



**AQUARION**  
Water Company

*Stewards of the Environment™*

**Elizabeth L. Camerino-Schultz**  
Director - Real Estate

203.336.7632 phone  
203.336.5639 fax

lschultz@aquarionwater.com

September 13, 2017



Ira W. Bloom, Esquire  
Berchem Moses, PC  
75 Broad Street  
Milford, CT 06460

**Re: Aquarion Water Company ("Aquarion") Water Tank at Waveny Park, New Canaan**

Dear Attorney Bloom:

I am writing in response to your letter dated September 5, 2017. Aquarion has been in discussions with the First Selectman, Rob Mallozzi, over the past year regarding the cell antennas on Aquarion's water tank and our desire not to renew the antenna leases once they expire. It was my understanding, based on conversations with Mr. Mallozzi, that the town wanted to construct a communications tower on town property and move the carriers over to the new tower. Aquarion verbally agreed with Mr. Mallozzi that we would allow the carriers to stay on the water tank for an additional year after the expiration of the leases while the Town completed construction of its communications tower. We will work with the town to help ensure there is no loss in service during this transition period.

With regard to the Telecommunications Facility Development and Easement Agreement dated September 15, 1998, between the Town and BHC Company, predecessor to Aquarion, there are four tower leases which are expiring between September and November 2018. These leases are not terminating; rather, they are expiring, and Aquarion has opted not to renew its leases with AT&T, Sprint, T-Mobile, and Verizon once they expire. Since there is no termination of these four leases, Aquarion does not need to seek any approvals from the town.

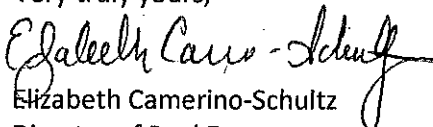
There is, however, one additional lease with Clearwire that Aquarion will need to terminate since it will not be expiring in 2018. Please accept this as Aquarion's formal, written request for the town's approval to terminate the aforementioned lease by November 2018. Under Paragraph 5(ii) of the Telecommunications Facility Development and Easement Agreement, Aquarion is allowed to "terminate any tower lease with or without cause." While Aquarion may be required to seek approval from the town to terminate its leases, the town's approval may not be "unreasonably withheld."

Ira Bloom, Esquire  
September 13, 2017  
Page Two

As stated above, Aquarion has agreed to allow the cell carriers to remain on the tank for one additional year after the expiration of the leases while the tower is being constructed. I look forward to the receipt of the Town's formal approval of the termination of the Clearwire lease.

If you have any questions or should you wish to discuss this matter further, please feel free to contact me.

Very truly yours,

  
Elizabeth Camerino-Schultz  
Director of Real Estate

ECS

Cc: Robert Mallozzi, First Selectman ✓