

CONNECTICUT SITING COUNCIL

APPLICATION OF CELLCO PARTNERSHIP)
d/b/a VERIZON WIRELESS TO THE) DOCKET NO. 448
CONNECTICUT SITING COUNCIL FOR A)
CERTIFICATE OF ENVIRONMENTAL)
COMPATIBILITY AND PUBLIC NEED)
FOR THE CONSTRUCTION MAINTENANCE)
AND OPERATION OF A TELE-)
COMMUNICATIONS FACILITY LOCATED)
AT ORANGE TAX ASSESSOR MAP 77,) AUGUST 5, 2014
BLOCK 3, LOT 1, 831 DERBY MILFORD)
ROAD, ORANGE, CT)

SECOND MOTION FOR CONTINUANCE

The intervenors, ALBERT SUBBLOIE, JACQUELINE BARBARA, GLENN MACINNES, and JILL MACINNES (collectively, the “Intervenors”), hereby respectfully move for a continuance to September 16, 2014 (or sometime thereafter) of the August 12, 2014 evidentiary hearing presently scheduled on the subject application filed by the applicant, CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS (“Cellco”), on grounds that the same is reasonably necessary in order for the Intervenors to have a meaningful opportunity to prepare for the same consistent with their due process rights in the event that Cellco’s motion for an extension of time to respond to the Intervenor’s Interrogatories and Requests for Production (the “Discovery”) is granted by this Honorable Council.

In support hereof, the Intervenors represent:

1. The evidentiary hearing on Cellco’s subject application is presently scheduled to commence on August 12, 2014.

2. The Intervenors previously moved this Council for a continuance of the August 12th evidentiary hearing until September 16th and the Council sustained Cellco's objection to the same.
3. On July 29, 2014, the Intervenors caused Cellco to be served with the Discovery.
4. On July 30, 2014, the Council issued a revised schedule, which requires responses by Cellco to the Discovery by no later than August 5, 2014.
5. The Intervenors's counsel requires Cellco's responses to and compliance with the Discovery in advance of the evidentiary hearing in order to prepare for the same and to be reasonably able to examine Cellco's evidence and/or cross-examine Cellco's witnesses.
6. Furthermore, the Intervenors' undersigned attorney will be away on a long-ago planned for family vacation from August 8th through his return on August 12, 2014, and previously so informed both this Honorable Council and Cellco's legal counsel.
7. On August 4, 2014, however, Cellco filed a motion to extend the date by which it must otherwise respond to the Discovery until and including Friday, August 8, 2014, a date by which the Intervenors' counsel will be away on vacation.
8. Any continuance of the Discovery's due date, therefore, will wholly impair the Intervenors' right to participate in the evidentiary hearing, meaningfully examine Cellco's witnesses, and challenge Cellco's application.

9. Accordingly, simultaneously herewith, the Intervenor's have filed an objection to Cellco's motion for an extension of time.

10. As an alternative remedy to the Intervenor's objection and/or only in the event that the Council is willing to grant Cellco's motion for an extension of time, the Intervenor's renew their prior motion for a continuance and again respectfully move this Honorable Council to consider continuing the evidentiary hearing until September 16, 2014 (or sometime thereafter mutually convenient to all parties).

WHEREFORE, the Intervenor's respectfully move for a continuance of the evidentiary hearing until September 16, 2014 (or sometime thereafter mutually convenient to all parties).

Respectfully submitted,

THE INTERVENORS

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THEIR ATTORNEYS

CERTIFICATE OF SERVICE

This is to certify that on the above date a true copy of the foregoing has been sent by U.S.

Mail, first-class, postage pre-paid, to the following parties of record:

Melanie Bachman, Esq., Executive Director, Connecticut Siting Council, 10 Franklin Sq., New Britain, CT 06051 (1 original, 15 copies, plus 1 electronic)

Cellco Partnership d/b/a Verizon Wireless, Kenneth Baldwin, Esq.; Robinson & Cole, 280 Trumbull Street, Hartford, CT 06103


Mario F. Coppola, Esq.