

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION OF HOMELAND TOWERS, LLC AND
NEW CINGULAR WIRELESS PCS, LLC d/b/a AT&T
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR THE
CONSTRUCTION, MAINTENANCE, AND
OPERATION OF A TELECOMMUNICATIONS
FACILITY AT ONE OF TWO SITES IN THE
TOWN OF KENT, CONNECTICUT

DOCKET NO. 488

July 16, 2020

MOTION FOR A PROTECTIVE ORDER RELATED TO DISCLOSURE
OF THE PHASE I ENVIRONMENTAL SITE ASSESSMENT
FOR PROPERTY LOCATED ON BALD HILL ROAD IN KENT, CONNECTICUT

In accordance with the Council's May 26, 2020 ruling denying the Bald Hill Road Neighbors' Motion for Site Preservation and to Preclude Spoliation of Evidence on Site A, dated April 27, 2020 ("May 26, 2020 ruling"), and pursuant to Connecticut General Statutes ("C.G.S.") § 1-210(b), the Applicant, Homeland Towers, LLC, respectfully moves for a protective order related to the disclosure of the Phase I Environmental Site Assessment ("Phase I") for property located on Bald Hill Road in Kent, Connecticut (Site A in this proceeding). The Siting Council's evaluation of the Applicant's Proposed Facility at Site A should not be based on the evaluation of portions of the property not impacted by the Proposed Facility that do not relate to the criteria set forth in C.G.S. § 16-50p. It is respectfully submitted that the information contained in the Phase 1 that is relevant to the area that would be impacted by construction of the Proposed Facility is included in Attachment 7 of the Application, and therefore, the complete Phase I should be excluded from any public disclosure.

In furtherance of this motion, the full Phase 1 Environmental Site Assessment, conducted by All-Points Technology Corporation, P.C., dated May 9, 2019, has been provided in the included sealed envelope and marked "Confidential: Disclosure of the Contents is Bound by Protective Order Issued by the Siting Council" with a password protected electronic copy provided under separate cover in response to the Council's May 26, 2020 ruling.



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CERTIFICATE OF SERVICE

I hereby certify that on this day the foregoing was sent electronically to the Connecticut Siting Council and to the service list below with one hard copy sent as noted above to the Connecticut Siting Council via first class mail in accordance with Connecticut Siting Council directives:

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July 16, 2020



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