

Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

July 6, 2007

TO: Council Members

FROM: S. Derek Phelps, Executive Director

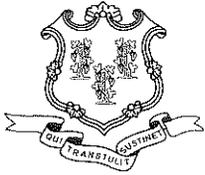
RE: **PETITION NO. 809** - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from the New York state line to Westport, Connecticut.

Enclosed please find a copy of the Council's notice of public hearing.

SDP/laf

Enclosure (1)

c: Secretary of the State
Robert L. Marconi, Assistant Attorney General
Parties and Intervenors
Application Service Recipients
Ginger Teubner, DPUC



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HEARING NOTICE

Pursuant to provisions of General Statutes § 16-50m and Section 16-50j-21 of the Regulations of Connecticut State Agencies, notice is hereby given that the Connecticut Siting Council (Council) will conduct a public hearing on Wednesday, August 8, 2007 beginning at 3:00 p.m., and continued at 7:00 p.m., Westport Town Hall Auditorium, 110 Myrtle Avenue, Westport, Connecticut, and thereafter as necessary. The hearing will be on a petition from Extenet Systems, Inc. for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction over the installation of a Distributed Antenna System serving the Merritt Parkway in the towns of Greenwich, Norwalk, Stamford, New Canaan, and Westport, or alternatively, a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation.

The 3:00 p.m. hearing session will provide the applicant, parties, and intervenors an opportunity to cross-examine positions. The applicant will be allowed a final rebuttal. Briefs will be entertained after the close of the last hearing session. The 7:00 p.m. hearing session will be reserved for the public to make brief statements into the record. Cross-examination of parties and intervenors will resume, if necessary, after all statements have been heard.

The Council will conduct a public field review of a portion of the proposed Distributed Antenna System on Wednesday, August 8, 2007, beginning at 2:00 p.m. Interested parties should meet at the Merritt Parkway Exit 41 Park and Ride Lot at 2:00 p.m. for the field review.

Applicable law for this proceeding includes the Public Utility Environmental Standards Act, General Statutes § 16-50g, et seq., and Sections 16-50j-1 through 16-50v-1a of the Regulations of Connecticut State Agencies.

The Council will hold a pre-hearing conference on procedural matters on Monday, July 23, 2007, beginning at 10:00 a.m. at the Council's office, 10 Franklin Square, New Britain, Connecticut.

The Council directs that all testimony and exhibits be pre-filed with the Council and all parties and intervenors by August 1, 2007. In accordance with the State Solid Waste Management Plan, the Council requests that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators.

Individuals are encouraged to participate through their elected officials, and other party/intervenor groupings.



CONNECTICUT SITING COUNCIL
Affirmative Action / Equal Opportunity Employer

Any person seeking to be named or admitted as a party or intervenor to the proceeding may file a written request to be so designated at the office of the Connecticut Siting Council, 10 Franklin Square, New Britain, Connecticut 06051, on or before August 1, 2007.

Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the hearing.

Any person who is not a party or intervenor to this proceeding may file a written statement with the Council at the hearing or any time up to 30 days thereafter. Such statements will become part of the record. No written statement or any other material, evidence, or other information will be accepted from any person not a party or intervenor to the proceeding after 30 days following the close of the hearing, except as otherwise prescribed by law or the Council.

A verbatim transcript of the hearing session(s) will be made and deposited with the Town/City Clerk's Office of the Greenwich, Stamford, New Canaan, Norwalk and Westport Town/City Halls for the convenience of the public.

Requests for information in alternative formats or for sign-language interpreter services must be submitted in writing by July 27, 2007.

The applicant is represented by the following:

Applicant

Extenet Systems, Inc.

Its Representative

Julie D. Kohler, Esq.
Carrie L. Larson, Esq.
Cohen & Wolf, P.C.
1115 Broad Street
P.O. Box 1821
Bridgeport, CT 06601-1821

A copy of the application is available for review at the Council's office during office hours at 10 Franklin Square, New Britain, Connecticut, (860) 827-2935. The Council has assigned this application petition no. 809.

