

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

RECEIVED
APR 29 2009

In Re:

APPLICATION OF SBA TOWERS II, LLC ("SBA") FOR A
CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY
AND PUBLIC NEED FOR THE CONSTRUCTION,
MAINTENANCE AND OPERATION OF A
TELECOMMUNICATIONS FACILITY AT ONE OF TWO
ALTERNATE SITES AT RABBIT HILL ROAD IN
WARREN, CONNECTICUT

CONNECTICUT
SITING COUNCIL

DOCKET: 378

April 28, 2009

MOTION TO ADMIT COUNSEL PRO HAC VICE

Concerned Residents of Warren and Washington [CROWW] by their undersigned attorney respectfully move the Connecticut Siting Council to admit *pro hac vice* Attorney Whitney North Seymour, Jr.

Whitney North Seymour, Jr. is an attorney admitted to practice before the bars of the state of New York, and the United States Supreme Court; the Second Circuit Court of Appeals; District of Columbia Bar and DC Circuit Court of Appeals; the Southern District of New York; the Eastern District of New York, and has previously been admitted to practice before the United States District Court for the District of Connecticut on a *pro hac vice* basis (Federal Bar No. ct22482) as well as before the Connecticut Supreme Court.

Whitney North Seymour, Jr. is a member in good standing of the bars in every jurisdiction where he has been admitted to practice and there are no disciplinary proceedings pending against him. He has never been denied admission or disciplined by this Council or any other court. Mr. Seymour has fully reviewed and is familiar with the

statutes and regulations of this Council. He has assisted in Siting Council proceedings Petition 763 and Docket 360.

Mr. Seymour has extensive experience in environmental law. In the 1960s Attorney Seymour worked with the Scenic Hudson Preservation Conference in connection with their court challenge against consolidated Edison Company over the proposed pump storage plant at Storm King Mountain on the Hudson River, resulting in the leading Second Circuit opinion on administrative agency responsibilities to protect the public interest reported in Scenic Hudson Preservation Conference v. Federal Power Commission, 354 Fed.2d 608 (2nd Cir. 1965), cert denied 384 U.S. 941 (1966).

In 1969, Seymour was one of the three co-founders of the Natural Resources Defense Council and later served on its board of directors after completing his service as United States Attorney. Today NRDC is the largest and most effective environmental protection organization in the world, currently with some 75 staff members working on different aspects of global warming.

As United States Attorney, Seymour initiated the use of both civil and criminal sanctions to prosecute polluters such sites as: the Marathon Battery factory near Constitution Island in the Hudson River (subsequently one of the first Super Fund sites) and the Cirillo Brothers' oil company leak into the East River in New York City.

At the time of the creation of the United States Environmental Protection Agency (EPA), Seymour served as Chairman of its Legal Advisory Committee which developed the original EPA regulations governing chemical pollutants and other environmental hazards.

While a member of the New York legislature, Attorney Seymour sponsored the first bottle deposit bill in the United States, subsequently enacted in a number of states, and still in operation today. Later, he and the undersigned developed and obtained passage of the first state legislation prohibiting the commercial sale of wild-caught birds.

Mr. Seymour's office address and telephone number are as follows:

425 Lexington Avenue, Room 1721
New York, NY 10017
Telephone: (212) 455-7640
Facsimile: (212) 455-2502
Email: wseymour@stblaw.com

WHEREFORE, the undersigned hereby moves that Whitney North Seymour, Jr. be admitted to practice before this Council on Docket 378 *pro hac vice*.

Respectfully submitted,



Gabriel North Seymour
Attorney for Party CROWW
Juris No. 424367
200 Route 126
Falls Village, CT 06031
certiorari@earthlink.net
(860)824-1411

April 28, 2009

CERTIFICATE OF SERVICE

I hereby certify that on this day, an original and fifteen copies of the foregoing Motion to Admit Counsel Pro Hac Vice was served on the Connecticut Siting Council by first class mail and copy of same was sent postage prepaid to:

Carrie L. Larson, Esq., Pullman & Comley, LLC
90 State House Square, Hartford, CT 06103-3702

Christopher B. Fisher, Esq., Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor, White Plains, NY 10601

Kenneth Baldwin, Esq., Robinson & Cole LLP
280 Trumbull Street, Hartford, CT 06103-3597

Hon. Mark E. Lyon, First Selectman, Bryan Memorial Town Hall
P.O. Box 383, Washington Depot, CT 06794

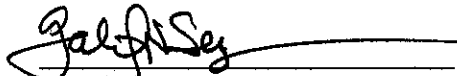
Hon. Jack Travers, First Selectman
Warren Town Hall, 7 Sackett Hill Road, Warren, CT 06754

Ray and Mary Ellen Furse, 26 Jack Corner Road
Warren, CT 06777

Hon. F. Philip Prelli, Commissioner, Department of Agriculture
165 Capitol Avenue, Hartford, CT 06106

Susan Payne, Chairperson, Conservation Commission
Town of Washington, Bryan Memorial Town Hall
P. O. Box 383, Washington Depot, CT 06794

Diane Dupuis, Chair, Cell Tower Committee
Conservation Commission, Bryan Town Hall
P. O. Box 383, Washington Depot, CT 06794-0383


Gabriel N. Seymour
Attorney for CROWW

Dated: April 28, 2009