

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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CONNECTICUT
SITING COUNCIL

IN RE: :
: :
APPLICATION OF CELLCO PARTNERSHIP : DOCKET NO. 389
D/B/A VERIZON WIRELESS AND MESSAGE :
CENTER MANAGEMENT, INC. FOR A :
CERTIFICATE OF ENVIRONMENTAL :
COMPATIBILITY AND PUBLIC NEED FOR :
THE CONSTRUCTION, MAINTENANCE :
AND OPERATION OF A WIRELESS :
TELECOMMUNICATIONS FACILITY IN :
SOUTH GLASTONBURY, CONNECTICUT : DECEMBER 14, 2009

MOTION FOR PROTECTIVE ORDER

Cellco Partnership d/b/a Verizon Wireless (“Cellco”) and Message Center Management, Inc. (“MCM”) respectfully request that the Connecticut Siting Council (“Council”) issue a Protective Order pursuant to Connecticut General Statutes section 1-210(b)(5), with respect to certain terms of the Land Lease Agreement, dated May 18, 2009, between Howard M. Schwager and Cellco (the “Site 1 Agreement”) and the Purchase and Sale Agreement, dated June 20, 2008, between Joseph L. A. Robert and Homer Scoville and MCM (the “Site 2 Agreement”) submitted to the Council in connection with the above-referenced proceeding.

Connecticut General Statutes section 16-50o provides, in relevant part:

The applicant shall submit into the record the full text of the terms of any agreement . . . entered into by the applicant . . . in connection with the construction or operation of the facility. This provision shall *not* require the disclosure of proprietary information or trade secrets.

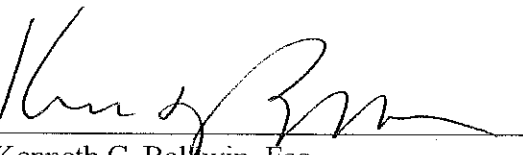
Conn. Gen. Stat. § 16-50o(c) (emphasis added). Pursuant to this requirement, Cellco submitted redacted copies of the Site 1 Agreement and the Site 2 Agreement to the Council in the Docket No. 389 Application. *See* Application, Tabs 16 and 17. The redacted provisions relate to

financial terms and other confidential information contained in each agreement (“Confidential Information”). Cellco and MCM are willing to submit unredacted copies of the Site 1 Agreement and Site 2 Agreement to the Council subject to the issuance of a Protective Order that would limit disclosure of the Confidential Information to the Council and its staff.

As reflected in the attached Affidavit of Alexandria M. Carter, Regulatory Manager for Cellco and Maria A. Scotti, Director of MCM, the information for which Cellco and MCM seek protected treatment is commercially valuable, confidential and proprietary, market-sensitive information that constitutes trade secrets within the meaning of Connecticut General Statutes §1-210(b)(5), and which Cellco and MCM have heretofore used its best efforts to maintain as secret in order to avoid the harm that would result if the information were to become publicly available. The Council has historically granted protected treatment of similar filings.

WHEREFORE, Cellco and MCM respectfully request that the Council grant the request for protected treatment consistent with the attached Protective Order for the Site 1 Agreement and the Site 2 Agreement, which would limit disclosure of the Confidential Information to the Council and its staff.

Respectfully submitted,
CELLCO PARTNERSHIP d/b/a VERIZON
WIRELESS AND MESSAGE CENTER
MANAGEMENT, INC.

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

AFFIDAVIT

STATE OF CONNECTICUT)
) ss. EAST HARTFORD
COUNTY OF HARTFORD)

ALEXANDRIA M. CARTER, being duly sworn, deposes and states that:

1. I am over the age of eighteen and understand the obligation of making a statement under oath.
2. I am a Regulatory Manager with Cellco Partnership d/b/a Verizon Wireless ("Cellco").
3. I am familiar with the terms of the Land Lease Agreement, dated May 18, 2009, between Howard M. Schwager and Cellco for the Huntington Facility ("Site 1 Agreement").
4. A redacted copy of the Site 1 Agreement was submitted to the Council as a part of the Docket No. 389 application.
5. The redacted provisions relate to the amount of the rent to be paid by Cellco during the term of the Site 1 Agreement and any extension thereof ("Confidential Information").
6. The Confidential Information is commercially valuable, confidential, proprietary and market-sensitive information that constitutes trade secrets.
7. Cellco has heretofore used its best efforts to maintain the Confidential Information as secret in order to avoid the harm that would result if the information were to become publicly available.

Alexandria M. Carter
Alexandria M. Carter
Regulatory Manager
Cellco Partnership d/b/a Verizon Wireless

Subscribed and sworn to before me
this 14 day of December, 2009

[Signature]
Commissioner of Superior Court
Notary Public
My Commission Expires: _____

AFFIDAVIT

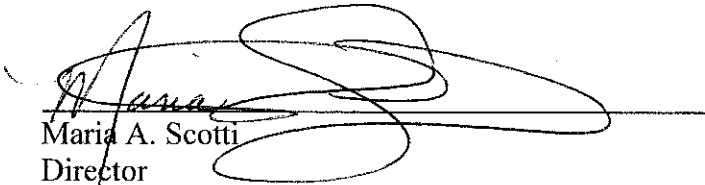
STATE OF CONNECTICUT

)
) ss. Hartford
)

COUNTY OF HARTFORD

MARIA A. SCOTTI, being duly sworn, deposes and states that:

1. I am over the age of eighteen and understand the obligation of making a statement under oath.
2. I am the Director of Message Center Management, Inc. ("MCM").
3. I am familiar with the terms of the Purchase and Sale Agreement, dated June 20, 2008, between Joseph L. A. Robert and Homer Scoville and MCM (the "Site 2 Agreement").
4. A redacted copy of the Site 2 Agreement was submitted to the Council as a part of the Docket No. 389 application.
5. The redacted provisions relate to the purchase price to be paid by MCM and other sensitive financial information through the Site 2 Agreement ("Confidential Information").
6. The Confidential Information is commercially valuable, confidential, proprietary and market-sensitive information that constitutes trade secrets.
7. MCM has heretofore used its best efforts to maintain the Confidential Information as secret in order to avoid the harm that would result if the information were to become publicly available.


 Maria A. Scotti
 Director
 Message Center Management, Inc.

Subscribed and sworn to before me
this 9th day of December, 2009

Clare J. Wight
 Notary Public Clare J. Wight
 My Commission Expires: August 31, 2013