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February 6, 2009

S. Derek Phelps
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: **Docket No. 372 –Cellco Partnership d/b/a Verizon Wireless – Milford
Cell Site, Milford, Connecticut**

Dear Mr. Phelps:

I am writing with regard to the recently filed Request for Party Status of Henry and Nancy Rotman of 44 Gibson Road in Milford, Connecticut. I have reviewed Mr. Rotman's request. While Mr. Rotman raises several important issues that the Applicant will be prepared to address at the Council's March 5, 2009 hearing, I do not believe that Mr. and Mrs. Rotman can satisfy the statutory criteria for "party" status and we therefore object to this request. We do not object, however, if the Council were to grant Mr. and Mrs. Rotman intervenor status.

The Connecticut General Statutes and Regulations of Connecticut State Agencies are very specific with respect to those seeking party status. Parties to Siting Council proceedings include the Applicant, those entitled to receive a copy of the application under Section 16-50l of the General Statutes, any domestic or qualified non-profit corporation or association and such person as the Council may deem appropriate.

If the requesting party does not satisfy any of the above criteria, the request for party status can only be considered pursuant to Conn. Gen. Stat. § 4-177a and R.C.S.A. § 16-50j-14. Applications for party status in a contested case must state "facts that demonstrate that the petitioner's legal rights, duties or privileges shall be specifically affected by the agencies decision in the contested case." The petition of seeking party status must also "describe the manner in which the petitioner claims to be substantially or specifically affected by the proceeding."



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Mr. and Mrs. Rotman while interested in the proposal for various reasons described in their petition, are not abutting landowners, and do not identify any specific legal rights or interests affected by the docket. The request for party status, therefore, should be denied. Cellco Partnership does not, however, object to Mr. and Mrs. Rotman participating in this proceeding as intervenors.

I respectfully request that the Applicant's concerns be taken into consideration at such time that the Council considers Mr. and Mrs. Rotman's request for party status.

Thank you very much.

Sincerely,



Kenneth C. Baldwin

KCB/kmd

Copy to:

Henry and Nancy Rotman

