

STATE OF VERMONT  
PUBLIC UTILITY COMMISSION

Bell Atlantic Mobile Systems, LLC  
d/b/a Verizon Wireless and Vertex Towers, LLC  
for a Certificate of Public Good, pursuant to  
30 V.S.A. § 248a, authorizing the construction  
Of a telecommunications facility in Manchester Vermont

Case No. 24-3345-PET

**TOWN OF MANCHESTER FIRST SET OF DISCOVERY REQUESTS TO  
PETITIONER**

The Town of Manchester (“Town”), by and through its attorneys’, Woolmington, Campbell, Bent & Stasny, P.C., hereby serves the Town’s First Set of Discovery Requests upon Petitioner Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless and Vertex Towers, LLC in accordance with Public Utility Commission Rules 2.214 and 2.230.

Petitioner is requested to provide a copy of its answers in electronic format on or before the deadline or responses designated in the Scheduling Order in this proceeding.

**Instructions**

1. Each Interrogatory shall be answered separately and fully in writing, under oath, unless it is objected to, in which event the objecting party shall state the reasons for the objection, and shall answer to the extent the Interrogatory is not objectionable.
2. The responses to the Interrogatories are to be signed by the person making them, and the objections signed by the attorney making them.
3. All grounds for an objection to a Request shall be stated with specificity. Any ground not stated in a timely objection is waived.
4. If you cannot answer a question after conducting reasonable investigation, you should so state and answer to the extent you can, stating what information you have, what information you cannot provide, and stating what efforts you have made to obtain the unknown information.
5. As to any document related to matters described herein which is not in your possession but which you know to exist, you are requested to identify such document and indicate to the best of your ability its present or last known custodian.
6. These requests require production of original Documents in the same form and order in which they existed prior to production. Documents are to be produced in the boxes,

file folders, bindings or other containers in which the Documents are found. Titles, labels, or other description on the boxes, file folders, bindings, or other containers are to be left intact.

7. These requests shall require the production of all electronically maintained records, including e-mail and other data whether or not presently existing in hard copy.  
8. As to Documents responsive to these Requests for which Appellant claims a privilege or which Appellant claims are not subject to production, please provide Neighbors with a list describing each such Document, and stating with respect to each Document:

- a. The type of Document (e.g., letter, memorandum, computer disc, etc.);
- b. The date of the Document, if known;
- c. The title of the Document;
- d. The author(s) of the Document;
- e. The intended and actual recipients of the Document;
- f. The general subject matter of the Document;
- g. The factual and/or legal basis(es) for the claim of privilege or ground(s) for non-production asserted by Appellant with respect to the Document.

9. These requests are continuing in nature and require amendment or supplementation if You or Your attorneys later become aware of information and/or documents that indicate that the response previously given was inaccurate or incomplete.

10. All references to the singular include the plural, and all references to the plural include the singular. All reference to the masculine gender include the feminine, and vice versa.

11. The past tense shall be construed to include the present tense and vice versa to make the requests inclusive rather than exclusive.

12. You are requested to produce all documents that are in the possession, custody, or control of You or any of Your representatives, including persons consulted concerning any factual matters of opinion relating to any of the facts or issues involved in this matter. Such persons shall include attorneys with whom You consulted, unless You claim such documents are privileged or otherwise protected.

13. If any Interrogatory is answered by reference to business records, specify such records by description adequate to allow the discovering party to identify such documents with reasonable ease and, if known, specify which of any category of documents so described contain responsive information.

#### **DEFINITIONS**

1. "All" or "Any" shall mean "Any and All."
2. "All Documents" means every document known to you, whether an original, copy, or draft, and every such document which can be located or discovered by reasonably diligent efforts.
3. "You," "Your," and "Petitioner" shall refer to the Applicant, Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless and Vertex Towers, LLC, and any current or former

parent, subsidiary, division, affiliate, predecessor entity or other associated corporation or entity thereof; and any current or former officers, directors, employees, agents, attorneys, accountants, representatives or any other person acting or purporting to act on behalf of any of the foregoing.

4. "Facility," "Project," "proposed Project," "proposed Facility," "site," "proposed site," and/or "project area" shall mean the construction and installation of a new telecommunications facility on a parcel of land located at 410 Hunter Park Road in Manchester Center, for the initial use of Verizon Wireless and subsequent use by other communications providers, as described in Petitioner's filings, including all supplemental filings, in this docket.

5. "Communicate" or "Communication" shall refer to the transmittal of information (including facts, ideas, inquiries, or otherwise) in any manner whatsoever.

6. "Concerning" shall refer to describing, evidencing, relating to, pertaining to, constituting, or referring to in any manner whatsoever.

7. "Describe" or "Description" means to provide All facts known to You Relating to the subject referred to in the Interrogatory.

8. "Document" refers to and includes information contained in any medium, storage facility, device, compilation, or format whatsoever, from which such information may be obtained, reproduced, or translated into readable or usable form. A draft or non-identical copy is a separate document within the meaning of this term. This term includes, but is not limited to, information stored in hard copy or electronic format, including, but not limited to, Electronic Data, letters, correspondence, memoranda, electronic mail (e-mail), voicemail, telephone messages, word processing documents, spreadsheets, power point presentations, calendars, journals, diaries, data files, agreements, contracts, notices, announcements, business plans, financial statements, and any other information in written or electronic form.

