

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Petition of T-Mobile Northeast, LLC)
pursuant to 30 V.S.A. § 248a,)
requesting a Certificate of Public Good)
for a collocation of a wireless)
telecommunications facility in)
Sheldon, Vermont)

Case No. 25-____-PET

Order 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 (“PUC”) this day found and adjudged that the proposal by T-Mobile Northeast, LLC to collocate upon an existing telecommunications facility located at 1298 Machia Road, Sheldon, VT (“the Project”) will promote the general good of the State of Vermont in accordance with 30 V.S.A. § 248a, with the following findings of fact and 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 Board approval. Failure to obtain advance approval from the PUC for a material deviation from the approved plans may result in the assessment of a penalty against the appropriate entity pursuant to 30 V.S.A. Section 30 and Section 247.

2. The Project shall comply with applicable existing and future statutory requirements and Board Rules and Orders.

3. This Certificate of Public Good shall not be transferred without the prior approval from the PUC to the entity seeking to transfer rights to its Facility.

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 PUC.

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

PUBLIC UTILITY COMMISSION

A TRUE COPY:
OFFICE OF THE CLERK
Filed:

Attest: _____
Clerk of the PUC

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

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ORDER GRANTING CERTIFICATE OF PUBLIC GOOD

I. INTRODUCTION

In this Order, the Vermont Public Utility Commission (“Commission”) approves the application filed by T-Mobile Northeast, LLC (the “T-Mobile” or “Petitioner”), pursuant to 30 V.S.A. § 248a and the Commission’s Procedures Order,¹ and grants the Petitioner a Certificate of Public Good (“CPG”) authorizing modifications to an existing telecommunications facility located on an existing “monopine” (monopole) tower at 1292 Machia Road, Sheldon, VT, (the “Project”).

II. BACKGROUND

This case involves a petition, pre-filed testimony and exhibits filed on October 20, 2025, requesting that the Commission issue a CPG approving modifications to the existing facility, pursuant to 30 V.S.A. § 248a. No comments, motion to intervene or requests for a hearing regarding the Project have been filed by any noticed party or any member of the general public with the Commission.

¹ Order Adopting Revised Standards and Procedures Implementing 30 V.S.A. § 248a,” dated January 18, 2023

The Commission has determined that the application and supporting materials have effectively addressed the applicable substantive criteria of 30 V.S.A. §248a and the requirements of the Procedures Order. Consequently, we find that the procedure authorized by §248a is sufficient to satisfy the public interest and no hearings are required. Accordingly, the following (all of which were submitted contemporaneously with the petition) are admitted as if presented at a hearing: (i) Pre-filed testimony of Brent Gannon with the following exhibits: site plans (Exhibit 1), equipment specifications (Exhibit 2), radio frequency plots (Exhibit 3), structural report (Exhibit 4), project narrative (Exhibit 9), Letter of conformity from the Northwest Regional Planning Commission (Exhibit 10) and resume for Mr. Gannon (Exhibit 11) and (ii) pre-filed testimony of Jonathan S. Springer, Esq. and excerpt of town plan (Exhibit 5), excerpt from regional plan (Exhibit 6), relevant existing permits (Exhibit 7), and adjoining owners list (Exhibit 8).

III. FINDINGS

Based upon the petition and its accompanying documents, the Commission makes the following findings in this matter.

13. The Project will not have an undue adverse impact on air and water purity, the natural environment, public health and safety, the public's use and enjoyment of scenic corridors, floodways, aesthetics, historic sites, rare and irreplaceable natural areas, or endangered species or necessary wildlife habitat. This finding is supported by findings 15 through 21, below.
14. The Project will not have an undue adverse impact on the non-waived Section 248a(c)(1) criteria, as informed by Section H(2) of the Procedures Order. This finding is supported by findings 15 through 21, below.

15. The proposed collocation will not have an undue adverse effect on floodways, rare and irreplaceable natural areas, threatened or endangered species, or necessary wildlife habitat, since the collocation is on an existing farm silo, and the shape, size and nature of the silo is being maintained, or in the compound area and none of these natural resources are presently affected, nor will they be in the future. Exhibits 1 and 9.
16. The proposed collocation will not have an undue adverse effect on aesthetics or the scenic or natural beauty of the area. The Project fits within the context of its surroundings insofar as it involves collocation upon an existing facility, and the shape, size and nature of the silo is being maintained. The proposed collocation will have a negligible impact on the aesthetics of the area. Exhibits 1 and 9.
17. The Project will not have an undue adverse effect on any historic sites in the area. The Project fits within the context of its surroundings insofar as it involves collocation upon an existing facility, and the shape, size and nature of the silo is being maintained. Exhibits 1 and 9.
18. The Project will not cause any undue adverse impacts or effects on public health and safety. The tower is structurally capable of supporting T-Mobile's antennas and equipment. Exhibit 4.
19. The Petitioner has analyzed the town plan and regional plan and has determined that the Project is in general compliance with the plans, especially since it involves collocation upon an existing structure. Exhibit 5 and Exhibit 6. Neither the Town nor the Regional Planning Commission has objected to or expressed concerns with the Project.
21. Petitioner is presently using an existing, permitted facility. Evaluation of collocation alternatives therefore was not necessary. Exhibits 1, 3, and 9.

