

Tower Share Application Guide

Connecticut General Statutes (CGS) § 16-50aa directs the Council to approve the shared use of a telecommunications facility provided that the Council finds that such shared use is technically, legally, environmentally, and economically feasible and meets public safety concerns. In such cases, the applicant may notify the Council of its intent to share a telecommunications facility per CGS § 16-50aa(c)(1). The applicant should also send a copy of the notice to the chief elected official of the municipality in which the facility is located and the property owner.

A tower share application should consist of the following components:

- A narrative that: 1) describes the existing facility and appurtenances including location (with latitude and longitude coordinates), height of tower, name of owner/operator of the tower, and size and components of the existing equipment compound; 2) describes the nature and extent of the proposed modifications including the type and number of antennas to be installed, type of mounting, centerline height of antennas, and ground equipment to be installed; and 3) statements explaining how the proposal is technically, legally, environmentally, and economically feasible and meets public safety concerns per CGS § 16-50aa.
- Engineering drawings that depict the existing facility and appurtenances and show the modifications to be made. Drawings should include plan and elevation views. These documents shall include created on dates, effective dates, revision dates, or dates of adoption. If no such dates are available the document shall include the date the document was obtained.
- An engineering analysis describing the existing tower's structural capability to accommodate the proposed modifications. This analysis should identify any structural changes and/or reinforcements that may be needed to accommodate the proposed modifications. The analysis must be stamped by a Professional Engineer.
- A calculation, based on an approved methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997), of the power density of the radio frequency emissions to be generated by the existing antennas and the antennas to be installed.

The applicant must submit an original and 25 copies of its tower share application with a \$500 filing fee. Connecticut Regulations §16-50v-1a.

If the owner of the facility agrees to the proposed shared use, the applicant shall comply with reasonable conditions established by the owner concerning the shared use of the

facility. The Council may arbitrate any issue between the owner of the facility and the applicant concerning the establishment of or compliance with any such conditions. CGS §16-50aa(c)(1).

In the event that the owner of the facility refuses permission to share the facility, the applicant may bring the issue of the proposed shared use to the Council. Upon written request by the applicant, the Council shall initiate a feasibility proceeding per CGS § 16-50aa(c)(2) to determine whether the proposed shared use is technically, legally, environmentally and economically feasible and meets public safety concerns.

If the applicant and owner of the facility cannot agree on fair compensation for the proposed shared use, or if the Council, following a feasibility proceeding, orders the shared use of a facility but the parties cannot agree on fair compensation for such shared use, the parties may either submit the issue of fair compensation to arbitration or petition the Superior Court to determine the issue.