

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Case No. 26- ____-PET

Application of)
Industrial Tower and Wireless, LLC)
for a Certificate of Public Good,)
pursuant to 30 V.S.A. § 248a, authorizing)
the construction of a wireless telecommunications)
facility in Enosburgh, Vermont.)

**APPLICATION OF INDUSTRIAL TOWER AND WIRELESS, LLC
FOR A CERTIFICATE OF PUBLIC GOOD PURSUANT TO 30 V.S.A. SECTION 248A**

By this Application, Industrial Tower and Wireless, LLC (together with its affiliated companies: “ITW” or “Industrial”) represents:

1. The Applicant is a "company" as defined by 30 V.S.A. § 201 and, as such, is subject to the jurisdiction of the Vermont Public Utility Commission (the "Commission") pursuant to 30 V.S.A. § 203.

2. The proposed project will be a "telecommunication facility" as defined by 30 V.S.A. § 248a(b)(1).

3. ITW intends to construct a telecommunications facility on a portion of the approximately 506 acre parcel of land owned by Matthew Hull off of Bordoville Road, Enosburgh, Vermont. ITW refers to the project as “Enosburgh.” The property owners have 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 Permit Plans, Exhibit LH-1, for a visual depiction of the Project’s location.

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

5. Six (6) thin "whip" antennas ("Antennas") will be mounted at 120' AGL of the Tower. Five (5) transmit Antennas will extend upward to a maximum height of 133.0' AGL. The receiving Antenna will reach downward from the 120' AGL mounting level. Each Antenna will measure approximately 13' long and 2.75" in diameter. Full and accurate specifications for the Antennas are attached as Exhibit KD-2.

6. ITW will place an equipment cabinet ("Cabinet") on a 10' by 10' concrete pad inside the Compound, to the northwest of the Tower. The Cabinet will contain the electronics equipment necessary for the operation of the Project. See Cabinet Specifications (Exhibit LH-2). Co-axial cables from the mounted antennas will descend on the inside of the Tower. The cables will exit near the base of the Tower and will connect with the Cabinets via a proposed cable bridge.

7. To provide access to the Compound, ITW will be create a 12' wide access ("Access") which will follow the existing entrance to a seasonal camp within a 25' wide easement area. Underground electric and telephone utilities will follow the Access from a proposed overhead utility line extension on Bordoville Road by Enosburg Light and Electric.

8. Approximate clearing limits are shown on the enclosed Permit Plans.¹ 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. The project will result in 26,240 square feet of permanent earth disturbance. Construction shall meet the requirements of the State of

¹ Clearing limits may need to be adjusted based on conditions encountered during construction.

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. At the close of construction, ITW will reseed and mulch all disturbed areas along the Access and around the Compound.

NOTICE TO RECIPIENTS

Pursuant to the Public Utility Commission's ("Commission") *Sixth Amended Order Implementing Standards and Procedures for Issuance of a Certificate of Public Good for Telecommunications Facilities Pursuant to 30 V.S.A. § 248a*, entered in Case No. 18-2940-INV on September 21, 2018 ("Procedures Order"), any and all recipients of this application have 30 days to file comments, motions to intervene, or requests for hearing on the project with the Commission. If a recipient would like to request a hearing, the recipient must make a showing that the project raises a significant issue with respect to the applicable criteria under 30 V.S.A. § 248a(c)(1) and pursuant to the Procedures Order.

State Telecommunications Policy [30 V.S.A. §248a(a)]

10. The Project is consistent with the goal of directing the benefits of improved telecommunications technology to all Vermonters pursuant to 30 V.S.A. § 202c(b). Existing and proposed communications support structures in and near the Town of Enosburgh cannot serve the area proposed to be served by the ITW Enosburgh site due to distance, height, and terrain blockage. The Project will provide the needed coverage and capacity to allow ITW subscribers living in, working in or passing through the Enosburgh area to be able to use ITW's network, something that is impossible at present. The Propagation Plots (Exhibit KD-1) illustrate the current lack of coverage and the estimated extent of the planned coverage from the ITW Enosburgh site.

