

**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 Date: April 27, 2009**

**MOTION FOR PROTECTIVE ORDER AND
MOTION TO FILE UNDER SEAL**

The applicant, SBA Towers II, LLC ("SBA") respectfully moves for a protective order in connection with the filing of its unredacted lease and moves for permission to file its unredacted lease under seal. In support of these motions, SBA represents as follows:

1. Conn. Gen. Stat. § 16-50o (c) requires SBA to submit, to the record, "the full text of the terms of an agreement, and a statement of any consideration therefor . . . entered into by the applicant . . . in connection with the construction or operation of the facility.

This provision shall not require the public disclosure of proprietary information or trade secrets."

2. Pursuant to Conn. Gen. Stat. § 16-50o (c), SBA submitted a redacted copy of its ground lease dated September 11, 2005 on or about April 23, 2009 as part of SBA's bulk filing in this docket. The information redacted from the lease consists of: 1) the social security numbers of the landlords, Lewis and Truda Tanner and 2) the specific rental amounts contained in the lease. The redactions occur on pages 1 and 2 of the lease only.

3. Pursuant to Conn. Gen. Stat. § 16-50o (c), the specific rental amounts paid pursuant to the lease is proprietary information to SBA and considered a trade secret. In addition, SBA does not believe that the social security numbers of the landlords are relevant

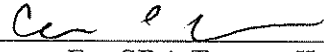
to the lease and believes that such information should also be considered proprietary and confidential.

4. In Docket 366, the Council has ruled that an applicant is required to disclose specific rental amounts, subject to a protective order.

5. In furtherance of the Council's ruling in Docket 366, SBA files unredacted copies of pages 1 and 2 of its lease under seal. Four unredacted copies of pages 1 and 2 of the lease are being filed with this motion under seal.

6. SBA moves for permission to file such information under seal and moves that the Council impose a protective order on this information because it is proprietary and confidential, as permitted by Pursuant to Conn. Gen. Stat. § 16-50o (c).

Respectfully Submitted,

By: 
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Certification

This is to certify that a copy of the foregoing has been mailed this date to all parties and intervenors of record.

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