

State of Vermont Public Utility Commission

Motion to Intervene Form

Intervenor and Case Information	
Case Number	25-0257-PET
Name	Terry Brown
Mailing Address	Street and # 718 Montgomery Rd Town Pownal, VT State and Zip 05261
Daytime Phone	6154986109
E-mail Address	tpbrown2023@proton.me
Name of Legal Counsel (if any)	
Mailing Address of Legal Counsel (if any)	Street and # Town State and Zip
E-mail Address of Legal Counsel (if any)	
The Rule 2.209 Criteria	
<p><u>Intervention as of Right by Statute or Commission Rule</u> (This is uncommon; leave blank if not applicable to your situation.)</p> <p>Please identify any statute or Commission rule that you think gives you a legal right to be a party in the case.</p>	
<p><u>Intervention as of Right without Statute or Commission Rule</u></p> <p>Please identify the interest you have that must be decided in this proceeding and explain (a) why a decision in this proceeding will impair your ability to protect that interest, and (b) why another existing party to the case does not adequately represent that interest.</p>	

<p><u>Permissive Intervention by Statute or Commission Rule</u></p> <p>Please identify any statute or Commission rule that you believe gives you a conditional right to intervene in this proceeding, and explain why you believe the conditions have been met. Please also explain why your participation as a party will not unnecessarily delay this proceeding or otherwise unduly prejudice the interests of existing parties.</p>	
<p><u>Permissive Intervention without Statute or Commission Rule</u></p> <p>Please identify the interest you have that must be decided in this proceeding and explain why your participation as a party will not unnecessarily delay this proceeding or otherwise unduly prejudice the interests of existing parties.</p>	<p>Jane Wilkerson and Terry Brown, co-owners of 718 Montgomery Rd, which directly adjoins the site proposed in the Amended Petition, move to be recognized as interveners regarding this Petition.</p> <p>30 V.S.A. § 248a requires that Petitioner provide 60 days notice to adjoining landowners of record. Petitioner attempted to notify Genesis Pownal, a former owner of 718 Montgomery Rd, without verifying this property owner of record with the Town of Pownal. Had Petitioner verified the property owner of record with the Town Clerk, we would have received timely notice of this petition.</p> <p>We assert that this lack of timely notice denied us the rights to protect our specific interests in regards to the placement of this tower. We were not given a chance to assess the potential aesthetic and property value impact of the tower that would be provided by a balloon test. While the commission has ruled that the new site in the Revised Petition is not substantially different from the original proposed site, thus not requiring a new balloon test, we assert that because we were not notified of the original balloon test, we are being denied any ability to assess the aesthetic and property value impact of this tower on our property.</p> <p>We are not opposed to cell towers in general, and have two cell towers situated on our property. But the former owners of this property, Paul Harsch and Merry Anderson, carefully crafted rules around the easements granted to the cell companies to keep those cell towers</p>
<p><u>Certification</u> This section may be completed by the intervenor or a duly authorized representative.</p>	
<p>I certify that the information provided on this form is true and accurate to the best of my knowledge.</p> <p>Print Name <u>Terry P Brown</u></p> <p>Signature _____ Date <u>9/26/2025</u></p> <p><i>Note: A signature is not required if this form is filed using ePUC, the Commission's online document management system, which is accessible at https://epuc.vermont.gov</i></p>	