DOCKET NO. HHD-CV-12-6034434-S	:	SUPERIOR COURT
	:	
SOUND VIEW COMMUNITY MEDIA, INC.	:	JUDICIAL DISTRICT
Plaintiff	:	OF HARTFORD
	:	
VS.	:	
	:	
STATE OF CONNECTICUT	:	
PUBLIC UTILITIES	:	
REGULATORY AUTHORITY	:	
Defendants	:	MAY 24, 2013

RESPONSIVE MEMORNADUM OF LAW IN OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

I. INTRODUCTION

The parties have filed cross motions for summary judgment. The Plaintiff, Sound View Community Media, Inc. (Sound View), filed its Motion for Summary Judgment (see Docket entries ## 124-126) simultaneously with the motion for summary judgment filed by Defendant, State of Connecticut Public Utilities Regulatory Authority (PURA) (Docket Entry # 123). PURA now submits this responsive memorandum of law in opposition to Sound View's motion for summary judgment and in support of its motion. The cable television legal background and undisputed facts presented on pages 2-28 of PURA's Memorandum of Law in Support of Motion for Summary Judgment are hereby incorporated by reference into this Memorandum, as is the entirety of that Memorandum.

Plaintiff is currently the cable television community access provider for the Bridgeport area, called Area Two (constituting the municipalities of Bridgeport, Stratford, Fairfield, Milford, Orange and Woodbridge). *See Complaint ¶ 4*. Plaintiff's Complaint alleges that disagree-

ments between it and Milford, Orange and Woodbridge and the Area Two Cable Advisory Council led to the enactment by the General Assembly of P.A. 08-159. *See Complaint*, ¶¶ *9-12*.

As previously presented in PURA's Memorandum of Law in Support of Motion for Summary Judgment, P.A. 08-159 is the culmination of years of dispute over whether cable local governmental and educational channels should carry area-wide programming (the same programming for all municipalities in the cable area), generally the philosophy of Plaintiff Sound View, or whether these channels should be utilized mainly for town-specific programming (so that subscribers will see programming of meetings of their town boards and commissions and the like, not those of other towns in the cable area), the position of those towns who have intervened, as well as the Area Two Cable Advisory Council (Council), whose legal existence is challenged in this litigation.

II. ARGUMENT

Plaintiff Sound View, in its Motion for Summary Judgment, is asking this Court to rule 1) that P.A. 08-159 is unconstitutional; and 2) even if the Act were to be found constitutional, the Act should be interpreted NOT as the co-sponsors intended, but rather in a manner that renders it meaningless. Plaintiff's arguments are without merit and its motion should be denied.

A. STANDARD FOR SUMMARY JUDGMENT

PURA's previously filed Memorandum of Law in Support of Motion for Summary Judgment (Docket entry # 123) sets forth the standard for a motion for summary judgment (pages 28-29) and it is incorporated herein. *See also Zielinski v. Kostsoris*, 279 Conn. 312, 318, 901

A.2d 1207 (2006). Plaintiff and Defendants concur that there are no issues of material fact in dispute and that summary judgment is appropriate.

B. PUBLIC ACT 08-159 IS CONSTITUTIONAL.

Plaintiff's first claim is that P.A. 08-159, codified as Conn. Gen. Stat. §§ 16-331ff and 16-331gg, is unconstitutional. Sound View contends that P.A. 08-159 violates its rights to equal protection under the Fourteenth Amendment to the U.S. Constitution and under Article 1, §§ 1 and 20 of the Connecticut Constitution. PURA's arguments addressing the constitutionality of P.A. 08-159 are presented on pages 29-38 of PURA's Memorandum of Law in Support of Motion for Summary Judgment and are hereby incorporated by reference into this Memorandum. PURA reserves this brief for the new arguments presented by Plaintiff, specifically whether Plaintiffs' claims are evaluated by a rational basis or compelling interest standard. On page 12 of its Memorandum in Support of Plaintiff's Motion for Summary Judgment (Docket entry # 125, hereinafter *Plaintiff's Memorandum*), Plaintiff asserts that the State must meet the compelling state interest test, rather than the rational basis test. Plaintiff states:

> In addition, the State is put to the test of requiring a compelling interest in imposing the legislation because it implicitly involves Sound View's First Amendment rights of freedom of speech as it also frustrates its ability to distribute television programming to several of the cities and towns in the Area Two Franchise.

