

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 25-____-PET

Application of New Cingular Wireless PCS, LLC d/b/a AT&T pursuant to 30 V.S.A. § 248a requesting a Certificate of Public Good for a de minimis modification to a wireless telecommunications facility in Richford, Vermont	
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APPLICATION

By this Application, New Cingular Wireless PCS, LLC d/b/a AT&T (“AT&T”), represents as follows:

1. AT&T holds a Certificate of Public Good to provide wireless services within Vermont pursuant to multiple cellular, PCS Broadband, Band 14, and other licenses granted by the Federal Communications Commission.
2. Pursuant to its licenses, AT&T is undertaking to improve and enhance its wireless network in the State to provide enhanced capabilities, coverage, and capacity employing its Long Term Evolution (“LTE”) technologies.
3. By this Application submitted to the Vermont Public Utility Commission (the “Commission”) via ePUC in accordance with Commission Rules 2.110 and 2.202(A), AT&T proposes to modify telecommunications antennas and equipment at an existing telecommunications facility located at 254 Hardwood Hill Road, Richford, Vermont (the “Facility”).
4. The certification of compliance, declaration, and exhibits included with this Application demonstrate that AT&T’s proposed Project qualifies as a de minimis modification under 30 V.S.A. § 248a(b)(2) and the Commission’s Procedures Order, thereby allowing the

Commission to issue a certificate of public good in accordance with the procedures established by 30 V.S.A. § 248a(k).

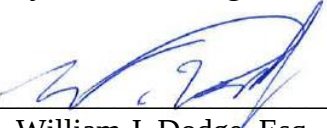
5. This proceeding is subject to the general authority and limitations of the federal Spectrum Act, 47 U.S.C. §1455(a)(1) and 47 C.F.R. §1.6100(b) (Wireless Facilities Modifications) (eff. 01/14/2019), as it involves the Commission’s review of an “eligible facilities request” (i.e., collocation of new transmission equipment, and/or removal / replacement of existing transmission equipment) on an “eligible support structure” (i.e., tower and/or base station in existence at the time the application is filed). The federal statute makes clear the intent of the Congress of the United States that eligible facilities requests apply regardless of state law. 47 U.S.C. §1455(a)(1) (“***Notwithstanding ... any other provision of law***, a State or local government may not deny, and shall approve, any eligible facilities request”) (emphasis added).
6. Consequently, in addition to the 60-day review timeframe set forth in 30 V.S.A. § 248a(f), the application is also subject to a 60-day review timeframe pursuant to 47 C.F.R. § 1.6100(c)(2). AT&T hereby preserves its rights under the Spectrum Act and the corresponding FCC regulations, in addition to Section 248a(f), to the extent necessary to proceed with the Project.
7. AT&T accordingly requests that the Commission issue a certificate of public good for the Project in accordance with the procedures established by 30 V.S.A. § 248a(k).

In support of this Application, AT&T has included the following items with this filing:

ITEMS SUBMITTED FOR PUBLIC UTILITY COMMISSION REVIEW PURSUANT TO ePUC PR	
<u>Doc. #</u>	<u>File Name</u>
1.	Application
2.	Certification of Compliance
3.	Proposed Order and CPG
4.	Certificate of Service
5.	Declaration of David Ford
ATT-DF-01	Resume of David Ford
ATT-DF-02	Site Plan
ATT-DF-03	Structural Analysis Report
ATT-DF-04	Existing Permits
ATT-DF-05	Letter of Authorization
ATT-DF-06	Mount Analysis Report

Dated at Burlington, Vermont this 6th day of May, 2025.

DOWNS RACHLIN MARTIN PLLC
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