shall exercise any powers which may have been conferred upon it to change the location of, or to erect or place, wires, conductors, fixtures, structures or apparatus of any kind over, on or under any public road, public highway or public ground, without the consent of the adjoining proprietors or, if such company is unable to obtain such consent, without the approval of the Public Utilities Regulatory Authority, which shall be given only after a hearing upon notice to such proprietors. The authority may, if it finds that public convenience and necessity require, authorize the changing of the location of, or the erection or placing of, such wires, conductors, fixtures, structures or apparatus over, on or under such public road or highway or public ground.

Guide to Public Hearings for Antenna Attachments to Utility Poles

Background

Certain types of telecommunications companies, such as commercial mobile radio service (CMRS) providers, (described as "Company" in this guide) are installing small cell wireless facilities designed to increase their ability to handle cellular voice and data traffic in specified project areas. CMRS provider is a term described in the Code of Federal Regulations (C.F.R.). 47 C.F.R. § 20.15(d).

In the case of a proposal to install an antenna on a utility pole in the public right-of-way, the Public Utilities Regulatory Authority (PURA or Authority) determines whether the installation is in the public interest, and, if so, allows the installation.

A Company must apply to PURA for approval of its construction plan to install a small cell wireless telecommunications facility on a utility pole within the public right-of-way.

You may have received written notification about a specific construction plan or have been made aware of a construction plan. This guide is being provided as an introduction to the PURA docket process.

How did this location get selected for an antenna?

The Company conducts a survey of a geographic area for small cell installations when its capability to accommodate cellular service traffic is near or at capacity, the point at which it cannot provide reliable service.

The Company then looks for utility pole locations where it can install an antenna and its associated equipment.

Utility poles are owned by the regulated utility companies (e.g., Eversource, Frontier and United Illuminating). The pole owners have design and engineering restrictions that may limit which utility poles may be used for small cell facilities. For example, some utility poles may already be heavily encumbered by utility equipment and would not accommodate an antenna installation.

What does the antenna look like?

The size and visual impact of the antenna and its related equipment is roughly equivalent to equipment commonly mounted topoles throughout the State, such as electric transformers. The utility pole is the same as other poles commonly used throughout the state.

PURA has attached photos of typical antenna installations to aid you in understanding the size of the equipment involved. In some cases, the antenna is located on a side-mounted bracket on the pole when electric lines are at the top of the pole.

Example of a Utility Pole Top Mounted Antenna and Related Facilities



Example of a Utility Pole Side Mounted Antenna and Related Facilities



The antenna is located at the very top of the pole and the wireless system connection for the antenna system is the lowest utility box attached to the pole in this example:



PURA Docket Process

Step 1 — Company Notification to Adjoining Property Owner

- The CMRS provider notifies the Adjoining Property Owner[2] (APO) and advises the affected municipality in writing via certified letter, FedEx, or UPS of the planned construction and gives 30 days to respond with an objection.

Step 2 — APO Response to Company Notification

- APOs are allowed 30 days to respond to the Company or PURA to advise as to whether they are opposed.

Step 3 — Company Application Filed with PURA

- A PURA docket is initiated at the time the Company files its Application to PURA.

Step 4 — PURA Acknowledgement Letter/ Notice of Proceeding Issued

- If there are no APOs opposed to the project, PURA issues a Notice of Proceeding in the docket and will proceed with review and a decision.
- If there are APOs opposed to the project, PURA issues an Acknowledgement Letter via mail (FedEx or UPS) to the APOs that are opposed to the construction.
- APOs that have not filed an opposition to the Company and Non APOs will not receive PURA communication.

Step 5 — Objecting APO Response to PURA

- APOs that received an Acknowledgement Letter from PURA are allowed 30 days to submit a formal written objection to PURA to advise whether they continue to oppose the construction.
- Non APOs may file a public comment.

[2] The term "adjoining property owners" includes property owners whose property is physically contiguous to the affected section of the PROW as well as property owners across the street from the affected section. Decision, June 2, 2017, 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, p. 4. Tenants are not APOs.

Step 6 — Upon Receipt of Written Objection, Mediation is Pursued

- If the APO does not respond to PURA within the 30-day time period, PURA will proceed with its review and issue a decision.
- If the APO submits a written objection to PURA within the 30-day time period, the Authority's Office of Education, Outreach, and Enforcement will reach out to the parties to pursue potential mediation in an effort to try and resolve the dispute.
- Should the mediation fail to resolve the dispute to the parties' mutual satisfaction, the Authority will conduct a noticed public hearing in this matter.