July 6, 2007

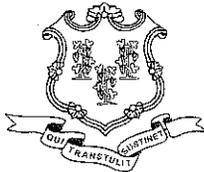
Connecticut Siting Council

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	Extenet Systems, Inc.	Julie D. Kohler, Esq. Carrie L. Larson, Esq. Cohen & Wolf, P.C. 1115 Broad Street P.O. Box 1821 Bridgeport, CT 06601-1821 (203) 337-4157 (203) 394-9901 fax jkohler@cohenandwolf.com clarson@cohenandwolf.com
Intervenor (granted 05/22/07)	Cellco Partnership d/b/a Verizon Wireless	Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 fax kbaldwin@rc.com
Intervenor (granted 05/22/07)	Merritt Parkway Conservancy	Merritt Parkway Conservancy c/o Karen Salerno, Executive Director P.O. Box 17072 Stamford, CT 06907 (203) 661-3255 (no fax) karensalerno@merrittparkway.org
Intervenor (granted 05/22/07)	Omnipoint Communications, Inc. A subsidiary of T-Mobile USA, Inc.	Diane W. Whitney Pullman & Comley, LLC 90 State House Square Hartford, CT 06103-3702 (860) 424-4330 dwhitney@pullcom.com

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Intervenor (granted 05/22/07)	Elizabeth Galt Clifford Berger	Ira W. Bloom, Esq. Wake, See, Dimes, Bryniczka, Day & Bloom 27 Imperial Avenue Westport, CT 06880 (203) 227-9545 (203) 227-2443 fax ibloom@wsdb.com
Intervenor (granted 05/22/07)	New Cingular Wireless PCS, LLC d/b/a AT&T	Christopher B. Fisher, Esq. Cuddy & Feder LLP 445 Hamilton Avenue, 14 th Floor White Plains, NY 10601 (914) 761-1300 (914) 761-6405 fax cfisher@cuddyfeder.com
Intervenor (granted 06/07/07)	National Grid Communications, Inc.	Stephen J. Humes, Esq. McCarter & English, L.L.P. 185 Asylum Street, CityPlace I Hartford, CT 06103 (860) 275-6761 (860) 560-5955 fax shumes@mccarter.com



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Chairman

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July 6, 2007

Ruth Girolomo
Post Reporting Service, Inc.
2015 Dixwell Avenue
Hamden, CT 06514

RE: **PETITION NO. 809** - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from the New York state line to Westport, Connecticut.

Dear Ms. Girolomo:

Your attendance will be required at a hearing of the Connecticut Siting Council (Council) regarding the subject docket on:

Wednesday, August 8, 2007
3-5:00 p.m./7:00 to conclusion
Westport Town Hall Auditorium
110 Myrtle Avenue
Westport, CT 06880

The Council will require delivery of the complete transcript, an original and one copy, within one week of the hearing. I am enclosing a copy of the petition filing and our hearing notice for your convenience. If you have any questions concerning this matter, please call me.

Very truly yours,

Lisa A. Fontaine
Administrative Assistant

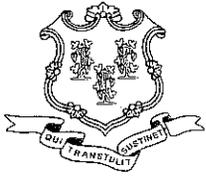
laf

Enclosure (2)



CONNECTICUT SITING COUNCIL

Affirmative Action / Equal Opportunity Employer



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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July 6, 2007

Joseph Reese
Tech Theatrical Services, LLC
98 Knight Street
Watertown, CT 06795

RE: **PETITION NO. 809** - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from the New York state line to Westport, Connecticut.

Dear Mr. Reese:

Your attendance will be required at a hearing of the Connecticut Siting Council regarding the subject docket on:

Wednesday, August 8, 2007
3-5:00 p.m./7:00 to conclusion
Westport Town Hall Auditorium
110 Myrtle Avenue
Westport, CT 06880

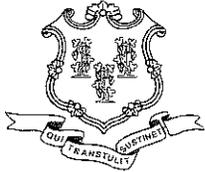
I am enclosing a copy of our hearing notice for your convenience. If you have any questions concerning this matter, please call me.

Very truly yours,

Lisa A. Fontaine
Administrative Assistant

laf

Enclosure



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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Daniel F. Caruso
Chairman

July 6, 2007

TO: Classified/Legal Supervisor
809070808
The Greenwich Time
Southern Connecticut Newspapers
20 East Elm Street
Greenwich, CT 06830

Classified/Legal Supervisor
809070808
The Connecticut Post
410 State Street
Bridgeport, CT 06604-4560

Classified/Legal Supervisor
809070808
Minuteman

Classified/Legal Supervisor
809070808
Brooks Community Newspaper
15 Myrtle Avenue
Westport, CT 06881

FROM: Lisa A. Fontaine, Administrative Assistant

RE: **PETITION NO. 809** - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from the New York state line to Westport, Connecticut.

