

CONNECTICUT SITING COUNCIL

APPLICATION OF CELLCO PARTNERSHIP)	
d/b/a VERIZON WIRELESS TO THE)	DOCKET NO. 448
CONNECTICUT SITING COUNCIL FOR A)	
CERTIFICATE OF ENVIRONMENTAL)	
COMPATIBILITY AND PUBLIC NEED)	
FOR THE CONSTRUCTION MAINTENANCE)	
AND OPERATION OF A TELE-)	
COMMUNICATIONS FACILITY LOCATED)	
AT ORANGE TAX ASSESSOR MAP 77,)	AUGUST 5, 2014
BLOCK 3, LOT 1, 831 DERBY MILFORD)	
ROAD, ORANGE, CT)	

OBJECTION TO MOTION FOR CONTINUANCE

The intervenors, ALBERT SUBBLOIE, JACQUELINE BARBARA, GLENN MACINNES, and JILL MACINNES (collectively, the “Intervenors”), hereby respectfully object to the August 4, 2014 Motion for Extension of Time to Respond to the Intervenors’ Pre-Hearing Interrogatories and Requests for Production filed by the applicant, CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS (“Cellco”), on grounds that the granting of the same will deprive the Intervenors from having any meaningful opportunity to prepare for the evidentiary hearing presently scheduled on Cellco’s subject application for August 12, 2014 in violation of their due process rights.

In support hereof, the Intervenors represent:

1. On July 30, 2014, the Council issued a revised schedule, which requires responses by Cellco to the Interrogatories and Requests for Production (the “Discovery”) by no later than August 5, 2014.

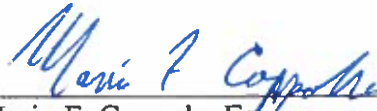
2. The evidentiary hearing on Cellco's subject application is presently scheduled to commence on August 12, 2014.
3. The Intervenor's counsel requires Cellco's responses to and compliance with the Discovery in advance of the hearing in order to prepare for the same and to be reasonably able to examine Cellco's evidence and/or cross-examine Cellco's witnesses.
4. Furthermore, the Intervenor's undersigned attorney will be away on a long-ago planned for family vacation from August 8th through his return on August 12, 2014, and previously so informed both this Honorable Council and Cellco's legal counsel.
5. Any continuance of the Discovery's due date, therefore, will wholly impair the Intervenor's right to participate in the evidentiary hearing, meaningfully examine Cellco's witnesses, and challenge Cellco's application.
6. The Intervenor previously moved this Council for a continuance of the August 12th evidentiary hearing until September 16th and the Council sustained Cellco's objection to the same.¹

WHEREFORE, the Intervenor respectfully object to Cellco's motion for an extension of time to respond to the Discovery.

¹ Simultaneously herewith, the Intervenor are filing a renewed motion for an extension of time of the evidentiary hearing until September 16, 2014, as a possible compromise solution and/or means by which to accommodate Cellco's requested extension of time to respond to the Discovery.

Respectfully submitted,

THE INTERVENORS

BY: 
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THEIR ATTORNEYS


CERTIFICATE OF SERVICE

This is to certify that on the above date a true copy of the foregoing has been sent by U.S.

Mail, first-class, postage pre-paid, to the following parties of record:

Melanie Bachman, Esq., Executive Director, Connecticut Siting Council, 10 Franklin Sq., New Britain, CT 06051 (1 original, 15 copies, plus 1 electronic)

Cellco Partnership d/b/a Verizon Wireless, Kenneth Baldwin, Esq.; Robinson & Cole, 280 Trumbull Street, Hartford, CT 06103


Mario F. Coppola, Esq.