

November 26, 2025

To: Parties on attached Service List

Re: Application for a Certificate of Public Good, pursuant to 30 V.S.A. § 248a

Applicant: Industrial Tower and Wireless, LLC ("ITW")
Project: Construction of a Wireless Telecommunication Facility
Location: Bordoville Road, Enosburgh, VT; Parcel WE4756
Landowners: Matthew Hull

Dear Statutory Party:

Our firm represents ITW. You are receiving this notification because ITW intends to file an application with the Public Utility Commission ("Commission"), under the provisions of 30 V.S.A. § 248a ("Section 248a"), for a Certificate of Public Good to allow the construction of a wireless telecommunications facility in the Town of Enosburgh, Vermont. The "Notice" provision of the Section 248a process, as amended, requires that:

The applicant must provide written notice, at least 60 days in advance of filing a Section 248a application, to the following entities:

- (a) the legislative bodies and municipal and regional planning commissions in the communities where the project will be located;
- (b) the Secretary of the Agency of Natural Resources;
- (c) the Agency of Transportation;
- (d) the Division for Historic Preservation;
- (e) the Commissioner of the Department of Public Service and its Director for Public Advocacy;
- (f) the Natural Resources Board...;
- (g) the landowners of record of property adjoining the project sites; and
- (h) the Public Utility Commission...

The application will be filed in accordance with the *Order Adopting Revised Standards and Procedures Implementing 30 V.S.A. § 248a*, issued by the Commission on January 18, 2023, ("Amended Order"), and the Standards and Procedures Applicable to Electronic Filing Using ePUC, eff. January 17, 2017 ("ePUC Procedures").

Copies of the Amended Order and ePUC Procedures are available on the web at <http://puc.vermont.gov> and from the Clerk of the Commission at puc.clerk@vermont.gov.

Documents filed with the PUC are available electronically through the PUC's website at <http://epuc.vermont.gov/>.

Project Location

ITW intends to construct a telecommunications facility on an approximately 506-acre parcel of land owned by Matthew Hull on Bordoville Road, Enosburgh, VT. The Town of Enosburgh has designated this lot as Parcel WE4756.

ITW refers to the project as "Enosburgh." The property owner has given ITW permission to proceed with this Application. The coordinates for the Project are latitude 44°50'27.60" North and longitude 72°48'39.42" West. See attached Permit Plans for visual depiction of the Project's location.

Project Description

ITW will create an 80' x 80' compound ("Compound") enclosed by an 8' high chain link fence, with a locked gate. ITW will construct a 120' above ground level ("AGL") telecommunications self-supporting lattice tower ("Tower") within the Compound.

ITW will mount six (6) thin, "whip" antennas ("Antennas") at the 120' AGL level of the Tower. Five (5) of the Antennas will extend upward to a maximum height of 133.0' AGL. The remaining Antenna will reach downward from the 120' AGL mounting level. Each Antenna will measure approximately 13' long and 2.75" in diameter.¹

ITW initially filed a petition for a tower at this site at 140' AGL. ITW's 140' foot tower was denied by this Commission *See* Case No. 22-2120-PET. The denial was affirmed by the United States Federal Court for the District of Vermont. *See Industrial Tower and Wireless, LLC v. Roisman et al*, Decision on Cross Motions For Summary Judgment, August 19, 2024, D. VT Case No. 2:23-cv-365 *aff'd* 2nd Cir. Case No. 24-2512-cv October 27, 2025. During the course of these proceedings the Northwest Regional Planning Commission (as an opponent to the project) and Department of Public Service (as an opponent to the project) asserted that a 140' AGL Tower was not the least intrusive means to provide coverage to a mutually agreed coverage gap. Rather those parties asserted that the coverage gap, and the obligation to provide for collocation, could be met with at 120' AGL Tower.²

Following the final adjudication of ITW's 140' foot tower, ITW redesigned the tower to reduce the height to 120' AGL to match the recommendations of the Northwest Regional Planning

¹ From time to time, equipment manufacturers may alter their products or ITW may purchase from different suppliers. Therefore, there is a possibility that the actual antennas and other equipment may be slightly different from but of similar dimensions as those described in this notice.

² *See e.g. Industrial Tower and Wireless, LLC v. Roisman et al*, Summary Order, 2nd Cir. October 27, 2025 at p. 3 ("whereas Defendants claim that a 120-foot tower would be less intrusive while still effectively closing the coverage gap").

Parties on attached Service List

November 26, 2025

Page 3 of 4

Commission. Based on the prior comments and positions, 120' AGL is the minimum height necessary for ITW to meet the State's coverage objectives and in turn, is the least obtrusive means of telecommunications facility to do so.

ITW designed the Tower and Compound to accommodate the equipment of one additional wireless communications provider to further the State of Vermont's interest in providing universal access to telecommunication pursuant to 30 V.S.A. § 202c and in turn, support the NRPC's policy preference for the siting of new telecommunications facilities on existing sites as set forth in the Regional Plan by creating space for future co-location. Sheet C-9 of the Permit Plans illustrates the possible location for the antennas that such a carrier would seek to place on the Tower by subsequent application to the Commission.

ITW will install its equipment cabinet ("Cabinet") in the Compound near the Tower. The Cabinet will sit on a 10' by 10' concrete pad and will contain the electronics equipment necessary for the operation of the Project.

Co-axial and fiber optic cables from the Antennas will descend along one of the three (3) legs of the Tower. The cables will exit near the base of the Tower and will connect with the Cabinet via a proposed cable bridge.

To provide access ("Access") to the Compound, ITW proposes to construct an access drive off Bordoville Road to be 12' wide and 18' clear and to accommodate a 75' CL radius leading into the Compound

Approximate clearing limits are shown on the enclosed plans.² The contractor will limit clearing to the minimum required to construct the Access and Compound, which is estimated to be approximately 25,256 square feet. Culverts, check dams, water bars and silt fencing will be placed along the Access and at the Compound as necessary to control erosion both during and after construction in conformance with the Vermont Low Risk Site Handbook for Erosion Prevention and Sediment Control.

After the completion of construction, the amount of new impervious surface area will be approximately 6,724 square feet. Total permanent earth disturbance will be approximately 26,420 square feet.

Underground utilities will follow the Access from Bordoville Road to the Compound and will be placed in a trench adjacent to the Access.

As part of the design for this Project, ITW RF engineers evaluated existing telecommunications facilities and existing structures for possible co-location opportunities. No such facilities or structures that would fulfill the objectives for this site exist.

Although holding an FCC license ("License") to do so, ITW does not yet provide telecommunications services in this area. This site will be part of the interconnected network that

Parties on attached Service List

November 26, 2025

Page 4 of 4

ITW is constructing pursuant to that License.

Please feel free to contact me, either by email or at the address or telephone number below, if you have any questions or comments regarding the proposed Project. We would like to receive comments no later than 30 days from your receipt of this Notice so that they can be considered prior to the application filing.

As a recipient of this notice, you will also be notified when the application is filed, which will be at least 60 days from the date of this letter. You will then have 30 days from receipt of that notification to file comments, a motion to intervene or request for hearing with the Commission. Please review the Amended Order for additional information and procedures.

Very truly yours,

A handwritten signature in dark ink, appearing to be "W. H. Hays", written over a horizontal line.

cc: Statutory Parties on attached Service List (w/enclosure) Adjoining
Landowners on attached Service List (w/enclosure)