Classified/Legal Supervisor
809070808
Norwalk Citizen News
542 Westport Avenue
Norwalk, CT 06851

Classified/Legal Supervisor
809070808
The Hour
346 Main Ave., P.O. Box 790
Norwalk, CT 06852-0790

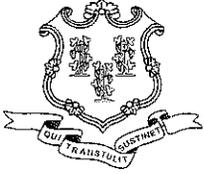
Classified/Legal Supervisor
809070808
The Stamford Advocate

Classified/Legal Supervisor
809070808
The New Canaan Advertiser
42 Vitti St., P.O. Box 605
New Canaan, CT 06840-4888

Please publish the attached legal notice for one day on the first day possible from receipt of this notice, except on Saturday, Sunday, or holiday.

Pursuant to General Statutes § 16-50m(c), the general notice to be public shall be published in its entirety in not less than **TEN POINT BOLDFACE TYPE**. If you have any questions concerning the ten point type, please contact me. If your newspaper does not have ten point type, please so state and also state the size type actually used in the legal notice in your affidavit.

Please send affidavit of publication and invoice to: Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051



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Chairman

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July 6, 2007

TO: Thomas J. Regan, Esq.
Brown Rudnick Berlack Israels LP

FROM: S. Derek Phelps, Executive Director



RE: **PETITION NO. 809** - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from the New York state line to Westport, Connecticut.

The Connecticut Siting Council (Council) has received a petition filing for a proposed Distributed Antenna System along the Merritt Parkway. If you would like to participate in this proceeding, your response by or before August 1, 2007, will be appreciated.

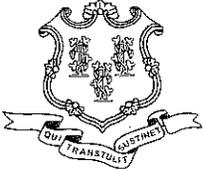
SDP/laf

Enclosure: Hearing Notice

c: Parties & Intervenors
Council Members



CONNECTICUT SITING COUNCIL
Affirmative Action / Equal Opportunity Employer



Daniel F. Caruso
Chairman

July 6, 2007

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051
Phone: (860) 827-2935 Fax: (860) 827-2950
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TO: Commissioner Gina McCarthy
Department of Environmental Protection

Commissioner J. Robert Galvin
Department of Public Health

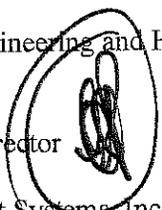
Karl Wagener, Executive Director
Council on Environmental Quality

Commissioner Donald W. Downes, Chairman
Department of Public Utility Control

Robert Genuario, Secretary
Office of Policy and Management

Commissioner Joan McDonald
Department of Economic and Community Development

Arthur W. Gruhn, P.E.
Chief Engineer, Bureau of Engineering and Highway Operations
Department of Transportation

FROM: S. Derek Phelps, Executive Director 

RE: **PETITION NO. 809** - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from the New York state line to Westport, Connecticut.

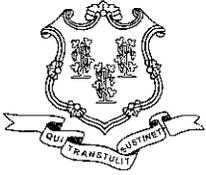
Pursuant to General Statutes § 16-50j(h), the Connecticut Siting Council hereby solicits your written comments and consultation. Your response by or before August 1, 2007, will be appreciated.

A copy of this petition is attached for your review and information.

Enclosure: (Petition Application)

SDP/laf

c: Parties & Intervenors
Council Members



Daniel F. Caruso
Chairman

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Screening Checklist
Connecticut Department of Transportation
Potential Transportation Infrastructure Impacts
Connecticut Siting Council Petition# 809

Location: along Merritt Parkway in the municipalities of Greenwich,
Stamford, New Canaan, Norwalk, and Westport

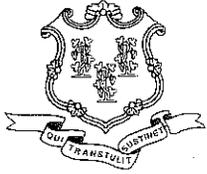
1. Is the proposed facility abutting the right-of-way of a State maintained highway?

Yes – within highway Right-of-Way
2. Is access for construction or maintenance of the proposed facility needed directly from a State maintained highway

Yes – equipment on several state maintained highways/roads
3. Does the proposed construction or maintenance of the proposed facility impact any licensed aviation facility (L.A.F.)? Definition: L.A.F. is a facility licensed to operate by DOT, airport, heliport or parachute coop area.

No
4. Is the proposed facility within or abutting a State owned Railroad Right-of-Way?

No



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July 6, 2007

Gail Cristiano
Administrative Assistant to the First Selectman
Westport Town Hall
110 Myrtle Avenue
Westport, CT 06880

RE: **PETITION NO. 809** - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from the New York state line to Westport, Connecticut.

