



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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Daniel F. Caruso  
Chairman

December 12, 2008

TO: Parties & Intervenors

FROM: Daniel F. Caruso, Chairman

RE: **DOCKET NO. 366** - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 52 Stadley Rough Road, Danbury, Connecticut.

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The Connecticut Siting Council (Council) announces that the concluding portion of the evidentiary hearing for this application will commence at 10:00 a.m. on Monday, January 26, 2009, at the CCSU Institute of Technology and Business Development (ITBD), 185 Main Street, 3<sup>rd</sup> Floor, Room 313000, New Britain, Connecticut.

In connection with this announced hearing date, a conference call was held on Thursday, December 11, 2008, with the Applicant and the Party in this proceeding (City of Danbury), to discuss procedural matters. That conference elicited consensus agreement on certain items as described below:

- The City of Danbury indicated its desire to submit an additional round of interrogatories to the Applicant. The Applicant indicated its acceptance to such additional interrogatories provided that they are limited in scope and quantity.
- The Applicant asked for assurances that any additional cross-examination of its panel by the City will be concluded in such a fashion as to allow sufficient time in the balance of the day to permit the Applicant to cross-examine the City's case. To that end, the City agreed to conclude its cross-examination once the hearing recesses for the lunch break, which will likely occur between 12:30 and 1:00 PM.

The Council also notes that the Applicant and the City of Danbury were asked to submit specific items as supplemental filings. The Council requested that the applicant provide a summary analyzing the viability of the alternative sites identified thus far in the proceeding either as a stand alone site or as part of a two-site solution. The alternatives would include the two sites identified at the last hearing in the aerial photographs supplied by David Martin.

The Council also requested that the City identify any properties it either had control of or knew to be available as possible alternative locations. The Council made clear that it did not want properties suggested without regard to their actual viability or availability.

Finally, the Council wishes to make clear that the date by which all items (interrogatory briefs, supplemental filings) should be submitted to the Council, is Tuesday, January 20, 2009. Accordingly, the City of Danbury is reminded that it should serve any interrogatory questions, as discussed above, on the Applicants on a schedule that will provide adequate time for the Applicants to prepare responses and submit those materials in order meet this pre-filing schedule.

Thank you for your attention to these matters as well as your anticipated cooperation.



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