Plaintiff's Memorandum, page 12.

Plaintiff's argument echoes those rejected by the U.S. Supreme Court in *Turner Broadcasting System, Inc. v. Federal Communications Commission*, 512 U.S. 622, 114 S. Ct. 2455 (1994). There cable television system operators and programmers challenged the constitutional-

ity of the "must-carry" provisions of the Cable Television Consumer Protection and Competition Act of 1992, Pub. L. 102-385 (Cable Act). *Turner, supra*, 512 U.S. at 630. The challenged provisions in §§ 4 and 5 of the Cable Act (codified at 47 U.S.C §§ 534 and 535) require cable operators to carry local broadcast commercial channels and local public broadcast channels. *Id.*, at 512 U.S. at 630-631.[1] The cable television system operators and programmers asserted that the "must carry" sections violated the First Amendment free speech provisions and that it warranted strict scrutiny as a content-based regulation. *Id.*, at 512 U.S. at 635.

The Supreme Court disagreed. The Court held that, "As a general rule, laws that by their terms distinguish favored speech from disfavored speech on the basis of the ideas or views expressed are content based." *Id.*, at 512 U.S. at 643. "By contrast, laws that confer benefits or impose burdens on speech without reference to the ideas or views expressed are in most instances content neutral." *Id*. The Supreme Court ruled:

> Insofar as they pertain to the carriage of full-power broadcasters, the must-carry rules, on their face, impose burdens and confer benefits without reference to the content of speech. Although the provisions interfere with cable operators' editorial discretion by compelling them to offer carriage to a certain minimum number of broadcast stations, the extent of the interference does not depend upon the content of the cable operators' programming. The rules impose obligations upon all operators, save those with fewer than 300 subscribers, regardless of the programs or stations they now offer or have offered in the past. **Nothing in the Act imposes a restriction, penalty, or burden by reason of the views, programs, or stations the cable operator has selected or will select**.

Id., 512 U.S. at 643-644 (note omitted; emphasis added).

[1] In Connecticut, the Cable Act would require cable operators to at least carry local ABC, CBS and NBC stations, local FOX broadcasting stations, and Connecticut Public Broadcasting.

The Supreme Court noted that a purpose of Congress was the preservation of free local broadcast television, whose existence would be threatened for those without cable television if cable television operators were not compelled to carry local broadcast television. The Court held that:

> The design and operation of the challenged provisions confirm that the purposes underlying the enactment of the must-carry scheme are unrelated to the content of speech. The rules, as mentioned, confer must-carry rights on all full power broadcasters, irrespective of the content of their programming. **They do not require or prohibit the carriage of particular ideas or points of view. They do not penalize cable operators or programmers because of the content of their programming. They do not compel cable operators to affirm points of view with which they disagree. They do not produce any net decrease in the amount of available speech.** And they leave cable operators free to carry whatever programming they wish on all channels not subject to must-carry requirements.

Id., 512 U.S. at 647 (emphasis added). The Court further acknowledged the values Congress sought to preserve, including the importance of local broadcasting:

> That Congress acknowledged the local orientation of broadcast programming and the role that noncommercial stations have played in educating the public does not indicate that Congress regarded broadcast programming as *more* valuable than cable programming. Rather, it reflects nothing more than the recognition that the services provided by broadcast television have some intrinsic value and, thus, are worth preserving against the threats posed by cable. See 819 F.Supp., at 44 ("Congress' solicitousness for local broadcasters' material simply rests on its assumption that they have as much to say of interest or value as the cable programmers who service a given geographic market audience").