Dear Ms. Cristiano:

Confirming our telephone conversation, I appreciate the reservation of the Auditorium at the Westport Town Hall for a public hearing on Wednesday, August 8, 2007, from 2:00 p.m. to 10:00 p.m.

For your information, I have attached a general plan for seating arrangements.

If any other information is needed, please contact me at my office. Thank you for your assistance.

Very truly yours,

Lisa A. Fontaine
Administrative Assistant

laf

Enclosure (2)



Daniel F. Caruso
Chairman

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Seating Arrangements:

X X X X X X X X X X X X

Council Table
(seating for twelve)
(x = chairs)

X
X
Table for
Court Reporter
(x = chairs)

Applicant Table
(x = chairs)

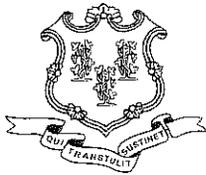
X X X X

Party Table
(seating for three)
(x = chairs)

X X X

Podium for public

SEATING FOR PUBLIC
(chairs facing Council table)



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT
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Internet: ct.gov/csc

July 6, 2007

The Honorable James A. Lash
First Selectman
Town of Greenwich Town Hall
101 Field Point Road, P. O. Box 2540
Greenwich, CT 06836-2540

RE: **PETITION NO. 809** - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from the New York state line to Westport, Connecticut.

Dear First Selectman Lash:

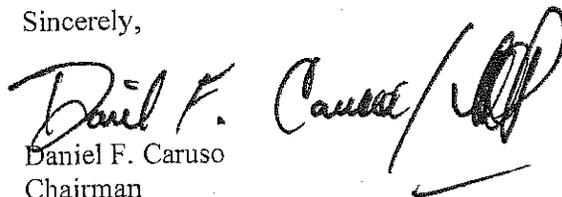
The Connecticut Siting Council (Council) scheduled a public hearing in your neighboring town in connection with the above-referenced proceeding scheduled on Wednesday, August 8, 2007. Although not required by law in a petition for declaratory ruling, because of the nature of this filing the Council has concluded that a public hearing is appropriate. I am writing to invite you to participate in this hearing.

Please be advised that the Council's processes enable municipal governments to engage in meaningful discourse and, if they choose, to even assert a legal role in the proceedings of applications that come before the Council. Your participation at such hearing may take many forms; municipal officials may make opening statements to the Council, present written documents, or may seek Party or Intervenor Status and put on a case with witnesses.

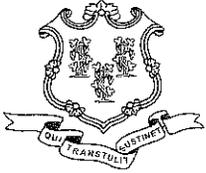
Our staff is available to assist you in understanding our process and your options. If you have questions, please contact Executive Director S. Derek Phelps (860 827-2935). In the event you have legal questions, please contact our Assistant Attorney General Robert Marconi (860 827-2682).

The Council weighs many issues before rendering its decisions. It is important that we know the Town's views as part of that decision making process. We hope you will take part in our hearing process.

Sincerely,


Daniel F. Caruso
Chairman

DFC/SDP/laf



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

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Internet: ct.gov/csc

July 6, 2007

The Honorable Judy A. Neville
First Selectman
New Canaan Town Hall
77 Main Street, P. O. Box 447
New Canaan, CT 06840

RE: **PETITION NO. 809** - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from the New York state line to Westport, Connecticut.

Dear First Selectman Neville:

The Connecticut Siting Council (Council) scheduled a public hearing in your neighboring town in connection with the above-referenced proceeding scheduled on Wednesday, August 8, 2007. Although not required by law in a petition for declaratory ruling, because of the nature of this filing the Council has concluded that a public hearing is appropriate. I am writing to invite you to participate in this hearing.

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The Council weighs many issues before rendering its decisions. It is important that we know the Town's views as part of that decision making process. We hope you will take part in our hearing process.

Sincerely,

Daniel F. Caruso
Chairman

DFC/SDP/laf



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July 6, 2007

The Honorable Richard Moccia
Mayor
Norwalk City Hall
125 East Avenue, P. O. Box 5125
Norwalk, CT 06856-5125

RE: **PETITION NO. 809** - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from the New York state line to Westport, Connecticut.

Dear Mayor Moccia:

The Connecticut Siting Council (Council) scheduled a public hearing in your neighboring town in connection with the above-referenced proceeding scheduled on Wednesday, August 8, 2007. Although not required by law in a petition for declaratory ruling, because of the nature of this filing the Council has concluded that a public hearing is appropriate. I am writing to invite you to participate in this hearing.