22. The Project is consistent with all applicable conditions of the local permits relating to the existing facility. Exhibit 7.

IV. DISCUSSION AND CONCLUSION

Pursuant to 30 V.S.A. § 248a(a), the PUC may grant a Certificate of Public Good for the Collocation of a telecommunications facility that is to be interconnected with other telecommunications facilities if the PUC finds that the facility will promote the general good of the state consistent with subsection 2020(b) of this title. 30 V.S.A. § 248a(a). Before issuing a Certificate of Public Good, the PUC shall find:

The proposed facility will not have an undue adverse effect on air and water purity, aesthetics, historic sites, the natural environment, the public health and safety, or the public's use and enjoyment of the I-89 and I-91 scenic corridors or of any highway that has been designated as a scenic road or a scenic byway, with due consideration having been given to the relevant criteria specified in 10 V.S.A. §§ 1424(a)(d) and 6086(a)(l) through (8) and (9)(K). However, with respect to a telecommunications facility of limited size and scope, the [PUC] shall waive all criteria of this subdivision other than 10 V.S.A. § 6086(a)(1)(D) (floodways) and 6086(a)(8) (aesthetics, historic sites, rare and irreplaceable natural areas).

30 V.S.A. § 248a(c). A project of "limited size and scope" is defined as:

(i) a new telecommunications facility, including any ancillary improvements, that does not exceed 140 feet in height; or (ii) an addition, modification, replacement, or removal of telecommunications equipment at a lawfully constructed telecommunications facility or on an existing support structure and ancillary improvements, that would result in a facility of a total height less than 200 feet and does not increase the width of the existing support structure by more than 20 feet.

30 V.S.A. § 248(b)(3)(A). To further constitute a project of limited size and scope, the Project

"shall not disturb more than 10,000 square feet of earth. For purposes of this subdivision,

'disturbed earth' means the exposure of soil to the erosive effects of wind, rain or runoff." 30

V.S.A. § 248a(b)(3)(B). "[T]emporary earth disturbance associated with construction activities"

is not included in calculating earth disturbance. Procedures Order at § II.

Based upon the record evidence, the Facility is a project of “limited size and scope,” as defined in 30 V.S.A. § 248a. The Project will not increase the width of the support structure by more than 20 feet or result in a telecommunications facility that exceeds 200 feet AGL. The total earth disturbance will not exceed 10,000 square feet. The PUC therefore waives all criteria of Section 248a(c)(1) with the exception of 10 V.S.A. § 6086(a)(1)(D) (floodways) and (a)(8) (aesthetics, historic sites, rare and irreplaceable natural areas).

The Commission also affords substantial deference to land conservation measures and recommendations of municipal and regional entities, unless good cause is found not to adhere to the recommendations. 30 V.S.A. § 248a(c)(2). The Project generally complies with the requirements prescribed in the local and regional land use planning documents. Finally, where the purpose of the facility is the provision of wireless services, the Commission must find that the proposed facility cannot be reasonably collocated on an existing telecommunications facility, or that such collocation would cause an undue adverse effect on aesthetics. 30 V.S.A. § 248a(c)(3). This provision does not apply here, since the Project involves collocating at the existing structure.

Based upon all of the above evidence, the petition raises no significant issues with respect to any relevant substantive criteria of 30 V.S.A. § 248a. The public interest is therefore satisfied by the procedures authorized in 30 V.S.A. § 248a, and 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 T-Mobile Northeast, LLC, 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. As a condition of this Order, T-Mobile Northeast, LLC shall comply with all terms and conditions set out in the Certificate of Public Good issued in conjunction with this Order.

Dated at _____, this _____ day of _____, 2025.

_____) PUBLIC UTILITY
_____) COMMISSION
_____) OF VERMONT

OFFICE OF THE CLERK

Filed:

Attest: _____
Clerk of the Commission

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

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Commission within 30 days. Appeal will not stay the effect of this Order, absent further order by this Commission or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Commission within 28 days of the date of this decision and Order.

Parties:

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