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June 10, 2009

Daniel F. Caruso, Chairman
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

RE: *Application of SBA Towers II, LLC, Siting Council Docket No. 378*

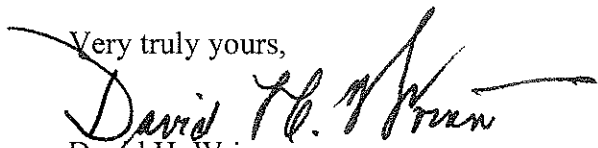
Dear Mr. Caruso:

I write in response to notification by the applicant, SBA Towers II, LLC ("SBA"), on June 8, 2009, that it was withdrawing its application in the above-referenced docket.

As you are aware, at its June 2, 2009 hearing, the Council reiterated its previous order of May 28, 2009 that additional briefing was requested on the subject matter jurisdictional issues raised by the State of Connecticut Department of Agriculture ("DOAg") on May 14, 2009. The deadline for the filing of responsive materials was June 11, 2009.

The DOAg had begun preparing supplemental briefing in support of its original motion; however, in light of SBA's June 8, 2009 withdrawal, and in light of additional filings by other parties to the proceeding which request consideration from the Council, the DOAg regards further briefing of the jurisdictional issue to be likely superfluous. Nevertheless, in order to protect the record and my client's legal position, I am herewith filing a motion to suspend the June 11, 2009 briefing pending further word from the Council respecting how these proceedings are to be concluded.

Very truly yours,


David H. Wrinn
Assistant Attorney General

DHW: mt

Service List

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

RE: APPLICATION OF SBA TOWERS II, LLC	}	DOCKET NO. 378
FOR A CERTIFICATE OF ENVIRONMENTAL	}	
COMPATIBILITY AND PUBLIC NEED FOR	}	
THE CONSTRUCTION, MAINTENANCE AND	}	
OPERATION OF A TELECOMMUNICATIONS	}	
FACILITY AT ONE OF TWO ALTERNATE	}	
SITES AT RABBIT HILL ROAD, WARREN	}	
CONNECTICUT	}	JUNE 10, 2009

MOTION FOR SUSPENSION OF BRIEFING SCHEDULE

The State of Connecticut Department of Agriculture (“DOAg”), party to the above-captioned proceedings, hereby moves the Connecticut Siting Council (“CSC”) for a suspension of the June 11, 2009 deadline for the receipt of supplemental briefing on the DOAg’s motion to dismiss dated May 14, 2009. As explained in a letter of even date herewith, the DOAg has received a correspondence from the applicant notifying the CSC of its withdrawal of docket No. 378. Other parties to this proceeding have, however, filed papers with the CSC and, accordingly, in some respect the docket remains open in default of any response at this time by the CSC to these parties or respecting SBA’s June 8 notification of withdrawal.

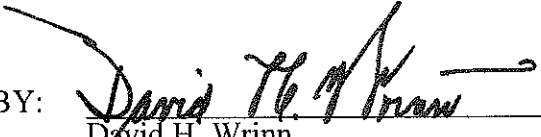
Therefore, the DOAg respectfully requests that the June 11, 2009 briefing schedule be suspended.

Dated at Hartford, Connecticut, this 10th day of June, 2009.

F. PHILIP PRELLI, COMMISSIONER
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DEPARTMENT OF AGRICULTURE

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was e-mailed this 10th day of June, 2009 to
the following:

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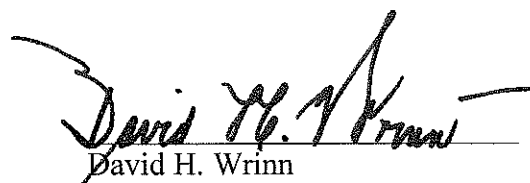
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