11. ITW has designed the Tower and Compound to accommodate the equipment of one other wireless communications provider. Sheet C-7 of the Exhibit LH-1 Permit Plans illustrates possible locations for the antennas that such carriers would seek to place on the Tower. In my experience, national wireless carriers, such as AT&T and Verizon, do not commit to co-locating their antennas and equipment until the tower has been permitted. Furthermore, as Exhibit KD-3 demonstrates, there are only two (2) existing towers within a 10-mile radius of the site. As of the date of this application. Verizon is located on both facilities (however these facilities are located 5.0 and 6.5 miles from the project site) and AT&T is not located on any towers within a 10-mile radius of the site, As designed, the proposed facility would support co-location by both of these carriers. The St. Albans Police Department has written a letter in support of the proposal on behalf of St. Albans Dispatch. See Exhibit KD-4. As designed, the Tower has capacity to support the central dispatches installation at 120' AGL as requested. Prefiled Testimony of Kevin Delaney ("Delaney Pf.") at 6.

Natural Environment, and Public Health and Safety

[30 V.S.A. § 248a(c)(1)]

12. The Project will not have an undue adverse effect on aesthetics, historical sites, air and water purity, the natural environment, and the public health and safety. This finding is supported by findings under Paragraph 15 below.

Public Health and Safety

[30 V.S.A. § 248a(c)(1)]

13. The Project will not have an undue adverse impact on public health and safety. Prefiled Testimony of Louis Hodgetts ("Hodgetts pf.") at 3-14.

Collocation

[30 V.S.A. § 248a(c)(3)]

14. The Project cannot be located on or at an existing telecommunications facility, as there are no suitable facilities within the area that ITW's Enosburgh site is intended to serve. Delaney pf. at 3-6. The Route 108 corridor is a very difficult area to cover because it is a narrow, winding road that runs between mountainous terrain. That topography presents severe challenges with signal propagation. Wireless signals travel in straight lines and are obstructed by elevation changes, especially when the transmitting tower is lower than surrounding terrain. The propagation plots that Kevin Delaney created for this site illustrate the coverage achieved by this location. *See* Exhibit KD-1. Research of the area confirmed that there are two (2) existing towers within a ten (10) mile radius of the proposed site. Delaney pf. at 5. However, the propagation maps show that these existing sites do not provide coverage to the identified gap. The existing towers are simply too far away, not tall enough, or do not have space available to provide the needed coverage (the closest existing site is 5 miles away in Enosburgh Falls, VT). *See* Exhibit KD-3 Existing Tower Analysis and Propagation Maps; Delaney pf. at 5-6.

15. The proposed Project will not have an adverse impact affecting any of the applicable criteria under 10 V.S.A. § 6086(a) and 10 V.S.A. § 1424a (d) and will conform to the land conservation measures in the applicable local and regional plans.

Criterion 1 - Water or Air Pollution:

HVAC System: The proposed equipment installation will utilize equipment cabinets installed outdoors within a fenced compound ("Compound") on a 10' by 10' concrete pad. The outdoor equipment cabinets are equipped with an air-to-air heat exchange system. The outer loop of the system includes air intake and exhaust perforations on the door and a fan to maintain the allowable operating temperatures within the cabinet.

Dust Control: If conditions arise during construction that would require treatment

to minimize dust, water and/or calcium chloride will be applied to the surface. There will be no noxious gases, smoke or odors emitted from the facility.

Noise: No significant noise will be generated by this Project once in operation. Typical hours of construction will be 7:00 AM to 5:00 PM, Monday through Friday, although occasional evening or weekend work may be required.

Outstanding Water Resources (10 V.S.A. § 1424a (d)); Headwaters, Waste Disposal, Water Conservation, Floodways, Streams, Shorelines and Wetlands (10 V.S.A § 6086(a)(1) (A)-(G), (2) and (3)):

Criterion 1A - Headwaters: The project area may be classified as a headwaters area due to steep slopes, shallow soils, and limited drainage area; however, the proposed improvements are located on a relatively flat portion of the property. Runoff from the installation of the proposed Access and Compound will be dispersed into crushed stone working surface and then drain into the surrounding terrain resulting in a negligible change to the drainage patterns.

Further there is no water supply or wastewater discharge from the site, and stormwater discharges will be effectively unchanged. Therefore, there would be no impact to the ability of a Headwaters area (if it exists at this location) to contribute to the downgradient potential for water supply and stream habitat. The existing access drive does parallel a stream however there is an existing 50' vegetated buffer which will be maintained throughout construction of the facility.

