

RECEIVED  
OCT 21 2008

STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL  
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 Admission of Applicant's Exhibit 5**

The City of Danbury objects to the admission of the coverage thresholds plot labeled, "Wireless Edge Peck Road Proposed Facility 2 150' AGL" unless the applicant agrees to withdraw the coverage thresholds plot labeled "Correctional Facility Site 175 AGL" because the plot incorrectly represents the site of the proposed facility as being on the grounds of the Correctional Facility when the proposed site is located on Peck Road. The applicant acknowledges this fact in footnote 3 at page 14, of Applicant's Exhibit 5: Responses to City of Danbury's Interrogatories, therefore, the mislabeled plot should be withdrawn from the record.

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, 14<sup>th</sup> Floor  
White Plains, NY 10601  
[lchiochio@cuddyfeder.com](mailto:lchiochio@cuddyfeder.com)  
[cfisher@cuddyfeder.com](mailto: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