

MAYOR
CAROLINE SIMMONS



**CITY OF STAMFORD
OFFICE OF LEGAL AFFAIRS**

888 WASHINGTON BOULEVARD
P.O. BOX 10152
STAMFORD, CT 06904 - 2152
Tel: (203) 977-4081
Fax: (203) 977-5560

**DIRECTOR OF LEGAL AFFAIRS
AND CORPORATION COUNSEL
THOMAS M. CASSONE**

DEPUTY CORPORATION COUNSEL
AMY LIVOLSI

ASSISTANT CORPORATION COUNSEL
CYNTHIA C. ANGER
BARBARA L. COUGHLAN
COLLEEN DEASY
CHRIS DELLASELVA
JOHN HARNESS
DANA B. LEE
AMY LIVOLSI
BURT ROSENBERG
MICHAEL S. TOMA
ELIZABETH TURNER

September 5, 2023

To: Mayor Caroline Simmons

From: Burt Rosenberg, Asst. Corporation Counsel

Re: Agreement with AT&T and Verizon
re Installation of 5-G Equipment on City-Owned
Utility Poles in Municipal Right-of-Way
File No. A21-0364

Attached hereto is a draft of Agreement which has been the result of a protracted mediation between the two major telecom carriers – AT&T and Verizon – and the five largest Connecticut municipalities: Hartford, Bridgeport, New Haven, Waterbury and Stamford. As this is a complex matter, additional background will be helpful.

In 2021, the Governor’s Office arranged a mediation between the three major telecom carriers - AT&T, Verizon and T-Mobile – and the “Big 5” Connecticut Municipalities – Stamford, Bridgeport, New Haven, Hartford and Waterbury. The mediation arises from a series of Declaratory Rulings and Orders issued by the Federal Communications Commission regarding the installation of fifth generation [“5G”] small cell apparatus on municipally-owned utility poles located in the municipal right-of-way. In its third Order, issued on September 26, 2018, the FCC ruled that the Telecommunications Act of 1996 pre-empts state and local requirements relating to the deployment of 5G infrastructure. The FCC noted that the purpose of its Order was to “remove regulatory barriers that inhibit the deployment of infrastructure necessary for 5G and other advanced wireless services.”

The parties have conducted numerous mediation sessions over the past two years, ultimately arriving at a comprehensive agreement setting forth the conditions pursuant to which 5G equipment may be installed on City-owned utility poles. The Agreement between the parties requires the carriers to inform the City in advance of the locations at which in intends to install apparatus; sets time frames for the cities to respond to applications by the carriers to place equipment on utility poles; and sets fees which the carriers will be obligated to pay to the

municipalities for placement of apparatus on City property. Additionally, the City shall issue aesthetic requirements concerning the location, appearance and size of 5G equipment and construction requirements to ensure the safe installation and maintenance of poles and equipment.

Please submit the Agreement to the Board of Representatives for its approval with a request that this matter be referred to the Land Use Committee.

Due to the length and complexity of the Agreement, I have prepared the attached summary, which we ask that you forward to the Board along with the Agreement.

Thank you for your consideration.

Encl.

C: Tom Cassone, Director of Legal Affairs
Ralph Blessing, Land Use Bureau Chief
Lou Casolo, City Engineer