



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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VIA ELECTRONIC MAIL

August 5, 2014

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

RE: **DOCKET NO. 448** – Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at Orange Tax Assessor Map 77, Block 3, Lot 1, 831 Derby Milford Road, Orange, Connecticut.

Dear Attorney Baldwin:

The Connecticut Siting Council (Council) is in receipt of your Request for an Extension of Time to Respond to Interrogatories for the above-referenced proceeding dated August 4, 2014. The Council is also in receipt of an Objection to Applicant's Request for an Extension of Time to Respond to Interrogatories, dated August 5, 2014 from Intervenors Subbloie, et al. (Intervenors) Additionally, Intervenors submitted a Second Motion for Continuance, dated August 5, 2014.

During the public hearing held on July 17, 2014, the Council announced that the evidentiary hearing for the above-referenced proceeding would be continued at the Council's offices in New Britain on August 12, 2014 at 1 PM. On July 18, 2014, the Council issued an Evidentiary Hearing Continuation memo that announced the revised schedule for the proceeding and required additional interrogatories to be submitted to the applicant and other parties and intervenors on or before July 29, 2014. The revised schedule also required responses to interrogatories to be submitted on or before August 5, 2014. The revised schedule was attached to the July 18, 2014 memo from the Council.

Thereafter, on July 21, 2014, Intervenors submitted a Motion for Continuance to postpone the continued evidentiary hearing scheduled for August 12, 2014 and the Applicant submitted an Objection to Intervenors' Motion for Continuance, dated July 25, 2014. During a special meeting held on July 29, 2014, the Council denied the Intervenors' Motion for Continuance in part as it related to postponement of the August 12, 2014 continued evidentiary hearing and granted the Motion for Continuance in part as it relates to limiting the scope of the August 12, 2014 hearing to continued cross examination of the applicant and to schedule an additional evidentiary hearing date for September 16, 2014.

With regard to the Intervenors' August 5, 2014 Objection to the Applicant's Request for an Extension of Time to Respond to Interrogatories, Intervenors cite to deprivation of a meaningful opportunity to prepare for the evidentiary hearing scheduled for August 12, 2014 on the basis that Intervenors' counsel will be away on vacation from August 8, 2014 through August 12, 2014.¹ In

¹ It should be noted that another attorney, Mark Kovack, Esq. from Berchem, Moses and Devlin, P.C., the law firm representing the Intervenors, has been copied on matters and motions submitted in this docket proceeding.

their Objection to the Applicant's Request for an Extension of Time, Intervenor's also erroneously indicate that the Council's revised schedule was not issued until July 30, 2014.² As indicated above, the revised schedule was issued on July 18, 2014 with the Council's memo announcing the admittance of the Intervenor's and the continued evidentiary hearing date. A copy of the Council's July 18, 2014 memo is attached hereto for convenience.

On this date and within the deadline for responses to interrogatories, the Applicant submitted responses to the Council's second set of interrogatories, the Council's requests for additional information from the July 17, 2014 public hearing and **submitted responses to 66 of Intervenor's 75 interrogatory questions**. Therefore, the Applicant is actually requesting an extension of time to respond to the remaining 9 interrogatory questions on or before August 8, 2014. This is a reasonable request.

Please be advised that the Intervenor's will not be foreclosed from conducting additional cross examination of the Applicant during the continued evidentiary hearing scheduled for September 16, 2014 nor from issuing additional interrogatories to the Applicant within the established deadline of September 2, 2014, a date that was also included in the Council's July 18, 2014 revised schedule.

The Council hereby grants the Applicant's Request for an Extension of Time to Respond to Intervenor's Interrogatories to the close of business on August 8, 2014. In the event that the responses to the remaining interrogatories are completed prior to that date, submission of the responses as soon as is practicable via electronic mail to the service list for this docket would be greatly appreciated.

Thank you for your cooperation in this important matter.

Yours very truly,



Melanie Bachman
Acting Executive Director

MB/RDM/cm

c: Parties and Intervenor's

² It should be noted that the Applicant, in its August 4, 2014 Motion for an Extension of Time to Respond to Interrogatories, also erroneously refers to the issuance of the revised schedule on July 30, 2014.



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VIA ELECTRONIC MAIL

July 18, 2014

TO: Parties & Intervenors

FROM: Melanie Bachman, Executive Director *MAB*

RE: **DOCKET NO. 448** – Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at Orange Tax Assessor Map 77, Block 3, Lot 1, 831 Derby Milford Road, Orange, Connecticut.

During a public hearing of the Connecticut Siting Council (Council) held on July 17, 2014, the Council ruled on the following motion:

Request for Intervenor Status under C.G.S. § 16-50n, 4-177a, and 22a-19, for Albert Subbloie, Jacqueline Barbara, Glenn MacInnes, and Jill MacInnes.

The request was granted by the Council.

The Council shall continue the evidentiary hearing for the above-referenced proceeding on Tuesday, August 12, 2014, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut, beginning at 1:00 p.m.

The hearing shall commence with the continued cross examination of the applicant by the Council and the intervenors and thereafter with the appearance of the intervenors for cross-examination by the Council and the applicant.

To save the time and expense of the parties, intervenors and the public, and to conclude this proceeding in a timely fashion, the Council requests that all parties and intervenors submit additional interrogatories to the applicant and other parties and intervenors on or before July 29, 2014. Interrogatory responses and pre-filed testimony, as well as any supplemental information requested from the applicant during the July 17, 2014 public hearing should be submitted to the Council on or before August 5, 2014. Any request for an extension of time to submit pre-filed testimony and responses to interrogatories shall be submitted to the Council in writing pursuant to §16-50j-22a of the Regulation of Connecticut State Agencies.

The Council has developed a revised schedule for this proceeding. A copy is attached for your convenience.

If you have any questions about Council procedures, please do not hesitate to contact me at the Council office at 860-827-2935.

Thank you.

MAB/RDM/cm