

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 in Tinmouth, Vermont	
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Order entered: 01/07/2026

ORDER RE MOTION TO CLARIFY

On November 7, 2025, the Vermont Public Utility Commission (“Commission”) issued an order remanding this case to the hearing officer for further process. The order also directs the parties to file a proposed schedule for the remainder of the proceeding pursuant to Commission Rule 2.219 under the standard for summary judgment.

On December 26, 2025, the Town of Tinmouth Select Board and Planning Commission (together the “Town”) filed a motion to clarify the scope of the proceeding.

On December 31, 2025, Industrial Tower and Wireless, LLC (“Petitioner”) filed a response in opposition to the motion on the grounds that it is late filed and in violation of the Commission’s discovery rules.

With respect to the scope of the Town’s intervention proceeding on remand, the Commission’s November 7 order states that the scope of the remanding proceeding will be limited to litigation of the Town’s comments. Therefore, the Town’s request for further clarification on issues within the Town’s scope of intervention is denied. The parties are reminded that I also granted intervenor status to Adam Guettel, Nelson and Beatrice Jaquayma, and Chris Carabeau with respect to the proposed project’s impacts on aesthetics under 30 V.S.A. § 248a(c)(1). Therefore, the scope of the proceeding also includes aesthetic impacts.

With respect to process, I request that the parties submit a joint or separate proposed schedule(s) for the remainder of this proceeding on or before January 23, 2026. As noted in the Commission’s November 7 order, the proposed schedule(s) must include the following events: (1) a deadline for the Town to file supplemental evidence supporting its recommendation that the Project be denied a CPG; (2) a deadline for the Petitioner to file supplemental evidence in

response to the Town's recommendation; (3) the opportunity for discovery; and (4) a deadline for the parties to file memoranda and statements of disputed or undisputed facts, pursuant to Commission Rule 2.219 under the standard for summary judgment. Whether this case proceeds to an evidentiary hearing is contingent on the resolution of summary judgment motions filed under Commission Rule 2.219 (if any are filed). Therefore, I leave it to the parties to determine whether to develop proposed schedules that are either: (1) limited to potential resolution of the narrow issue identified by the Town through summary judgment motions filed under Commission 2.219; (2) or more expansive to include a full litigation schedule that also includes deadlines for the intervenors to file testimony on issues within their scope of intervention together with potential evidentiary hearing dates.

If the parties are unable to agree to a proposed schedule, then they are directed to file separate proposals.

SO ORDERED.

Dated at Montpelier, Vermont, this 7th day of January, 2026.



Gregg Faber
Hearing Officer

OFFICE OF THE CLERK

Filed: January 7, 2026

Attest: 

Clerk of the Commission

PUC Case No. 25-1679-PET - SERVICE LIST

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*Notice of appearance to be filed.