Criterion 1(B) – Waste Disposal: Following construction, the proposed Project will not generate any waste. Construction waste generated during construction of the project will be removed from the site and recycled or disposed of at approved waste processing

facilities.

Criterion 1(C) - Water Conservation: The proposed Project will be unmanned and will not require water or sewer facilities.

Criterion 1(D) - Floodways: According to the FEMA Flood Insurance Rate Map (Firmette) for the Town of Enosburgh, VT (Exhibit LH-3), the Compound is not located in any flood hazard area.

Criteria 1(E) and 1(F) - Streams and Shorelines: There are no stream crossings or shoreline improvements proposed on this project. The existing access to the field parallels an unnamed tributary to the Branch. However, project disturbance is outside the 50' riparian buffer and there are no proposed impacts to the stream or the buffer.

To ensure the protection to the unnamed tributary to the Branch, the Agency of Natural Resources ("ANR") requested the Petitioner maintain an undisturbed, naturally vegetated riparian zone along the unnamed tributary of The Branch, which shall begin at the water's edge at base flow conditions, and shall further extend 50 feet measured inland from, perpendicular to, and horizontally from the Top of Bank and contiguous delineated wetland as depicted on Exhibit LH-1. The term "undisturbed" means that there shall be no activities that may cause or contribute to ground or vegetation disturbance or soil compaction, including but not limited to construction, earth-moving activities, storage of materials, tree trimming or canopy removal, tree, shrub, or groundcover removal; plowing or disposal of snow, grazing or mowing. Where the Project is within 100 feet of any riparian zone boundary, Prior to site preparation or demolition, the Permittee shall install a continuous line of visible flagging outside the riparian zone boundary, to remain for the duration of construction. The Petitioner has not proposed any disturbance within the area highlighted

by ANR as it is outside of the limit of proposed disturbance shown on Exhibit LH-1, and agrees to comply with this condition consistent with the Petitioner's lease rights to the subject parcel.

Wetlands were identified on the Project parcel, as described in Criterion 1(G), below the Petitioner obtained Wetlands Permit #2022-0430 and will comply with the conditions therein.

The contractor shall install the facility using sound construction methods in accordance with the State of Vermont Low Risk Site Handbook for Erosion Prevention and Sediment Control.

Criterion 1(G) - Wetlands: Aimee N. Rutledge from DuBois and King, Inc. conducted an initial site visit on November 4th and 8th, 2021 and prepared a report based on her findings. (Exhibit LH-2). A more recent site visit was conducted, and the report will be submitted as soon as available. Three wetlands ("Wetland A, B, and C") were delineated in the vicinity of the Project.

Wetland A is a palustrine forested (PFO) wetland, flagged as A1 through A12. The wetland is located in the northern portion of the study area, adjacent to a perennial stream. Wetland A is situated between the stream and a steep slope which receives drainage from Wetlands B and C to the south. The wetland is sparsely vegetated and is dominated by eastern hemlock (*Tsuga canadensis*) and sensitive fern (*Onoclea sensibilis*). The wetland is small, and its principal values and functions include stormwater runoff and flood storage. Wetland A is Class II due to its connectivity with the stream.

Wetland B is a palustrine emergent (PEM)/scrub-shrub (PPS) slope wetland located in the western portion of the study area. It receives stormwater runoff from a drainage channel

located along the forest access road to the south. The wetland is dominated by sensitive fern, tall goldenrod (*Solidago altissima*), and reed canary grass (*Phalaris arundinacea*). The wetland connects to Wetland A via a poorly-defined channel on the northern portion of the wetland. Wetland B is presumed to be Class II due to its connectivity with Wetland A.

Wetland C is also a palustrine emergent (PEM) wetland. It is essentially a continuation of Wetland B. Wetland B and C are connected via an approximate 12-inch CMP under an overgrown driveway that accesses the small cabin mentioned above. The wetland is also dominated by sensitive fern, tall goldenrod, and reed canary grass. Wetland C also connects to Wetland A via a poorly-defined channel. Wetland B is presumed to be Class II due to its connectivity with Wetland A.

The Wetland B/C complex does not exhibit significant functions and values. The wetland's principal values and functions include wildlife habitat. The overall width of the Wetland B/C complex is narrow, influenced by microtopography, and continues to the west for a short distance maintaining the narrow slope wetland characteristic.

