

**PULLMAN & COMLEY, LLC**  
ATTORNEYS AT LAW

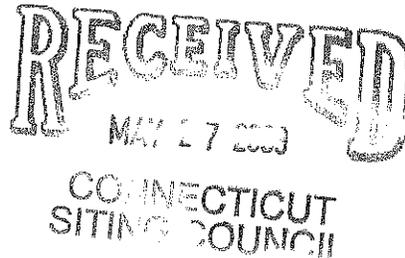
CARRIE L. LARSON  
90 State House Square  
Hartford, CT 06103-3702  
p (860) 424-4312  
f (860) 424-4370

www.pullcom.com

May 27, 2009

**VIA FACSIMILE (860-827-2950) AND ELECTRONIC MAIL**

S. Derek Phelps, Executive Director  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT. 06051



**Re: Docket 378 – Warren, CT**

Dear Mr. Phelps:

Applicant SBA Towers II, LLC (“SBA”) writes to follow up on its request to postpone the June 2<sup>nd</sup> hearing date in the above captioned docket.

As explained in its request, SBA seeks a postponement of matters in this docket, including the June 2<sup>nd</sup> hearing date, in order to investigate the viability of a proposed alternate site located in the vicinity of the two sites proposed in this docket. SBA submitted this request in an effort to save the Council, as well as all parties and intervenors time and resources in this docket.

As the Council is aware, it is SBA’s practice to always review possible alternate sites raised by the Council, other parties and intervenors or from citizens residing in the area at any time during the approval process in an effort to ensure that all possibilities are fully vetted. In this case, SBA did not become aware of this potential alternative site until Celco Partnership d/b/a Verizon Wireless submitted information on May 14, 2009. Given the opposition voiced thus far by several parties in this proceeding, SBA believes that it would be remiss to not fully explore the possibility of this, or any, alternate site and present such information to the Council.

SBA is in receipt of objections raised by several parties to this proceeding regarding this request. While SBA appreciates the scheduling issues raised, SBA believes that the importance of reviewing all possible alternatives in order to propose the best site to fill the needs established with the least amount of potential environmental impact to this area far outweigh any minor scheduling inconveniences.

In addition, while the Washington Conservation Commission raises scheduling concerns regarding two of its potential witnesses as its basis for objection, SBA notes that Mr. McNeely, referenced in this objection, has not been disclosed as a witness. All parties were previously required to disclose their witnesses prior to the May 21, 2009 opening of the hearing in this docket. In addition, no documents or testimony have been pre-filed on behalf of Mr. McNeely or

**PULLMAN & COMLEY, LLC**  
ATTORNEYS AT LAW

Page 2

Ms. Corrigan. The pre-filing deadline for the Washington Conservation Commission had previously been extended, by their request, until yesterday, May 26, 2009. Therefore, since Mr. McNeely was not disclosed and no testimony was pre-filed on behalf of either of the witnesses within the deadlines provided, it is questionable whether either witness would be permitted to testify at all.

SBA is fully prepared to move forward with the continued hearing date on June 2<sup>nd</sup>. However, as discussed above, SBA believes that it is in the best interests of the Council and all involved to permit SBA the opportunity to investigate this potential alternate site and postpone the June 2<sup>nd</sup> hearing date to permit such investigation.

Respectfully Submitted,



Carrie L. Larson

cc: Service List