

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 St. Albans, Vermont	
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Order Entered: _____

I. INTRODUCTION

In this Order, the Vermont Public Utility Commission (“Commission”) issues a Certificate of Public Good (“CPG”) to New Cingular Wireless PCS, LLC d/b/a AT&T (“AT&T” or the “Applicant”), pursuant to 30 V.S.A. § 248a(k) and the Commission’s Seventh Order Adopting Revised Standards and Procedures Implementing 30 V.S.A. § 248a, dated January 18, 2023 (the “Procedures Order”), authorizing the modification of telecommunications antennas and equipment at an existing wireless telecommunications facility located on property that has an E-911 address of 79 Walnut Street, St. Albans, Vermont (the “Project”).

II. BACKGROUND

This case involves an application for de minimis modifications, supported by a certification of compliance, declaration, and exhibits submitted by the Applicant on May 12, 2025, requesting that the Commission issue a certificate of public good, in order to allow for the modification of telecommunications antennas and equipment at the location identified above.

No objections regarding the classification of the Project as a de minimis modification have been filed with the Commission, and the Department of Public Service has recommended approval.

The Commission has determined that the application and supporting materials, as filed, have effectively addressed the issues raised with respect to the applicable substantive criteria of 30 V.S.A. § 248a and the procedural requirements of the Procedures Order. Consequently, we find that the procedure authorized by Section 248a is sufficient to satisfy the public interest, and no hearings are required. Accordingly, the following are admitted as if presented at a hearing: the declaration of Warren Kelleher (document 5) and exhs. ATT-WK-01 through 06.

III. FINDINGS

1. There is an existing telecommunications facility on property owned by Nutra Blend LLC, located on property that has an E-911 address of 79 Walnut Street, St. Albans, Vermont. The facility is located on a multi-structure industrial mill complex, having a maximum height of 138’-6” above ground level (“AGL”) (the “Support Structure”), and currently consists of antennas and ancillary equipment mounted on the Support Structure, together with an equipment compound encompassing various equipment cabinets and appurtenances. Decl. ¶¶ 2-3.

2. AT&T currently has nine panel antennas, eighteen RRUs, and six surge arrestors installed on the Support Structure, together with various equipment and appurtenances located within the existing AT&T equipment shelter (the “Facility”). Decl. ¶ 4.

3. The Project involves: removing nine existing antennas and nine RRUs, and installing nine new antennas and six new RRUs, together with adding and/or adjusting cabling within the existing conduits and making other minor adjustments within the existing AT&T equipment shelter. Decl. ¶¶ 5(a)–(e).

4. Excluding equipment, antennas, and ancillary improvements, the Project will result in no increase in the height or width of the Support Structure. Decl. ¶ 7(b).

5. No increase in the amount of impervious surface at the site is proposed. Decl. ¶ 7(e).

6. Antennas or equipment will extend a maximum of 1'-10" horizontally from the Support Structure and will not extend vertically above the Support Structure. Decl. ¶ 7(c).

7. The Project will increase the aggregate surface area of the faces of antennas and equipment on the Support Structure by approximately 1.45 square feet. Decl. ¶ 7(d).

8. The Project qualifies as a de minimis modification insofar as it involves the installation of telecommunications antennas and equipment at an existing telecommunications facility that will not increase the height or width of the existing rooftop equipment, will not increase the total amount of impervious surface at the site by more than 300 square feet, will not result in any antenna or equipment extending more than 10 feet vertically or horizontally from the support structure, and will not increase the aggregate surface area of the faces of antennas and equipment on the Support Structure by more than 75 square feet. Decl. ¶¶ 7(a)–(e).

9. AT&T has not obtained or been denied a permit or permit amendment for the Project as modified. Certification of Compliance. ¶ 2.

10. The Project is consistent with the conditions in the existing state and local permits and certificates that have been issued for the Facility. Certification of Compliance; Decl. ¶ 10.

IV. DISCUSSION AND CONCLUSION

Pursuant to 30 V.S.A. § 248a(a), the Commission may grant a Certificate of Public Good for the construction or installation of a telecommunications facility that is to be interconnected with other telecommunications facilities if the Commission finds that the facility will promote the general good of the State, consistent with subsection 202c(b) of this title. 30 V.S.A. § 248a(a).

Pursuant to 30 V.S.A. § 248a(k), an Applicant may request a Certificate of Public Good upon written notice of its intent to proceed with a de minimis modification, and unless the Commission receives within 30 days of such notice an objection to the classification of a proposed project as a de minimis modification, a Certificate of Public Good shall be issued. 30 V.S.A. § 248a(k).

Based upon the record evidence, the Project involves a de minimis modification as defined in 30 V.S.A. § 248a(b)(2). Moreover, the public interest is satisfied by the procedures authorized in 30 V.S.A. § 248a, provided that the conditions imposed in the Certificate are followed. We find that the proposed Project will promote the general good of the State.

V. ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the State of Vermont Public Utility Commission that the installation and operation of a communications facility at the location specified in the above findings, by New Cingular Wireless PCS, LLC d/b/a AT&T, in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State of Vermont in accordance with 30 V.S.A. § 248a, and a certificate of public good to that effect shall be issued in this matter.

Dated at Montpelier, Vermont, this ____ day of _____, 2025.

	)	
_____	)	PUBLIC UTILITY
	)	COMMISSION
_____	)	OF VERMONT
	)	
_____	)	

A TRUE COPY:
OFFICE OF THE CLERK

Filed:

Attest: _____
Clerk of the Public Utility Commission

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 25-____-PET

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Entered: _____

CERTIFICATE OF PUBLIC GOOD ISSUED
PURSUANT TO 30 V.S.A. § 248a

IT IS HEREBY CERTIFIED that the Public Utility Commission of the State of Vermont (“Commission”) this day found and adjudged that the proposal by New Cingular Wireless PCS, LLC d/b/a AT&T for a de minimis modification to an existing wireless telecommunications facility located on property having an E-911 address of 79 Walnut Street, St. Albans, Vermont, will promote the general good of the State of Vermont in accordance with 30 V.S.A. § 248a, subject to the following terms and conditions:

1. Operation and maintenance of the Project shall be in accordance with the plans and evidence submitted in this proceeding. Any material or substantial change in the project is prohibited without prior Commission approval. Failure to obtain advance approval from the Commission for a material deviation from the approved plans may result in the assessment of a penalty pursuant to 30 V.S.A. §§ 30 and 247.
2. The Project shall comply with applicable existing and future statutory requirements and Commission Rules and Orders.
3. This Certificate of Public Good shall not be transferred without prior approval of the Commission.

4. The CPG Holder shall pay all invoices (if any) from any State agency that (a) are related to this proceeding and (b) are not still under review by the Commission.

DATED at Montpelier, Vermont, this ____ day of _____, 2025.

_____	)	
_____	)	PUBLIC UTILITY
_____	)	COMMISSION
_____	)	OF VERMONT
_____	)	

A TRUE COPY:
OFFICE OF THE CLERK

Filed:

Attest: _____
Clerk of the Public Utility Commission

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by email, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: Commission.clerk@state.vt.us)

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