Id., 512 U.S. at 648.

First Amendment issues involving cable television arose again in *Time Warner Cable of New York City v. City of New York*, 943 F. Supp. 1357 (S.D.N.Y. 1996), *affirmed*, 118 F.3d 917 (1997). In *Time Warner*, the cable company brought suit against the City of New York, as the

City was allowing commercial television use of PEG (Public, Educational and local Governmental) channels. In the District Court, Time Warner claimed it had First Amendment rights in the City's PEG channels, and that if the City misused them, they "reverted" to Time Warner. This claim was rejected by the District Court, which held that, "even though the City is misusing the PEG channels, Time Warner has no First Amendment right to editorial discretion over channels that it never had a right to use." *Id*., 943 F. Supp. at 1394-1396.

Notwithstanding the rejection of its First Amendment claim, the District Court ruled in favor of Time Warner, finding that the City's scheme to commercialize PEG channels violated the intentions of Congress in passing Section 531 (a) of the Cable Act. The District Court held:

> Applying Section 531(a) to the City's conduct here, I find that the City's decision to air a 24–hour news program, substantially identical in feed to that aired on commercial channels across the country, with the relatively minor exception of the inclusion of some minutes of local New York news, constitutes in the circumstances of this case a use of a PEG channel in a way clearly unintended by Congress. There are several underlying purposes to the PEG channels. These purposes include a desire to respond to local needs, create space for voices that would not otherwise be heard, air programs needed by a community that may not otherwise be commercially viable, and, **for governmental channels, show local government at work**. While a failure to serve any one of these purposes may not itself be dispositive, in the instant case, the City's use of Crosswalks is at odds with all four purposes.

Id., 943 F. Supp. at 1388-1389 (emphasis added). Thus, the District Court found two factors relevant to the instant case: 1) cable operators have no First Amendment rights in PEG channels; and 3) the "G" part of PEG channels is mainly to show local government at work.

The Second Circuit affirmed, ruling that Congress clearly indicated "it would be inappropriate for the franchising authority to treat PEG channels as commodities to be traded to the

highest bidder," and that "G" channel capacity is to "serve the principal Congressional purpose of making the operation of government better known to the citizens." *Time Warner, supra*, 118. F.3d at 927-929.[2]

Turning to the instant case, "strict scrutiny" is inappropriate because the P.A. 08-159 is content-neutral. P.A. 08-159 is designed to let local citizens see their local government in action, rather than the local government of other municipalities. It in no way rewards or punishes any political viewpoints, and it fulfills the mandate of Congress. PURA's Memorandum of Law in Support of Motion for Summary Judgment amply illustrated how Plaintiff chose to force local "G" stations to carry meetings of other municipalities of no interest to local viewers – something inevitable in favoring system-wide programming in a six-municipality cable television area. *See PURA Memorandum, pages 11-18; 34-38*. P.A. 08-159 does not inhibit Plaintiff's speech. P.A. 08-159 neither prohibits Plaintiff from expressing viewpoints it may hold, nor does it compel Plaintiff to endorse other viewpoints.

Given that the problems perceived by the legislature were apparently limited to one cable area, the General Assembly tailored the remedy to cure the ill, not entirely replacing Plaintiff as a third- party administrator, and not going beyond the geographic area afflicted. Thus, P.A. 08-159 was narrowly drawn to further a substantial government interest (providing access to the citizens of the six affected municipalities to *their* local governments) and that interest is unrelated

[2] The Second Circuit did not address the First Amendment issue since the Second Circuit upheld the District Court on Time Warner's non-constitutional claims, including the claim that the City was misusing the "G" channel. *Time Warner, supra*, 118. F.3d at 925-926.

to the suppression of free speech. *See Clark v. Community for Creative Non-Violence*, 468 U.S. 288, 294, 104 S.Ct. 3065, 82 L.Ed.2d 221 (1984).

