

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

RECEIVED
OCT 21 2008

CONNECTICUT
SITING COUNCIL

IN RE:

APPLICATION OF OPTASITE TOWERS LLC
AND OMNIPOINT COMMUNICATIONS, INC.
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE CONSTRUCTION, MAINTENANCE AND
OPERATION OF A TELECOMMUNICATIONS
FACILITY AT 52 STADLEY ROUGH ROAD,
DANBURY, CONNECTICUT

DOCKET NO. 366

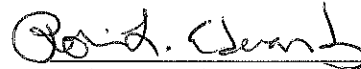
October 20, 2008

Objection to Administrative Notice of Docket Number 315

The City of Danbury hereby objects to the applicant's motion for the Siting Council to take administrative notice of the findings of fact contained in Docket Number 315. The findings of fact from Docket Number 315, dated September 28, 2006, pertain to an application filed by Optasite, Inc and New Cingular Wireless PCS, LLC for a certificate of environmental compatibility and public need for the construction, maintenance and operation of a telecommunications facility located at 29 Bogus Hill Road in New Fairfield. The City of Danbury respectfully submits that the findings of fact and the ultimate use of a facility are immaterial and unrelated to the present application, as the site currently under consideration does not hand off to the facility located at Bogus Hill. The site that is currently under consideration and the Bogus Hill facility are not interconnected in any way.

Wherefore, the City of Danbury respectfully requests that its objection be sustained and that the Siting Council decline to take administrative notice of the findings of fact from Docket Number 315.

The City of Danbury



Robin L. Edwards
Assistant Corporation Counsel
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810
(203) 797-4518

ORDER

The foregoing Objection having been heard, it is hereby **ORDERED:**

SUSTAINED / OVERRULED

By:

Daniel F. Caruso, Chairman

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was delivered to the Connecticut Siting Council by Federal Express mail with an electronic copy sent via email, and one (1) original copy was served on the Applicant's legal counsel by Federal Express with an electronic copy sent via email, as follows:

Christopher Fisher, Esq.
Lucia Chiochio, Esq.
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601
lchiochio@cuddyfeder.com
cfisher@cuddyfeder.com

Dated: October 20, 2008

City of Danbury



Robin L. Edwards
Assistant Corporation Counsel
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810
(203) 797-4518