



ORIGINAL

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FEB 23 2009

CONNECTICUT
SITING COUNCIL

February 24, 2009

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

Transmitted via e-mail and overnight mail

Re: Docket No. 366 - Request for Expedited Hearing / Extension of Time for Briefing

Dear Chairman Caruso and Members of the Council:

The City of Danbury hereby requests an Expedited Hearing and Extension of Time for Briefing on the *Applicant's Response to the City's Post Hearing Filing of the "Comi Solution"*. The reason for this request is that while the directive/suggestion from the Siting Council to the parties was for a technically crafted alternate site(s) solution (which the City of Danbury has clearly provided, with maps etc.), the written response of the Applicant is almost solely argumentative, disparaging and non technical. Due to this type of a response (which shows no technical or data driven materials), the City is unable to incorporate this important element of its defense into its presentations or its brief, and has no ability to discuss and argue the **merits** of the alternative site solution.. This is a vital component for which the Council should be open to a full opportunity to hear argument, technical data and testimony, such that it may fully incorporate this information into its record. Without providing this opportunity, the Council has technical reviews from one side only.

As a result of the foregoing request, the City also requests an extension of time on its brief, for a reasonable time after the requested hearing is held by the Council, such that the issue may be incorporated therein.

We would not expect such a hearing to last for more than approximately two (2) hours.

Thank you for your consideration of this important request.

Respectfully,

Laszlo L. Pinter
Deputy Corporation Counsel

cc: Hon. Mark D. Boughton, Mayor
Derek Phelps, CSC Executive Director (via email and regular 1st class U.S. mail)
Robert L. Marconi, Assistant Attorney General (via email and regular 1st class U.S. mail)
Attorney Melanie Bachman, CSC Staff Attorney (via email and regular 1st class U.S. mail)
Robert J. Yamin, Corporation Counsel
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