

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Case No. 25-1679-PET

Petition of Industrial Tower and Wireless, LLC requesting a certificate of public good, pursuant to 30 V.S.A. § 248a, authorizing the installation of wireless telecommunications equipment on 402 VT Rt 140 in Tinmouth, Vermont.	
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**COMMENTS OF THE VERMONT DEPARTMENT OF PUBLIC SERVICE RE THE
248a PETITION OF INDUSTRIAL TOWER AND WIRELESS, LLC**

On August 8, 2025, Industrial Tower and Wireless, LLC (“ITW” or “Petitioner”), filed a petition with the Vermont Public Utility Commission (“Commission”), pursuant to 30 V.S.A. § 248a, for approval to construct a telecommunications tower (“Project”) on a ± 32.35-acre parcel located at 402 VT Rt 140 in Tinmouth, Vermont (“Facility”). The Facility will consist of a 160’ above ground level (“AGL”) lattice tower¹ inside within an 80’ x 80’ compound, with associated equipment and appurtenances, that will be enclosed by an 8’ high chain link fence with a locked gate. The Commission deemed the petition administratively complete on August 13, 2025.

Based on ITW’s petition, supporting testimony, and accompanying exhibits, ITW proposes the following:

1. Construction of a 160’ lattice tower, whose highest appurtenances will reach a height of 173’ AGL;
2. Construction of an 80’ x 80’ compound, with a crushed stone surface, which will be enclosed by an 8’ chain link fence (“Compound”);
3. Installation of five (5) thin ‘whip’ transmit antennas, mounted at 160’ AGL, which will extend upwards to a maximum height of 173’ AGL;
4. To install one (1) thin ‘whip’ receive antenna at 160’ AGL, which will extend downward;
5. Each of the six (6) antennas will measure ~ 13’ x 2.75”;

¹ The Tower’s highest appurtenance will reach a height of 173’ AGL.

6. Construction of a concrete equipment platform measuring 10' x 10', to be placed on the ground inside the fenced compound, upon which ITW will place an equipment cabinet;
7. Co-axial cables will extend from the antennas down the inside of one of the Tower's legs, and connect to the equipment cabinet housed on the proposed equipment platform via a proposed cable bridge;
8. An Access to the Compound will be installed and resurfaced with crushed stone, though the Project will largely make use of an existing maple sugar bush access road; 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 accompanying exhibits and maintains that the application does not contain sufficient information to determine whether the Project raises a significant issue regarding the 30 V.S.A. §§ 202c(b) and 248a criteria subject to the Department's review. Therefore, the Department hereby requests additional information from ITW and correspondingly requests that its opportunity to submit further comments and a recommendation be preserved until after this information has been filed and the Department has completed its review.

ITW's colocation evidence has an inadequate level of detail for the Department to make a conclusion regarding whether the Project can be reasonably co-located at or on an existing telecommunications facility. Because the Tower is 160' AGL and the Tower's highest appurtenance is 173',² the application is subject to the filing requirements of 30 V.S.A. § 248a(c)(3). These requirements have not been met. As such, the Department requests that ITW file additional information and exhibits which satisfy 30 V.S.A. § 248a(c)(3), including but not limited to: propagation maps, identification of existing telecommunications facilities in the area,

² Please note that the average tree height is 59' AGL. *e.g.*, Exhibit LH-1, Sheet C-7.

coverage projections, and the required analysis, comparison, and explanation. Without this information, the Department cannot complete its analysis.

Moreover, the Department supports the notice of intervention filed by the Town of Tinmouth (“Tinmouth”) on September 2, 2025, as it is Tinmouth’s statutory right to participate in this proceeding pursuant to 30 V.S.A. § 248a(m). It is unclear whether the concerns filed by Tinmouth or the Rutland Regional Planning Commission as public comments during the advanced notice stage³ have been adequately addressed. Additionally, over a dozen public comments have been submitted in this proceeding which have challenged the petition.

Accordingly, the Department is currently unable to complete its review and cannot recommend approval of ITW’s petition. The Department requests that its right to comment be preserved until the supplemental information it has requested has been submitted and reviewed and the other potential issues further clarified.

DATED at Montpelier, Vermont this 9th day of September 2025.

VERMONT DEPARTMENT OF PUBLIC SERVICE

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³ See generally Case No. 25-0316-AN. Please note that proceeding also elicited over a dozen public comments.