The project does propose driveway improvements within the Wetland B buffer. Accordingly, the Petitioner obtained Wetland Permit #2022-0430 and will comply with the conditions therein. Further, at the request of ANR to provide additional protection to the wetland and wetland buffer from accidental encroachment outside of authorized impacts the Petitioner will install a continuous line of orange snow fence or flagging tape along the limits of disturbance prior to the start of construction as discussed above. The Petitioner will remove selected trees, maintain stumps, and restore according to site plans approved in the Wetland Permit #2022-0430 application package.

Best management practices (BMP's) (i.e. Silt fencing, wattles, erosion controls, etc.) will be employed during construction to ensure stormwater runoff does not carry construction related debris into nearby wetland features.

Criteria 2 and 3 - Water Supply: The proposed Project will be unmanned and will not require water or sewer facilities.

Criterion 4 - Soil Erosion: The erosion prevention sediment control measures outlined below shall meet all applicable Department of Environmental Conservation regulations. This project has less than one (1) acre of proposed disturbance, and therefore does not require a State of Vermont Stormwater Discharge Permit for Construction Activities, however construction will follow the best management practices as outlined in the State of Vermont Low Risk Site Handbook for Erosion Prevention and Sediment Control. *See* Hodgetts pf. at 7.

Stormwater runoff during construction of the Project will be diverted or collected and treated as outlined in the State of Vermont Low Risk Handbook for Erosion Prevention and Sediment Control. *See* Hodgetts pf. at 6. Silt fence will be installed parallel to grade and down gradient from construction to prevent eroded sediment from leaving the site. The effective increase in impervious area is approximately 6,724 square feet. The resulting increase in total jurisdictional impervious area will remain below the one (1) acre threshold for a stormwater operational permit. The proposed improvements will utilize the existing terrain and natural treatment systems to ensure water quality and that runoff rates do not adversely impact the existing drainage ways or wetlands. *See* Hodgetts pf. at 8-9.

Additionally, the impact of the new impervious area to the groundwater supply is negligible considering the existing conditions and proposed improvements. The proposed

improvements consist of installation of an Access and Compound, on an existing field, to be resurfaced with crushed stone material. As proposed, this Access will see very limited use consisting of infrequent maintenance inspections and equipment deliveries following construction. The proposed Project will not require a water supply, will have no draw on the groundwater aquifer, nor will the Project have an in-ground waste treatment system that could potentially contaminate the groundwater.

Within the proposed compound, a crushed stone surface with a gentle slope will be provided to capture rainfall and enhance infiltration. The runoff collected by the proposed equipment cabinets will discharge across this surface and disperse in the surrounding field.

Should winter earthwork take place, additional winter erosion control measures will be applied. These measures include minimizing the soil disturbance, installation of silt fencing prior to the ground freezing, and protecting the disturbed area with hay mulch, at twice the normal rate, as soon as feasible. To limit the effect of the spring snowmelt, all snow removed from the site shall be kept down gradient of the site work and all erosion control measures shall be inspected regularly. Permanent vegetative controls will be installed as early as practical to further protect the site.

Criterion 5 - Highways and Other Means of Transportation: The Project will not cause unreasonable congestion or unsafe conditions with respect to the use of highways. The site is accessed from Bordoville Road, an existing road off of Vermont Route 108. After construction, the Project will generally be visited once or twice a month by a service technician for routine inspections.

Criterion 6 - Educational Services and Criterion 7 - Municipal Services: The proposed Project will have no effect on the ability of the Town of Enosburgh to provide educational

services.

Except for a remote possibility of the need for emergency service, the Project will not require municipal services. The Project will not place an unreasonable burden on the ability of the local governments to provide municipal or governmental services. In fact, because its ability for colocation for wireless services, it would enhance the Town's ability to provide those services. Increased wireless services will also enhance the Town's ability to provide those services.

Criterion 8 – Scenic Beauty, Historic Sites and Natural Areas: The Project will not have an undue adverse impact on known historic sites. With regard to Historic Sites, please see the Historic Resources Review completed by EBI on April 13, 2022 (concluding that there are “No Historic Properties in the Area of Potential Effects-Direct Effects” and “No Historic Properties in the Area of Potential Effect-Visual Effects.”) for the Tower at a proposed height of 140’ AGL. The State Historic Preservation Office concurred with these findings on May 23, 2022 (*see* Exhibit LH-5) Accordingly, as the only change from the previous proposal was a reduction in height which will lessen any visual impact on historic resources, the project will have no undue adverse impact on historic resources.