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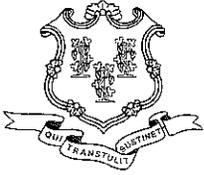
Our staff is available to assist you in understanding our process and your options. If you have questions, please contact Executive Director S. Derek Phelps (860 827-2935). In the event you have legal questions, please contact our Assistant Attorney General Robert Marconi (860 827-2682).

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Sincerely,

Daniel F. Caruso
Chairman

DFC/SDP/laf



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Phone: (860) 827-2935 Fax: (860) 827-2950

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July 6, 2007

The Honorable Dannel P. Malloy, Mayor
Stamford Government Center
888 Washington Boulevard
P. O. Box 10152
Stamford, CT 06904-2152

RE: **PETITION NO. 809** - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from the New York state line to Westport, Connecticut.

Dear Mayor Malloy:

The Connecticut Siting Council (Council) scheduled a public hearing in your neighboring town in connection with the above-referenced proceeding scheduled on Wednesday, August 8, 2007. Although not required by law in a petition for declaratory ruling, because of the nature of this filing the Council has concluded that a public hearing is appropriate. I am writing to invite you to participate in this hearing.

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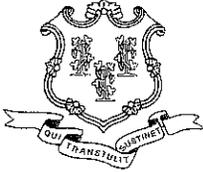
Our staff is available to assist you in understanding our process and your options. If you have questions, please contact Executive Director S. Derek Phelps (860 827-2935). In the event you have legal questions, please contact our Assistant Attorney General Robert Marconi (860 827-2682).

The Council weighs many issues before rendering its decisions. It is important that we know the Town's views as part of that decision making process. We hope you will take part in our hearing process.

Sincerely,

Daniel F. Caruso
Chairman

DFC/SDP/laf



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

Daniel F. Caruso

Chairman

July 6, 2007

The Honorable Gordon F. Joseloff
First Selectman
Westport Town Hall
110 Myrtle Avenue
Westport, CT 06880

RE: **PETITION NO. 809** - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from the New York state line to Westport, Connecticut.

Dear First Selectman Joseloff:

The Connecticut Siting Council (Council) scheduled a public hearing in your town in connection with the above-referenced proceeding scheduled on Wednesday, August 8, 2007. Although not required by law in a petition for declaratory ruling, because of the nature of this filing the Council has concluded that a public hearing is appropriate. I am writing to invite you to participate in this hearing.

Please be advised that the Council's processes enable municipal governments to engage in meaningful discourse and, if they choose, to even assert a legal role in the proceedings of applications that come before the Council. Your participation at such hearing may take many forms; municipal officials may make opening statements to the Council, present written documents, or may seek Party or Intervenor Status and put on a case with witnesses.

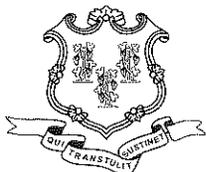
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July 6, 2007

TO: Classified/Legal Supervisor
809070808
The Greenwich Time
Southern Connecticut Newspapers
20 East Elm Street
Greenwich, CT 06830

Classified/Legal Supervisor
809070808
The Connecticut Post
410 State Street
Bridgeport, CT 06604-4560

Classified/Legal Supervisor
809070808
Minuteman

Classified/Legal Supervisor
809070808
Brooks Community Newspaper
15 Myrtle Avenue
Westport, CT 06881

Classified/Legal Supervisor
809070808
Classified/Legal Supervisor
809070808
The Hour
346 Main Ave., P.O. Box 790
Norwalk, CT 06852-0790

Classified/Legal Supervisor
809070808
The Stamford Advocate

Classified/Legal Supervisor
809070808
The New Canaan Advertiser
42 Vitti St., P.O. Box 605
New Canaan, CT 06840-4888

FROM: Lisa A. Fontaine, Administrative Assistant

RE: **PETITION NO. 809** - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from the New York state line to Westport, Connecticut.

Please publish the attached legal notice for one day on the first day possible from receipt of this notice, except on Saturday, Sunday, or holiday.

Pursuant to General Statutes § 16-50m(c), the general notice to be public shall be published in its entirety in not less than **TEN POINT BOLDFACE TYPE**. If you have any questions concerning the ten point type, please contact me. If your newspaper does not have ten point type, please so state and also state the size type actually used in the legal notice in your affidavit.

Please send affidavit of publication and invoice to: Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051