Plaintiff's Memorandum discusses *City Recycling, Inc. v. State of Connecticut*, 257 Conn. 429, 778 A.2d 77 (2001) in support of its assertion that P.A. 08-159 violated its rights to equal protection. *See Plaintiff's Memorandum, pages 14-15*. PURA's Memorandum of Law in Support of Motion for Summary Judgment explicitly discusses *City Recycling* and why it is distinguished from the instant case. *See PURA Memorandum, pages 31-34*. P.A. 08-159 is clearly constitutional.

C. PUBLIC ACT 08-159 IS FULLY APPLICABLE.

Plaintiff's Memorandum asserts that Conn. Gen. Stat. §§ 16-331ff and 16-331gg are no longer applicable because the designated recipient of the funds, the Area Two Cable Advisory Council legally ceased to exist as of July 7, 2008. *See Plaintiff's Memorandum, pages 17-25*. Before addressing the legal existence of the Area Two Cable Advisory Council, PURA first notes that Plaintiff's argument is totally irrelevant to the applicability of Conn. Gen. Stat. § 16-331ff.

The plain language of the portion of P.A. 08-159, § 1, codified as Conn. Gen. Stat. § 16-331ff, is clear and unambiguous. It does not mention any cable advisory council, but rather requires Plaintiff, "upon request from any town organization, authority, body or official within its service territory" to operate education and government public access channels in the town to use Plaintiff's equipment. If Plaintiff fails to provide its consent, PURA shall revoke Plaintiff's authorization as the community access provider. Conn. Gen. Stat. § 16-331ff.

The argument regarding the existence of the Area Two Cable Advisory Council is relevant to the applicability and vitality of P.A. 08-159, Section 2, codified as Conn. Gen. Stat. § 16-331gg. The funding provision is contained in subsection (a) of § 16-331gg:

> (a) A community antenna television company, *a certified competitive video service provider that was providing service as a community antenna television company pursuant to section 16-331 on October 1, 2007*, or a holder of a certificate of cable franchise authority that provides services within a service territory of a third-party nonprofit community access provider that serves six municipalities, one of which has a population of more than one hundred thirty thousand, *shall direct the sum of one hundred thousand dollars per year from the funds collected from subscribers in said service territory* that it provides to the existing third-party nonprofit community access provider serving six municipalities, one of which has a population of more than one hundred thirty thousand, *directly to the service territory's community antenna television advisory council* for developing town-specific education and government community access programming.

Id, emphasis added.

While Plaintiff's argument was addressed by PURA in its earlier memorandum and it is incorporated herein, *see PURA Memorandum, pages 39-42*, Plaintiff raises specific points that must be addressed.

First, on pages 23-25 of Plaintiff's memorandum, Plaintiff implies that both the cable provider, Cablevision, and the Area Two Cable Advisory Council ("Council") concur that the Council no longer has any legal existence. Plaintiff is mistaken. First, the Council has acted like a cable advisory council that is very much alive. In accordance with the terms of P.A. 08-159, the Council had accepted the $100,000 a year in funding from Cablevision and distributed those funds in accordance with the Act and filed reports accounting for the funds with PURA. *See PURA's Statement of Material Facts Not in Dispute in Support of Motion for Summary Judgment*

("SMF") (part of Docket Entry # 123), ¶ 35; see also Exhibit 28 (Council report to PURA). The Council also acted to defend any attacks on its existence, including filing comments in opposition to Plaintiff's Petition for a Declaratory Ruling before PURA ("Plaintiff's Petition") (Plaintiff asking PURA to declare the Council to no longer exist, where PURA declined to issue a declaratory ruling). *See SMF 37; see also Exhibit 30*. The Council is also present in the instant case to defend its existence.