A visibility analysis was conducted to review the potential visibility of the proposed installation and balloon float was conducted on January 21, 2022, to confirm the visual impact of the proposed Tower on the surrounding community. A 3’ diameter red balloon was inflated, connected to a 150’ long string, and tethered at the proposed site location. While the balloon was in the air at the proposed height, Dubois & King drove

the primary public roads within a two-mile radius of the project location to determine the visibility of the proposed installation. Views of the proposed installation were limited to about 1 mile on VT 108 and from more limited spots of short duration due to the steep terrain and foreground vegetation. Dubois & King attempted to see the balloon from ten (10) different viewpoints, identified in Exhibit LH-6. Of those, the balloon was only visible from four (4) viewpoints and simulations were developed of the proposed installation. As the proposed tower height was reduced to 120 feet, the photo simulations have been adjusted to account for this reduction which further reduced the visibility of the tower. The photo simulations at a 120 foot height are submitted as Exhibit LH-6.

On the previous project submitted for this site, the Petitioner received comments expressing concern about the potential visibility of the Tower. As was previously noted, most of the comments on this subject come from property owners along Bordoville and Chester A. Arthur Roads. During the Balloon Float, Dubois & King attempted to see the balloon from various viewpoints along those roads. Dubois & King were largely unsuccessful due to the terrain and intervening softwood tree cover, as depicted in viewpoints 6, 7, and 8 of Exhibit LH-6. Viewpoint 6 is located at the intersection of Bordoville Road and Chester A. Arthur Road, approximately 190' northeast of the Seventh Day Adventist Church ("Church"). Viewpoint 7 is located at 494 Bordoville Road which is the House/Lombardi property. Viewpoint 8 is located at 401 Jones Road, at the south end of the Chalifoux property. There was some very slight visibility from viewpoint 3 (at the intersection of Jones and Chester A. Arthur Roads), but only the topmost part of the proposed tower ("Tower") and whip antennas are visible through the

trees, where it is also backdropped by higher terrain. It would be unlikely the average observer would be able to identify the Tower from Bordoville Road or Chester A. Arthur Road. Further, any view would likely disappear when the leaves came on to the deciduous trees in the foreground.

As the updated photo simulations demonstrate, the Tower is generally screened by the surrounding vegetation and in many instances, cannot be seen by the surrounding area.

In addition to preparing the photo simulations, Mr. Hodgetts reviewed the Prefiled Testimony and Aesthetic Analysis and Orderly Development Review prepared by Gordon Perkins, an independent aesthetics expert hired by the Department of Public Service in Case No. 22-2120-PET with respect to the previous proposal for a 140' AGL Tower. *See* Exhibit LH-7 Prefiled Testimony of Gordon Perkins and LH-8 Aesthetic Analysis and Orderly Development Review. Mr. Hodgetts concurs with the conclusion that even at 140' AGL, "the Facility will not violate a clear, written community standard intended to preserve the aesthetics or scenic beauty of the area, will not offend the sensibilities of the average person or appear shocking or offensive, and additional mitigation measures would have minimal effect on the potential impacts associated with the tower or appear shocking or offensive, and additional mitigation measures would have minimal effect on the potential impacts associated with the tower. Therefore, it is EDRs conclusion that the tower will not result in undue adverse impacts on the surrounding visual environment." Exhibit LH-7 at Page 4.

While Mr. Perkins notes that additional mitigation measures would have a

minimal effect on the potential impacts associated with the Tower, the Petitioner has nonetheless adopted these measures by reducing the Tower height to 120' AGL.

According to Mr. Perkins, the implementation of this mitigation measure means that the proposed tower “could be visible from approximately 2.5% of the VSA [Visual Study Area, defined as two-mile radius around the proposed tower] (i.e., the tower would be entirely screened from 97.5% of the VSA).” Exhibit LH-8 at Page 27.

Accordingly, the proposed installation will not have an undue adverse impact on the scenic beauty of the area.

