CUDDY& FEDER

445 Hamilton Avenue, 14th Floor White Plains, New York 10601 Tel 914.761.1300 Fax 914.761.5372 www.cuddyfeder.com

CONNECTICUT

SITING COUNCIL

October 16, 2008

BY FACSIMILE

Hon. Daniel F. Caruso, Chairman and Members of the Connecticut Siting Council 10 Franklin Square New Britain, ĈT 06051

Docket No. 366 Re:

Dear Chairman Caruso and Members of the Council:

We are in receipt of the City of Danbury's request that the upcoming October 28th continued public hearing be adjourned for another 30 days and that both the merits of this docket and Optasite's motion for a protective order be held over. We have had an opportunity to discuss this with Optasite. Our client has no objection to the motion for a protective order being decided at a later date, but it respectfully requests that the continued hearing move forward on the 28th. As the Council will recall, this matter was last heard in early September after which a supplemental schedule was published by the Council staff. Our clients conformed to that procedural schedule in making its recent filings. We believe that 2 weeks as provided for in the Council's schedule is more than enough time for the City to review the substantive materials filed and be prepared to resume cross-examination of our clients' witnesses on the 28th. Thank you for your consideration in this regard.

Very truly yours

Christopher B. Eisher

Derek Phelps, CSC Executive Director cc:

Charles Regulbuto, Optasite Hans Fiedler, T-Mobile Lucia Chiocchio, Esq.

Service List