

**From:** Bachman, Melanie <[Melanie.Bachman@ct.gov](mailto:Melanie.Bachman@ct.gov)>  
**Sent:** Thursday, September 14, 2023 8:13 AM  
**To:** Timothy M. Herbst <[therbst@mzslaw.com](mailto:therbst@mzslaw.com)>; CSC-DL Siting Council <[Siting.Council@ct.gov](mailto:Siting.Council@ct.gov)>  
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**Subject:** RE: Motion for Continuance

Good morning, Tim.

When the Council acknowledged the Town's day of the continued evidentiary hearing request for party status and for an additional evidentiary hearing at least 45 days out, which were granted, it was accompanied by the Siting Council's Information Guide for Party and Intervenor Status.

In the Guide, it states under **Service List and Service Requirements**, "documents filed with the Council must contain **one original, 15 copies and an electronic version** for scanning to the website via e-mail or disk." Since the request for status and additional evidentiary hearing request were submitted at the 11<sup>th</sup> hour on August 29, the day of the first continued evidentiary hearing session, we made copies for distribution to the members of the Siting Council as a courtesy. Please mail an original and 15 copies of your new motion for continuance to the Siting Council's office so that it is date-stamped received by our office assistant in accordance with the service requirements that apply equally to all parties and intervenors.

Please be advised that this application was submitted in compliance with the statutory notice requirements **6 months ago** on March 17, 2023 and it is not unconstitutional for the Siting Council to balance its statutory time constraints against parties' desires for more time to present their objections to a proposal. However, given the number of parties and intervenors in the matter, there will be another continued evidentiary hearing session scheduled beyond October 17, 2023 on a date to be determined by the Siting Council. Please also be advised that the final deadline for a decision on this matter is March 17, 2024 and no statutory provisions allow for any extension of the final deadline. This is not the only jurisdictional matter pending before the Siting Council at this time.

Once the hard copies of your motion are received, we will issue a memo requesting comments from the service list for Docket 516 and place your motion on the next regular meeting agenda scheduled for 9/28/23 unless it is either not received in hard copy in accordance with the service requirements or it is withdrawn.

Should you have any questions about filing requirements and statutory deadlines, please feel free to contact me at your convenience.

Thank you.

Melanie A. Bachman, Esq.  
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**From:** Timothy M. Herbst <[therbst@mzslaw.com](mailto:therbst@mzslaw.com)>  
**Sent:** Wednesday, September 13, 2023 4:04 PM  
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**Subject:** Motion for Continuance

Melanie,

Attached hereto is the Town of Fairfield's motion for continuance. I am transmitting the foregoing electronically to all counsel of record and we will also be sending them the attached filing via U.S. mail. Please call me if you have any questions.

Sincerely,

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**Timothy M. Herbst, Esq.**  
Attorney At Law



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