Second, the legislators themselves who crafted and supported P.A. 08-159 pointed out to PURA that they shaped the legislation to cover whatever form of regulatory certificate Cablevision might obtain. As previously noted in PURA's earlier Memorandum, nine of the area legislators, including two of the co-sponsors of P.A. 08-159 (Representative Kim Fawcett and Senator Gayle Slossberg) submitted a joint response to Plaintiff's Petition. The legislators' letter of September 16, 2011 to PURA (which referred to Sound View as SVCM) stated, in relevant part:

> In 2008, we strongly supported the adoption of legislation (name of public act-hereafter "2008 PEG Act") that empowered our communities with the resources they needed to address the public access needs of our constituents. Since that time, under the supervision of this Authority, the Area 2 Cable Advisory Council ("Council") and the municipalities in the SVCM area have worked together to effectively implement the provisions of this new law. In accordance with legislative intent, the funding provided to the Council has delivered critical support to our local Education and Government access stations enabling them to produce extensive and high-quality town specific public access content. This funding allows our towns to broadcast local municipal government meetings, school events and other important community programs that SVCM would not air on its system before we adopted the 2008 PEG Act.
>
> C.G.S. 16-331gg established the legal requirement that Cablevision annually distribute $100,000 to the Council to support its local public access programming activity. This statute was adopted in 2008 (a year after the passage of the 2007 Video Franchising Act) for the express purpose of providing the

> Council with financial resources to support its town-specific public access programming activity. **The legislature was aware of the fact that Cablevision was in the process of obtaining a CVFA certificate when the legislation was pending and it addressed that issue by drafting the statute to broadly apply to all video service providers (CVFA, CCFA and CPCN holders)**. Pursuant to the provision of the 2008 PEG Act, the Council has been receiving funds, expending funds on town-specific PEG programming, and as required filing annual reports with this Authority on its public access activities.

See PURA Docket No. 11-07-09, Exhibit 27; SMF ¶ 33 (emphasis added).

Third, Cablevision itself acknowledged the continued existence of the Council for the purposes of P.A. 08-159. On September 16, 2011, Cablevision submitted comments to PURA regarding Plaintiff's Petition that disputed Plaintiff's contentions that the Act was unconstitutional and inapplicable. *SMF ¶ 36; Exhibit 29.* Specifically, Cablevision said:

> Cablevision is "a certified competitive video service provider that was providing service as a community antenna television company pursuant to section 16-331 on October 1, 2007."
>
> Cablevision provides video services within the service territory of Sound View, which is "a third-party nonprofit community access provider that serves six municipalities, one of which has a population of more than one hundred thirty thousand."
>
> These "six municipalities, one of which has a population of more than one hundred thirty thousand," are Bridgeport, Fairfield, Orange, Milford, Woodbridge, and Stratford (*i.e.*, the Bridgeport Area).
>
> The Advisory Council is "the service territory's community antenna television advisory council for developing town-specific education and government community access programming."
>
> Accordingly, subsection (a) of Conn. Gen. Stat. 16-331gg applies to Cablevision and the Advisory Council and requires that Cablevision "direct the sum of one hundred thousand dollars per year from the funds collected from subscribers in

> said service territory . . . directly to the service territory's community antenna television advisory council."

Id.

This issue of the Council's legal existence as the entity to receive and distribute funds in accordance with Conn. Gen. Stat. § 16-331gg involves a question of statutory interpretation. The Court's "fundamental objective is to ascertain and give effect to the apparent intent of the legislature." *Okeke v. Commissioner of Public Health*, 304 Conn. 317, 325, 39 A.3d 1095 (2012). Pursuant to Conn. Gen. Stat. § 1-2z, the Court first considers the text of the statute and its relationship to other statutes. Conn. Gen. Stat. § 1-2z. "If, after examining such text and considering such relationship, the meaning of such text is plain and unambiguous and does not yield absurd or unworkable results, extratextual evidence of the meaning of the statute shall not be considered." *Id.*, 304 Conn. at 325-326.

