

**STATE OF VERMONT  
PUBLIC UTILITY COMMISSION**

Case No. 24-3345-PET

Limited Size and Scope Application )  
of Bell Atlantic Mobile Systems, LLC )  
d/b/a Verizon Wireless and Vertex Towers, LLC, )  
for a Certificate of Public Good, )  
pursuant to 30 V.S.A. § 248a, authorizing )  
the construction of a telecommunications facility )  
in Manchester, Vermont )

**RESPONSE AND OBJECTIONS TO HEARING OFFICER’S PROPOSAL FOR  
DECISION AND REQUEST FOR ORAL ARGUMENT**

NOW COMES Petitioner Vertex Towers, LLC (“Vertex”), Bell Atlantic Mobile Systems, LLC  
d/b/a Verizon Wireless (“Verizon;” collectively, “Petitioner”), and pursuant to the Hearing  
Officer’s March 31, 2026 PFD hereby files the following response and objections. Petitioner seeks  
and requests Oral Argument.

As set forth in Petitioner’s Motion for Summary Judgment filings the Petitioner believes  
that: a) the Town of Manchester’s (the “Town’s”) recommendation is not based on legally sound  
principles and thus deference is not due or should be limited; b) that even if deference is accorded  
under 30 V.S.A. §248a any deference is overcome by good cause, and c) the Town’s position, and  
any denial based on it, is not supported by substantial (or any) evidence. To the extent necessary,  
the Petitioner incorporates its Summary Judgement filings as if fully stated herein. In making this  
response, the Petitioner does not waive of those arguments and preserves those arguments.

In addition to those reasons, and in light of the facts set forth in record, the Proposal for  
Decision effects a prohibition of coverage and violates the public good by harming competitive  
choice for consumers and open competition among service providers on non-discriminatory terms

as required by 30 V.S.A. 202c(b)(6). In addition, the Petitioner objects to the Proposal for Decision in that it does not satisfy the standard for decisions under 3 V.S.A. §812(a) and Vermont law. *See In re Petition of Vermont Gas Sys., Inc., 2018 VT 44, ¶ 20; In re Ryan, 2021 VT 82, ¶ 26.*

WHEREFORE the Petitioner objects to the proposal for decision and seeks oral argument with this Commission.

Dated in Burlington, Vermont this 15<sup>th</sup> of April, 2026

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