

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE: :
 :
APPLICATION OF CELLCO PARTNERSHIP : Docket No. 356
D/B/A VERIZON WIRELESS FOR A :
CERTIFICATE OF ENVIRONMENTAL :
COMPATIBILITY AND PUBLIC NEED FOR :
THE CONSTRUCTION, MAINTENANCE :
AND OPERATION OF A WIRELESS :
TELECOMMUNICATIONS FACILITY AT :
199 TOWN FARM ROAD, FARMINGTON, :
CONNECTICUT : OCTOBER 28, 2008

OBJECTION TO PUBLIC HEARING

The intervenor, Susan Edelson, objects to the hearing in the above-entitled matter which is scheduled for November 6, 2008, in that the Council does not have authority to hold said public hearing pursuant to § 16-50m of the Connecticut General Statutes as made and provided. C.G.S. § 16-50m provides in regard to a telecommunications tower (§ 16-50i(6)) that the hearing shall take place not less than 30 days after receipt of an application or more than 150 days after such receipt. The instant application was filed February 1, 2008, and more than 150 days has elapsed, which deprives the Council of the authority to hold said public hearing.

To the extent that the Council relies on § 16-50p(2)(C) to hold said hearing, same deals with the time in which the Council is to render a decision,

and does not obviate the need for the public hearing to take place in accordance with § 16-50m.

While the undersigned will participate in the hearing that is scheduled for November 6, 2008, such participation is without prejudice to the ability of the intervenor to subsequently challenge the authority of the Council to proceed with said public hearing for the reasons aforesaid.

INTERVENOR,
SUSAN EDELSON

By _____

Richard P. Weinstein, Esquire
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CERTIFICATION

This is to certify that on the 28th day of October, 2008, a copy of the foregoing was served upon:

Joey Lee Miranda, Esquire
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103

Richard P. Weinstein