Cable service in Area Two is now being provided by Cablevision of Litchfield, Inc. under a certificate of video franchise authority, a CVFA. The first question now is whether that entity is covered by Conn. Gen. Stat. § 16-331gg. Carefully examining Conn. Gen. Stat. § 16-331gg and related statutes, it is clear that Cablevision is a certified competitive video service provider that was providing service as a community antenna television company pursuant to section 16-331 on October 1, 2007. The term "certified competitive video service provider" is defined in Conn. Gen. Stat. § 16-1 (47):

> "Certified competitive video service provider" means an entity providing video service pursuant to a certificate of video franchise authority issued by the authority in accordance with section 16-331e. "Certified competitive video service provider" does not mean an entity issued a certificate of public convenience and

> necessity in accordance with section 16-331 or the affiliates, successors and assigns of such entity or an entity issued a certificate of cable franchise authority in accordance with section 16-331p or the affiliates, successors and assignees of such entity.

Id.

As a holder of a CVFA, Cablevision of Litchfield, Inc. is a "certified competitive video service provider" except that the second sentence of the definition *excludes* former CPCN (Conn. Gen. Stat. § 16-331) holders. Cablevision of Litchfield, Inc. is a successor to Cablevision of Southern Connecticut, L.P., and the former CPCN holder. Conn. Gen. Stat. § 16-331gg, however, is expressly written to *include* former Conn. Gen. Stat. § 16-331 CPCN holders, and thus negates the exception for the limited purposes of Area Two. Further, because Conn. Gen. Stat. § 16-331gg (a) makes reference to the "service territory's community antenna television advisory council" without regard to whether the cable provider was licensed as a "community antenna television company, a certified competitive video service provider that was providing service as a community antenna television company pursuant to section 16-331 on October 1, 2007, or a holder of a certificate of cable franchise authority," the clear intent is that the Area Two Cable Advisory Council continues to exist, regardless of the type of authorization under which Cablevision operates.

Additionally, Conn. Gen. Stat. § 16-331i establishes a "State-wide Video Advisory Council." It provides:

> (a) There shall be a State-wide Video Advisory Council, **whose membership is made up of one representative from each of the existing advisory councils established pursuant to section 16-331**. A certified competitive video service provider shall biannually convene a meeting of said council. No member of the State-wide Video Advisory Council shall be an employee of a community an-

> tenna television company or a certified competitive video service provider. For the purpose of this subsection, an employee includes any person working full time or part time or performing any subcontracting or consulting services for a community antenna television company or a certified competitive video service provider.
>
> (b) The certified competitive video service provider shall provide funding to such State-wide Video Advisory Council in the amount of two thousand dollars per year.
>
> (c) Members of the State-wide Video Advisory Council shall serve without compensation. For the purpose of this subsection, compensation shall include the receipt of any free or discounted video service.

Id., emphasis added. Thus, the legislature presumed that, even if service is provided in an area by holders of CVFAs, local area advisory councils will continue to exist and members will serve on the new State-wide Video Advisory Council.[3]

In connection with its statutory interpretation argument, Plaintiff recounts the legislative maneuvering to enact P.A. 08-159 on pages 15-17 of its memorandum. The process admittedly was not tidy, as one unrelated bill was amended late in the session to produce P.A. 08-159. Plaintiff cites no authority that an untidy process invalidates legislation. If anything, the episode only gives support to the observation of the Florida Supreme Court that, "to retain respect for sausages and laws, one must not watch them in the making." *In re Petition of Graham*, 104 So.2d 16 (Fla. 1958), quoting 19th Century German Chancellor Otto Von Bismarck. In fact, Plaintiff contradicts itself, as it asserted that, "Even legislators supporting Sound View's position

[3] Since Plaintiff is not denying the existence of the State-wide Video Advisory Council, if, for any reason, this Court does not agree that the Area Two Cable Advisory council continues to have legal existence, then the State-wide Video Advisory Council would presumably be the appropriate council for receiving and distributing the funds.

