

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

RE: APPLICATION BY T-MOBILE
NORTHEAST, LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED
FOR A TELECOMMUNICATIONS FACILITY
AT 387 SHORE ROAD IN THE TOWN
OF OLD LYME, CONNECTICUT

DOCKET NO. 392

Date: February 26, 2010

**OBJECTION TO REQUEST FOR POSTPONEMENT OF
EVIDENTIARY HEARING BY MARY STALEY**

The applicant, T-Mobile Northeast, LLC, a subsidiary of T-Mobile USA, Inc. d.b.a. T-Mobile ("T-Mobile"), respectfully submits this Objection to the Request for Postponement of Evidentiary Hearing, filed by Mary Staley ("Staley"). In support of this Objection, T-Mobile states as follows:

1. On or about October 15, 2009, T-Mobile filed with the Connecticut Siting Council ("Council") an Application for a Certificate of Environmental Compatibility and Public Need for a telecommunications facility at 387 Shore Road, Old Lyme, Connecticut ("Application").

2. After T-Mobile and the Council provided due notice to the public and abutting property owners, the Council set a hearing date of February 4, 2010, for the Application as well as the applications filed by T-Mobile in Docket Numbers 391 and 393, pertaining to proposed telecommunications facilities at 232 Shore Road and 61-1 Buttonball Road, Old Lyme, Connecticut, respectively.

3. On or about January 27, 2010, Staley filed with the Council a request for party status as to Docket Number 392.

4. On February 4, 2010, the Council granted Staley party status as to Docket Number 392.

5. On February 4, 2010, the Council continued the hearing regarding Docket Numbers 392 and 393 to March 2, 2010.

6. On or about February 22, 2010, Staley filed a request to postpone the hearing on Docket Number 393 or, in the alternative, to have Dr. David Tuck testify on her behalf.

7. T-Mobile objects to Staley's request for postponement of the evidentiary hearing. T-Mobile would be prejudiced by a postponement of this matter and T-Mobile would incur unnecessary costs to require all participants and witnesses to attend an additional hearing day. Staley's request also poses an unnecessary demand on the Council's schedule.

8. The Applicant also objects to the admission of Staley's pre-filed testimony if Staley is unavailable for cross examination. T-Mobile notes, however, that the information contained in Staley's pre-filed testimony is nearly identical to the statements made by Staley in her request for party-status, which is already a part of the record.

9. T-Mobile does not object to the questions Staley has provided as her examination of T-Mobile, and will provide responses to those questions on March 2, 2010.

WHEREFORE, T-Mobile respectfully objects to Staley's Request for Postponement of Evidentiary Hearing and requests that the Council proceed with the hearing on Docket Number 392 (as well as Docket Number 393) on March 2, 2010.

Respectfully Submitted,

By:

A handwritten signature in blue ink, appearing to be 'J. D. Kohler', is written over a horizontal line.

Attorneys for the Applicant, T-Mobile
Northeast, LLC

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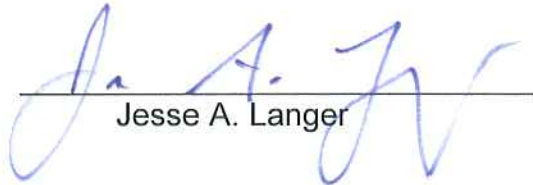
Fax (203) 394-9901

CERTIFICATE OF SERVICE

I hereby certify that on this day a copy of the foregoing was delivered by Electronic Mail and regular mail, postage prepaid, to all parties and intervenors of record, as follows:

The Honorable Timothy C. Griswold
First Selectman
Town of Old Lyme
Town Office Building
52 Lyme Street
Old Lyme, CT 06371
(Via Email: selectmansoffice@oldlyme-ct.gov)

Mary Staley
5805 Ogden Road
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Jesse A. Langer