



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

October 5, 2020

Anthony F. DiPentima, Esq.
Michael D. Rybak, Esq.
Guion, Stevens and Rybak, LLP
93 West Street, P.O. Box 338
Litchfield, CT 06759
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RE: DOCKET NO. 488 – Homeland Towers, LLC and New Cingular Wireless PCS, LLC d/b/a AT&T application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at one of two sites: Kent Tax Assessor ID #M10, Block 22, Lot 38 Bald Hill Road or 93 Richards Road, Kent, Connecticut.

Dear Attorneys DiPentima and Rybak:

The Connecticut Siting Council (Council) is in receipt of the Motion for Advice and Procedural Clarification submitted by the Bald Hill Road Neighbors (BHRN), dated October 5, 2020. Specifically, BHRN requests advice as to how to submit its Proposed Findings of Fact (FOF) and Post Hearing Brief under the August 27, 2020 executed Non-Disclosure Agreement.

Under Paragraph 6 of the July 23, 2020 Protective Order for the Phase I Environmental Site Assessment for Site A (Protective Order), if the information is to be used in any document, including, but not limited to, Proposed FOF and Post Hearing Brief, all references to the confidential information subject to the Protective Order shall be either:

- a. In a separate document, prominently labeled “Proprietary Information,”; or
- b. Solely by title or exhibit reference.

BHRN may submit its Proposed FOF and Post Hearing Brief as follows:

1. electronically submit a separate, password-protected Proposed FOF and a separate, password-protected Post Hearing Brief that reference the confidential information subject to the Protective Order under the subject line of the electronic correspondence, “Docket 488 Proprietary Information,” along with companion Findings of Fact and Post Hearing Brief that do not reference the confidential information subject to the Protective Order consistent with (a) above (for example, submit two separate Proposed FOFs and two separate Post Hearing Briefs - one that references the confidential information and one that does not);
2. electronically submit a password-protected, unredacted Proposed FOF that reference the confidential information subject to the Protective Order under the subject line, “Docket

- 488 Proprietary Information,” and a redacted version of the Proposed FOF, and submit a password-protected, unredacted Post Hearing Brief that references the confidential information subject to the Protective Order under the subject line, “Docket 488 Proprietary Information,” and a redacted version of the Post Hearing Brief consistent with (a) above (for example, submit both a redacted and an unredacted version of one Proposed FOF and Post Hearing Brief); or
3. electronically submit an unredacted Proposed FOF and Post Hearing Brief that reference confidential information subject to the Protective Order by title or exhibit reference consistent with (b) above.

Should you have any further questions, please feel free to contact me.

Thank you.

Sincerely,

s/Melanie A. Bachman

Melanie A. Bachman
Executive Director

MAB/laf

cc: Council Members
Service List dated September 18, 2020