unwittingly voted for its passage." *See Plaintiff's Memorandum, page 16.* On the next page of its memorandum, Plaintiff then quotes Senator Debicella, who eloquently presented some of Sound View's policy arguments against P.A. 08-159. *See Plaintiff's Memorandum, pages 17.* The full debate on the Senate and House floors was quoted in PURA's earlier memorandum, which is incorporated herein. *See PURA Memorandum, pages 21-23.* No legislator who listened to the remarks of the speakers (especially in the Senate, but also in the House of Representatives) would have been mistaken as to the subject and thrust of the legislation. The legislative intent was loud and clear.

Given a choice between interpreting Conn. Gen. Stat. § 16-331gg so as to render it meaningful, and rendering it meaningless, this Court must interpret it in a way that preserves its legislative intent and meaning. *See Housatonic Railroad Company, Inc. v. Commissioner of Revenue Services*, 301 Conn. 268, 303, 21 A.3d 759 (2011).

III. CONCLUSION

For the reasons stated in this Brief, this Court should find P.A. 08-159 both constitutional and viable. PURA thus asks this Court to render summary judgment in favor of PURA and so declare P.A. 08-159 constitutional and applicable to Plaintiff Sound View the Area Two Cable Advisory Council and that the Council still has legal existence and standing.

DEFENDANT,
STATE OF CONNECTICUT
PUBLIC UTILITIES
REGULATORY AUTHORITY

GEORGE JEPSEN
ATTORNEY GENERAL

By: */s/ Robert L. Marconi*__

Robert L. Marconi
Assistant Attorney General
Juris No. 404518
Clare E. Kindall
Assistant Attorney General
Juris No. 415004
10 Franklin Square
New Britain, Connecticut 060516
Tel: (860) 827-2682
Fax: (860) 827-2893
Email: robert.marconi@ct.gov
clare.kindall@ct.gov

CERTIFICATION

I hereby certify that a copy of the above was emailed to the following on this 24th day of May, 2013, and subsequently mailed first class mail postage prepaid:

Wyland Dale Clift, Esq.
Steeg & Clift, LLP
124 Main Street
Bristol, CT 06010
Tel 860-583-1316
Fax 860-589-0884
Email WClift@SteegCliftLaw.com

Joseph A. Rosenthal, Esq.
Office of Consumer Counsel
10 Franklin Square
New Britain, CT 06051
Tel 860-827-2906
Fax 860-827-2929
Email joseph.rosenthal@ct.gov

Barbara M. Schellenberg, Esq.
Vincent Marino, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
Tel 203-368-0211
Fax 203-394-9901
Email bschellenberg@cohenandwolf.com
vmarino@cohenandwolf.com

Judith Mauzaka, Esq.
Gerald Weiner, Esq.
Weinstein Weiner Ignal Vogel & Shapiro, P.C.
350 Fairfield Avenue, P.O. Box 9177
Bridgeport, CT 06601
Tel 203-333-1177
Fax 203-384-9832
Email jmauzaka@wwinslaw.com
gweiner@aol.com

Jonathan D. Berchem, Esq.
City Attorney
Debra S. Kelly, Esq.
Assistant City Attorney
City of Milford, City Attorney's Office
110 River Street
Milford, CT 06460
Tel 203-783-3250
Fax 203-876-1358
Email citylaw@ct.milford.ct.us
dkelly@ci.milford.ct.us

Pamela C. Jones, Esq.
P.O. Box 222
Fairfield, CT 06824
Tel 203-319-1606
Email pamelajonesesq@aol.com

Stanton H. Lesser, Esq.
Town Attorney
One Eliot Place
Fairfield, CT 06824
Tel 203-336-1811
Email SLesser@town.fairfield.ct.us

*/s/Robert L. Marconi*____
Robert L. Marconi
Assistant Attorney General