

PULLMAN & COMLEY, LLC
ATTORNEYS AT LAW

CARRIE L. LARSON
90 State House Square
Hartford, CT 06103-3702
p (860) 424-4312
f (860) 424-4370
clarson@pullcom.com
www.pullcom.com

December 14, 2009

VIA FEDERAL EXPRESS

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

RECEIVED
DEC 15 2009

**CONNECTICUT
SITING COUNCIL**

Re: Docket 396, 49 Brainerd Road, (Niantic) East Lyme, CT

Dear Mr. Phelps:

On behalf of the applicant, SBA Towers II, LLC, please find enclosed the following:

- 1) The original and 20 copies of a motion for protective order and motion to file under seal;
- 2) Four copies of SBA's unredacted lease, filed under seal;
- 3) The original and 20 copies of the affidavits of publication from The Day newspaper.

Please let me know if you have any questions.

Respectfully submitted,



Carrie L. Larson

cc: Kenneth Baldwin, Esq.

Hartford/72517.66/CLARSON/405481v1

PUBLISHER'S CERTIFICATE

State of Connecticut
County of New London, ss. New London

Personally appeared before the undersigned, a Notary Public within and for said County and State, Melanie Foley, Legal Advising Clerk, of The Day Publishing Company Classifieds dept, a newspaper published at New London, County of New London, state of Connecticut who being duly sworn, states on oath, that the Order of Notice in the case of

8824 NOTICE Notice is hereby given, pursuant to Section 1

A true copy of which is hereunto annexed, was published in said newspaper in its issue(s) of

11/18/2009

Cust: PULLMAN & COMLEY LLC
Ad #: d00226940

Melanie Foley
Subscribed and sworn to before me
This Wednesday, November 18, 2009

Maryellen Jolinsky
Notary Public
My commission expires 5/31/14

RECEIVED
DEC 15 2009
CONNECTICUT SITING COUNCIL

NOTICE

8824

Notice is hereby given, pursuant to Section 16-501(b) of the Connecticut General Statutes and Section 16-501-1(e) of the Regulations of Connecticut State Agencies of an application to be submitted to the Connecticut Siting Council ("Siting Council") on November 23, 2009 or thereafter by SBA Towers II LLC (the "Applicant"). The Applicant will request a certificate of environmental compatibility and public need from the Siting Council for the construction, maintenance and operation of a telecommunications facility in Niantic (East Lyme), Connecticut. The Applicant is proposing to construct a new monopole tower located at 49 Brainerd Road, East Lyme, Connecticut. The property is owned by Christopher Samuelsen (the "Property"). The Applicant proposes to construct a new 170' self-supporting monopole tower, antennas, associated equipment and other site improvements integral to a wireless communications facility. The location, height and other features of the proposed facility are subject to review and potential change under provisions of the Connecticut General Statutes 16-50g et. seq.

The proposed facility would provide personal wireless communication service in the Town of East Lyme and particularly along State Highway 156, the Amtrak corridor and in adjacent areas, which do not have adequate service. The Application will explain the need, purpose and benefits of the facility and will also describe the environmental impacts of the proposed facility.

Weather permitting, a balloon representative of the proposed height will be flown on the day of the Siting Council public hearing on the Application, which will take place in the Town of East Lyme. The balloon will be flown from approximately 9 a.m. to 4 p.m. Notice of the public hearing date will be provided by the Siting Council.

Interested parties and residents of the Town of East Lyme are invited to review the Application during normal business hours at any of the following offices:

Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Town of East Lyme
Office of the Town Clerk
East Lyme Town Hall
108 Pennsylvania Avenue
Niantic (East Lyme), CT 06357

or the offices of the undersigned. All inquiries should be addressed to the Connecticut Siting Council or to the undersigned.

Carrie L. Larson
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702
Attorneys for the Applicant

PUBLISHER'S CERTIFICATE

State of Connecticut
County of New London, ss. New London

Personally appeared before the undersigned, a Notary Public within and for said County and State, Melanie Foley, Legal Advertising Clerk, of The Day Publishing Company Classifieds dept, a newspaper published at New London, County of New London, state of Connecticut who being duly sworn, states on oath, that the Order of Notice in the case of

8824 NOTICE Notice is hereby given, pursuant to Section 1

A true copy of which is hereunto annexed, was published in said newspaper in its issue(s) of

11/20/2009

Cust: PULLMAN & COMLEY LLC
Ad #: d00226940

RECEIVED
DEC 15 2009
CONNECTICUT
SITING COUNCIL

Melanie Foley
Subscribed and sworn to before me
This Friday, November 20, 2009

Maryellen Jolinsky
Notary Public
My commission expires 5/31/14

8824
NOTICE

Notice is hereby given, pursuant to Section 16-501(b) of the Connecticut General Statutes and Section 16-501-1(c) of the Regulations of Connecticut State Agencies of an application to be submitted to the Connecticut Siting Council ("Siting Council") on November 23, 2009 or thereafter by SBA Towers II LLC (the "Applicant"). The Applicant will request a certificate of environmental compatibility and public need from the Siting Council for the construction, maintenance and operation of a telecommunications facility in Niantic (East Lyme), Connecticut. The Applicant is proposing to construct a new monopole tower located at 49 Brainerd Road, East Lyme, Connecticut. The property is owned by Christopher Samuelsen (the "Property"). The Applicant proposes to construct a new 170' self-supporting monopole tower, antennas, associated equipment and other site improvements integral to a wireless communications facility. The location, height and other features of the proposed facility are subject to review and potential change under provisions of the Connecticut General Statutes § 16-50g et. seq.

The proposed facility would provide personal wireless communication service in the Town of East Lyme and particularly along State Highway 156, the Amtrak corridor and in adjacent areas, which do not have adequate service. The Application will explain the need, purpose and benefits of the facility and will also describe the environmental impacts of the proposed facility.

Weather permitting, a balloon representative of the proposed height will be flown on the day of the Siting Council public hearing on the Application, which will take place in the Town of East Lyme. The balloon will be flown from approximately 9 a.m. to 4 p.m. Notice of the public hearing date will be provided by the Siting Council.

Interested parties and residents of the Town of East Lyme are invited to review the Application during normal business hours at any of the following offices:

Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Town of East Lyme
Office of the Town Clerk
East Lyme Town Hall
108 Pennsylvania Avenue
Niantic (East Lyme), CT 06357

or the offices of the undersigned. All inquiries should be addressed to the Connecticut Siting Council or to the undersigned.

Carrie L. Larson
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702
Attorneys for the Applicant