

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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March 9, 2009

The Honorable Mark E. Lyon
First Selectman
Town of Washington
Bryan Memorial Town Hall
Washington Depot, CT 06794-0383

RE: **DOCKET NO. 378** – SBA Towers II, LLC application for a Certificate of Environmental Compatibility and Public need for the construction, maintenance and operation of a telecommunications facility located on one of two sites at Rabbit Hill Road, Warren, Connecticut.

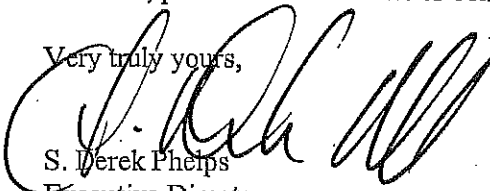
The Connecticut Siting Council (Council) is in receipt of a letter dated February 27, 2009, signed by you and Diane Dupuis, Chair, Cell Tower Committee, with regard to the above-referenced proceeding. This application was also received by our office on February 27, 2009, and involves two alternative sites, identified as Site A and Site B, on a 106-acre parcel of property owned by Lewis and Truda Tanner, on Rabbit Hill Road in Warren.

Your letter indicates that the Town of Washington considers (presumably) Site B to be a new application because it was not contained in its initial submittal to the municipality for the purposes of municipal consultation. You request, therefore, that the Council grant an additional 60-day municipal consultation period, pursuant to Connecticut General Statutes §16-50l(e), to facilitate review of Site B.

To the extent that the Town of Washington seeks legal relief from the Council with respect to the question of whether a new application must be filed, and a new municipal consultation must be initiated for the second proposed cell tower location, this relief may only be provided, if indeed allowable by law, through formal action by the Council. To facilitate this action I wish to confirm whether you, and/or Ms. Dupuis, will represent the town in this proceeding in your official capacities, without retaining counsel, or if an attorney of record will be named on behalf of the Town of Washington.

I look forward to your response at your earliest convenience. If you have any questions or concerns, please do not hesitate to contact me. Thank you.

Very truly yours,


S. Derek Phelps
Executive Director

SDP/mab/laf

c: Diane Dupuis
Parties and Intervenors

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> U.S. Mail	SBA Towers II, LLC	Carrie L. Larson, Esq. Pullman & Comley, LLC 90 State House Square Hartford, CT 06103-3702 (860) 424-4312 (860) 424-4370 fax clarson@pullcom.com
	<input type="checkbox"/> E-mail or <input type="checkbox"/> U.S. Mail		
	<input type="checkbox"/> E-mail or <input type="checkbox"/> U.S. Mail		
	<input type="checkbox"/> E-mail or <input type="checkbox"/> U.S. Mail		