

STATE OF VERMONT  
PUBLIC UTILITY COMMISSION

Case No. 24-3345-PET

Petition of Bell Atlantic Mobile Systems, LLC and Vertex Towers, LLC requesting a certificate of public good, pursuant to 30 V.S.A. § 248a, authorizing the installation of wireless telecommunications equipment at 410 Hunter Park Road in Manchester, Vermont	
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**DEPARTMENT OF PUBLIC SERVICE COMMENTS**

On November 1, 2024, Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless and Vertex Towers LLC (together “Petitioner” or “Verizon”), filed an application with the Vermont Public Utility Commission (“Commission”), pursuant to 30 V.S.A. § 248a, for approval to construct a telecommunications tower (“Project” or “Manchester II”) on a plot of land located at 410 Hunter Park Road in Manchester, Vermont (“Facility”)<sup>1</sup>. The Facility will consist of a 130’ disguised monopole or “monopine” tower with an equipment shelter on the ground inside a fenced compound with associated equipment and appurtenances. The Commission deemed the Petition administratively complete on November 8, 2024. The Facility will be located on a plot owned by Northshire Civic Center.

Based on the application, supporting testimony, and accompanying exhibits, the Petitioner proposes the following:

1. Construction of a 130’ monopole tower;
2. Construction of a 12’ by 20’ equipment platform with an ice canopy;

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<sup>1</sup> This is the same location that was proposed in Case No. 24-0097-PET (“Manchester I”).

3. Placement of an emergency generator in the 12' x 20' platform inside the fenced compound with either diesel stored underneath the generator, or a propane tank situated on top of a 11' x 4' concrete pad within the compound;
4. Creation of a 50' x 50' fenced compound;
5. Installation of six (6) antennas measuring 72" x 11.9" at a centerline of 125' above ground level';
6. Installation of three (3) MMUs measuring 35" x 16" at 125' above ground level;
7. Installation of six (6) remote radio head units placed behind antennas;
8. Installation of one (1) OVP distribution box measuring approximately 25.8" x 15.9" and mounted at 125' above ground level; and
9. Installation of ancillary improvements, equipment, and appurtenances necessary to the completion of the Project.

The Vermont Department of Public Service ("Department") has reviewed the Petitioner's application and concludes that the Project qualifies as limited size and scope under 30 V.S.A. § 248a(b)(4)(A). The new telecommunications facility, including ancillary improvements, does not exceed 140' in height. The Project will permanently disturb less than 10,000 square feet of earth and will comply with the requirements of the *Low Risk Handbook for Erosion Prevention and Sediment Control*. In Manchester I, the Department reached out to Petitioner and commented regarding Petitioner's lack of analysis demonstrating why alternative towers cannot be used for collocation. The Department appreciates Petitioner's additions to its list of nearby cell towers, but the present petition still does not explain why collocation on the closest tower to the proposed site would not enable Petitioner to meet its coverage goals.

Six members of the public and the head of the Red Fox Community School submitted comments opposing the project on grounds including, aesthetics, lack of compliance with the

town plan, location in the wrong zoning district, and proximity to recreation. The Town of Manchester Selectboard filed a comment on November 11, 2024, recommending that the Commission deny the petition for failure to comply with the town plan, citing to Manchester's Land Use Ordinance, which requires colocation on existing facilities wherever possible and recommends locating telecommunication towers away from public view along main streets wherever possible. "Unless there is good cause to find otherwise" recommendations regarding municipals plans from municipal legislative bodies are owed substantial deference.<sup>1</sup> Such recommendations may be based on duly adopted municipal ordinances or bylaws.<sup>2</sup> The Manchester Selectboard indicated in its comment that it is not opposed to helping Petitioner find a more suitable location to achieve its service goals.

Petitioner's "Manchester 2" petition details additional nearby towers that were not listed in its previous petition but still does not provide an assessment pursuant to 30 V.S.A. 248a(c)(3) regarding why some of those other towers are insufficient, including those towers on Skyline Drive that were previously pointed out by the Department. The Department respectfully recommends that the Commission deny Petitioner's application for failing to provide sufficient analysis regarding colocation and for lack of compliance with the Manchester Town Plan.

[signature to follow]

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<sup>1</sup> 30 V.S.A § 248a(c)(2).

<sup>2</sup> *Id.*

DATED at Montpelier, Vermont this 6th day in December 2024.

VERMONT DEPARTMENT OF PUBLIC SERVICE

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