The project’s impact on natural areas is discussed at length under Criterion 1A, 1(E), 1(F), 1(G), 4, and 8(A). The project is proposed in an existing open field, which was not shown to have significant or unique natural areas. As the Petitioner has consented to and incorporated the additional conditions proposed by the ANR, it is my opinion that the proposed installation will not have an undue adverse impact on natural areas.

Criterion 8(A) - Wildlife and Endangered Species: In addition to the review completed by Aimee N. Rutledge of Dubois & King, ITW retained EBI to complete a Natural Resource Review Update for the Project dated February 25, 2026. See LH-9 EBI Natural Resource Review. As the Natural Resource Review demonstrates, there are no known rare or irreplaceable natural areas, wildlife or endangered species or exemplary natural communities that would be impacted by this proposed Project. Further, none were identified during our site review. As discussed above under Criteria 1(E) and 1(F), the Agency of Natural Resources, including the Vermont Department of Fish and Wildlife,

provided proposed conditions which the Petitioner has incorporated into the application.

The proposed tower site is in a mowed hayfield, which is too disturbed to be classified as a natural community.

Criterion 9(K) – **Development Affecting Public Investments:** The Project does not impact any known areas of public investment.

Conformance with Local and Regional Plans - Pursuant to 30 V.S.A. § 248a(c)(2), during the Commission's review, "unless there is good cause to find otherwise, substantial deference [will be] given to the plans of the affected municipalities; to the recommendations of the municipal legislative bodies and the municipal planning commissions regarding the municipal plans; and to the recommendations of the regional planning commission concerning the regional plan." The Petitioner has reviewed provisions of the Town of Enosburgh Town Plan adopted April 20, 2020 ("Town Plan"; excerpts attached as Exhibit LH-10), and the Northwest Region Regional Plan 2015-2023 and amended June 28, 2017 ("Regional Plan"; excerpts attached as Exhibit LH-11) to demonstrate that the proposed Project is in alignment with applicable planning goals and policies.

The Town Plan contains a section devoted entirely to Telecommunications. That section provides, in pertinent part:

Accesses [sic] to telecommunication services are increasingly important to the security, quality of life and economic needs of residents and businesses. Cable, DSL, and cellular service are available in the Village and in select areas of the Town. Many town residents have access to high speed internet.

Telecommunication towers and related infrastructure require careful consideration. These structures tend to be located in highly visible locations such as on mountaintops and ridgelines. The need for additional facilities is projected to increase dramatically in the coming years. The Federal Telecommunications Act of 1996 placed certain limitations over municipal control of these structures; however, within those confines, Enosburgh must act to protect the community's historic character, rural nature, and aesthetic beauty.

Town Plan at 49.

ITW's proposed project will provide opportunities for additional voice and data services, including high-speed Internet access. The project's location has been chosen to minimize any effects on Enosburgh's historic character, rural nature and aesthetic beauty.

In the "Policies" section following its discussion of Telecommunications, the Town Plan provides:

Where co-location of telecommunications facilities with other towers or structures is not feasible, new structures must be sited in appropriate areas, respecting the integrity of residential areas, aesthetic concerns, and natural resource issues.

Id. at 56.

Again, ITW has chosen this location so that it is away from residential areas and minimizes aesthetic concerns and impacts on natural resources. Furthermore, the height of the proposed facility was reduced by 20' to mitigate perceived aesthetic concerns.

The Regional Plan specifically addresses wireless telecommunications facilities through

the following goals:

- Develop and maintain a high-quality, affordable telecommunications infrastructure that provides the most efficient and effective as well as the least obtrusive system possible;
 - Ensure the availability of broadband access in order to increase economic opportunity and support economic diversity.
 - Support the development of a telecommunications infrastructure that enhances high- quality education and lifelong learning opportunities.
 - Consolidation of new telecommunications facilities on existing sites is preferred over the development of new sites. New telecommunications equipment and towers shall be sited in the least obtrusive and least ecologically sensitive areas possible.
 - Promote universal access to high-speed broadband and emerging telecommunications technologies.
 - Ensure that the telecommunications systems and related infrastructure fit within the character of the area as defined by the local and regional plans.
 - Target higher broadband speeds for village centers, downtowns and growth centers to encourage development.
- Regional Plan at 35.

As stated above, the Project will allow ITW to offer high quality, affordable services to business customers in the Enosburgh area. Those services will promote economic growth. Further, the provision for the co-location of multiple cellular carriers on the Tower and in the Compound will improve the accessibility of high-speed broadband services in the areas served by the Project.