9. "Electronic Data" means and refers to All information generated, recorded, preserved, or maintained by electronic, magnetic, optical, or telephonic means, including, but not limited to, information generated, recorded preserved or maintained on computer hard drives, floppy disks, computer Files, deleted computer Files, back-up computer Files, magnetic tapes, compact disks, optical disks, computer archives, computer memory, servers, emails, or any other form of computer readable storage media; and All copies, archives, and versions thereof.

10. "File" or "Files" shall mean and include Any collection or arrangement of Documents, maintained by individuals or business entities, whether personally or as part of the business activities of Any business entity whether in paper, electronic, digital, or optical form.

11. "Identify," when used with respect to a Document (as defined above), means to describe the Document by stating its exact name and title, its date and all serial or other identifying numbers thereon, each and every person who wrote, signed, initialed, dictated or otherwise participated in the creation of such Document, the general subject matter, the addressee(s), the person(s) having possession, custody, or control of said Document, or any copy thereof, the location of any File or Files where the Document, or any copy thereof, is normally or presently kept, and Identify the custodian thereof.

12. “Identify,” when used with respect to a Person (as defined below), means to state the full name, address, and telephone number of that Person. If the Person is an organization, state the full name of the entity, the entity’s address(es), and the full names of the individuals employed by or representing said entity who have knowledge of or with whom communications have been had, pertaining to the subject matter of the request.

13. “Person” or “Persons” refers to any natural individual(s), governmental agency or department, governmental entity, or business entity, including a corporation or partnership, association(s), joint venture(s), co-venturer(s), or other entity, or any combination thereof, and All corporations, divisions, or entities affiliated with, owned, or controlled directly or indirectly by any such entities, as well as the directors, officers, employees, agents, attorneys, or other representatives thereof, or third parties retained or employed by any of the above.

14. “Relating to” means in whole or in part consisting, containing, concerning, embodying, identifying, stating, consisting of, pertaining to, referring to, dealing with, responding to, reflecting, supporting, connected with, commenting on, discussing, showing, describing, mentioning, analyzing, evidencing, or having any logical or factual connection with the matter referred to.

### **Interrogatories**

**Q. Town: Petitioner .1-1:** Please set forth in detail each and every basis for Petitioner’s assertion the proposed Facility complies with the Manchester Town Plan.

**Q. Town: Petitioner. 1-2:** Please describe in detail Petitioner’s efforts to find a suitable alternative site for the proposed Facility.

**Q. Town: Petitioner. 1-3:** Please list each and every potential alternative site considered by Petitioner as a site for the proposed Facility.

**Q. Town: Petitioner. 1-4:** Please explain why each potential alternative site listed in response to **Q.Town:Petitioner. 1-3** was determined to not be a suitable site for the proposed Facility.

**Q. Town: Petitioner. 1-5:** Please describe in detail the efforts Petitioner has made to locate the proposed Facility within existing tall structures.

**Q. Town: Petitioner. 1-6:** Please describe in detail the efforts Petitioner has made to co-locate with an existing communications tower.

### Requests to Produce

**Q. Town: Petitioner. 1-7:** Please produce all non-privileged Documents that relate to Petitioner's efforts to identify an alternative site for the proposed Facility.

**Q. Town: Petitioner. 1-8:** Please produce all non-privileged Documents that relate to Petitioner's efforts to co-locate with an existing communications tower.

### Requests to Admit

**Q. Town: Petitioner. 1-9:** Admit that the site for the proposed Facility is in the MU2 Zoning District in Manchester.

**Q. Town: Petitioner. 1-10:** Admit that the proposed Facility as described in the Petition would be visible from various locations along the recreation paths within the Dana Thompson Memorial Park, in Manchester, Vermont.

**Q. Town: Petitioner. 1-11:** Admit that the proposed Facility as described in the Petition would be visible from various locations along the recreation paths within Hunter Park in Manchester, Vermont.

**Q. Town: Petitioner. 1-12:** Admit that the proposed Facility as described in the Petition would be visible from various locations on the Riley Rink property in Manchester, Vermont.

**Q. Town: Petitioner. 1-13:** Admit that the proposed Facility as described in the Petition would be visible from portions of Main Street in Manchester, Vermont.

**Q. Town: Petitioner. 1-14:** Admit that the proposed Facility as described in the Petition would be visible from portions of Bonnet Street in Manchester, Vermont.

Dated at Manchester, Vermont this 15<sup>th</sup> day of May, 2025.

/s/ Merrill E. Bent

Merrill E. Bent, Esq.

Woolmington, Campbell, Bent & Stasny, P.C.

4900 Main Street, P.O. Box 2748

Manchester Center, VT 05255

(802) 362-2560

[merrill@greenmtlaw.com](mailto:merrill@greenmtlaw.com)