

**STATE OF CONNECTICUT
SITING COUNCIL**

RE: APPLICATION BY T-MOBILE
NORTHEAST LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED
FOR A TELECOMMUNICATIONS FACILITY
AT 61-1 BUTTONBALL ROAD IN THE
TOWN OF OLD LYME, CONNECTICUT

DOCKET NO. 393

Date: April 1, 2010

**T-MOBILE'S OBJECTION TO BLACK HALL GOLF CLUB
INC.'S REQUEST FOR ADMINISTRATIVE NOTICE**

Pursuant to § 16-50j-26 of the Regulations of Connecticut State Agencies and applicable law, the Applicant, T-Mobile Northeast LLC ("T-Mobile"), respectfully submits this Objection to Request for Administrative Notice ("Request") filed by Black Hall Club, INC ("Black Hall"). T-Mobile objects to Request numbers one through five and does not object to Request number six.

1. T-Mobile objects to Request number one because it is a subjective article that does not include established or generally recognizable technical and/or scientific facts as required by § 16-50j-28 (e). It is based upon academic leaps from conclusions made about electrical transmissions lines. This article requires substantiation by an established expert, subject to cross-examination by T-Mobile, in accordance with the rules of evidence. Additionally, this article is irrelevant in that it does not address the Connecticut marketplace and/or the property in question.

2. T-Mobile objects to Request number two because it is a subjective article that does not include established or generally recognizable technical and/or scientific facts as required by § 16-50j-28 (e). The article analyzes the impact of

telecommunications facilities on Australian real property values. This article requires substantiation by an established expert, subject to cross-examination by T-Mobile, in accordance with the rules of evidence. Additionally, this article is irrelevant in that it does not address the Connecticut (or the United States) marketplace and/or the property in question.

3. T-Mobile objects to Request numbers three through five because they are various court decisions rendered in various jurisdictions, other than Connecticut, and are not previous decisions or rulings by the Council in accordance with § 16-50j-28 (e). Regardless, case law is better left for legal argument and briefing.

WHEREFORE, T-Mobile respectfully requests that the Council deny Black Hall's Request as it relates to items one through five.

Respectfully Submitted,

T-MOBILE NORTHEAST LLC

By:



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CERTIFICATION

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
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