ITW shares the goals of the Regional Plan to use existing infrastructure rather than building new towers where feasible. However, in this case, there is no existing infrastructure that will allow ITW to accomplish its objectives of enhancing coverage and capacity in this area. See Prefiled Testimony of Kevin Delaney with respect to ITW's co-location analysis.

The telecommunications services that ITW will provide through the Project will primarily be targeted to business customers seeking a reliable, reasonably-price means

of communicating between their offices and remote users. As such, the Project will promote a balanced, diverse economic base, with a focus on locally owned businesses. The deployment of ITW's service in Enosburgh will also attract commercial development, especially for business that require reliable two-way mobile communications.

Both the Town of Berkshire and Town of Enosburg's fire and emergency response crews have voiced strong support for the facility as meeting a critical need for their radio services to be enhanced. This is reflected in the Regional Plan's desire for enhanced communication networks to enhance business and public safety development. In addition, the Petitioner is conscious of the concerns raised by the Northwest Regional Planning Commissions in Case No. 22-2120-PET. Accordingly, the Petitioner has revised the tower design by reducing the height such that it is the least obtrusive possible system to provide the ITW's service. Based on the foregoing, it is my opinion that the proposed project complies with the Town Plan and Regional Plan and will not have an undue adverse impact on the orderly development of the region. This conclusion is further supported by the analysis contained in Exhibits LH-7 and LH-8.

IV. DISCUSSION AND CONCLUSION

The proposed Project involves the construction of a new telecommunications facility. Based upon all of the above evidence, the application does not raise a significant issue with respect to the relevant substantive criteria of 30 V.S.A. § 248a, the public interest is satisfied by the procedures authorized in 30 V.S.A. § 248a, and the proposed Project will promote the general good of the State.

The Project will promote the general good of the State by expanding wireless telecommunications infrastructure to support modern mobile services along highways and in communities; providing high quality services for businesses and residents; providing competitive choices for consumers; and providing the opportunity to improve public safety and economic development within the State, all in conformance with the substantive criteria under Section 248a.

On November 26, 2025, ITW provided the 60-day written notice, as required under 30 V.S.A. § 248a(e), to the following: Town of Enosburgh Selectboard and Planning Commission, Northwest Regional Planning Commission, the Agency of Natural Resources, Division of Historic Preservation, Commissioner of the Department of Public Service and its Director for Public Advocacy, the Secretary of the Agency of Transportation, the Public Utility Commission and the landowners of record of properties adjoining the Project site.

Concurrently with the filing of this Application, ITW has provided copies of this Application, and accompanying prefiled testimony and exhibits, to the following: Town of Enosburgh Selectboard and Planning Commission, Northwest Regional Planning Commission, the Agency of Natural Resources, Division of Historic Preservation, Commissioner of the Department of Public Service and its Director for Public Advocacy, the Secretary of the Agency of Transportation. A notice of the filing of this Application has also been provided to the landowners of record of properties adjoining the Project site.

In support of this Application, ITW submits the Prefiled Testimony and exhibits sponsored by the following witnesses:

<u>Witness</u>	<u>Subject</u>
Kevin Delaney, Vice President of Site Acquisition &	Describes the purpose for the Project and efforts to collocate on existing structures; certifies compliance with FCC Maximum Permissible Exposure levels

Development

Louis Hodgetts,
Project Consultant

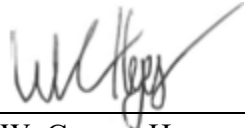
Describes the Project's design and impact
impact on the applicable Criteria of 10 V.S.A. § 6086(a),
and addresses conformance with the applicable local and
regional plans.

WHEREFORE, Petitioner respectfully requests that the Board:

1. Find that the Application complies with all applicable filing requirements pursuant to 30 V.S.A. § 248a criteria and does not raise a substantial issue under said Section;
2. Find that the Project will promote the general good of the State of Vermont and authorize the Applicant to undertake the actions as described herein and in its exhibits;
3. Issue an Order and Certificate of Public Good; and
4. Take such other measures as may be required for the expeditious review and approval of this Application.

Dated in Burlington, Vermont this 27th day of March, 2026

Industrial Tower and Wireless, LLC

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