Step 7 — Hearing Held (if scheduled)

- A hearing will be scheduled based on PURA, Company, and Party availability. Hearings are held at PURA offices, Ten Franklin Square, New Britain, Connecticut.

Step 8 — Briefing Period (if applicable)

- A briefing period may follow the hearing. Briefs are written arguments about issues the Commissioners must decide. They are usually written by attorneys for the Company, PURA, and others. Participating APOs may also file a brief.

Step 9 — PURA Proposed Final Decision

- PURA decides a case based on the information contained in the record made over the course of the proceeding.
- Parties will have an opportunity to file written exceptions to the PURA Proposed Final Decision and also can request Oral Argument.

Step 10 — Final Decision

- PURA will review written exceptions and consider oral arguments, if any, and issue a Final Decision during a Regular or Special Meeting.
- Copies of the decision are available on PURA's website in its Final Decision Database.

FAQ/General Information

What is a public hearing all about?

A public hearing is one step in determining whether the Authority will allow construction of the antenna.

Unless otherwise noted in a Notice of Hearing, the Authority holds all hearings at its offices at 10 Franklin Square, New Britain. The Authority has a long tradition of encouraging public participation in the regulation of the state's utilities.

The PURA public hearing process offers the opportunity for consumers, local government officials, industry representatives, and others to bring their thoughts and concerns to the attention of the Authority's commissioners in a timely manner. Bringing these concerns and views to a public hearing is essential if the commissioners are to reach the most fair and reasonable decision possible.

Any person or entity given status during the proceeding may ask the Company questions regarding the proposed installation after the company has adopted its testimony and is ready for cross examination.

Please keep in mind that both the Company and the objectors have the same due process rights to participate in the hearing process, as well as to receive a timely decision based on the relevant facts and applicable law.

I've never testified before PURA. Is it difficult?

No, it is easy to testify. You do not need a lawyer.

At the beginning of the hearing, the commissioner/hearing officer will ask if there are any members of the public who wish to speak for the record. At that time, simply stand up or raise your hand. You will be sworn in and invited to tell your story in your own words. You may also submit documents or photos relating to your testimony.

After you present your testimony the Authority staff and other parties may cross examine you (ask you questions).

Once that is completed, commissioners, hearing officers, and any of the parties to the case who may be in attendance cannot answer questions during this portion of the hearing process; this is their opportunity to hear your testimony.

How do I conduct cross examination of the witnesses?

Cross examination is asking questions of the sworn witnesses regarding the application, documents filed, and any oral testimony given at the hearing. Keep in mind that the commissioners, hearing officers, company attorneys, and Authority staff are not subject to cross examination.

What if a hearing is scheduled, and I cannot attend the public hearing?

If you are an adjoining property owner and are unable to attend a public hearing, but wish to make your position known to the Authority, you may mail your comments to:

Public Utilities Regulatory Authority
Attn: Executive Secretary
10 Franklin Square
New Britain, CT 06051

Comments may also be provided to PURA.executivesecretary@ct.gov via email. *Non-APOs may file a public comment.*

Please include the docket number of the proceeding in all correspondence to PURA.

PURA does not accept comments about cases over the phone. Your comments must be in writing to be included as part of the record in the case. With a public hearing, the proceeding becomes a contested case. You may not have ex parte communications regarding facts or legal issues relevant to your case with the PURA commissioners or staff outside of the hearings or noticed meetings. However, you may contact the case coordinator for assistance regarding how the process (dates and times of hearings, how to file etc.) works.

What is the Public Utilities Regulatory Authority (PURA)? https://portal.ct.gov/pura

PURA is statutorily charged with regulating the rates and services of Connecticut's investor-owned electricity, natural gas, water, and telecommunication companies; PURA is also the franchising authority for the state's cable television companies.

PURA employs a staff of subject matter experts in accounting, finance, engineering, law, and customer service. On occasion, the Authority will hire experts if needed to supplement available staff in complex proceedings. All decisions issued by PURA have the force of law.

What is the Office of Consumer Counsel (OCC)? https://portal.ct.gov/OCC

The OCC is the designated and official advocate of the ratepayer.

For contested PURA proceedings, the OCC is an automatic party/participant and may appeal decisions to the Connecticut Superior Court.