

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

H.870

Representative Ancel of Calais moves that the bill be amended as follows:

First: In Sec. 1, 30 V.S.A. § 248a, in subdivision (c)(3)(A), concerning collocation assessments, by striking out the term “a three-mile radius of the site of” and by inserting in lieu thereof “the area to be served by”

Second: In Sec. 1, 30 V.S.A. § 248a, after the ellipses following subsection (c) and prior to subsection (h), by adding the following:

(e) Notice. No less than ~~45~~ 60 days prior to filing an application for a certificate of public good under this section, the applicant shall serve written notice of an application to be filed with the Board pursuant to this section to the legislative bodies and municipal and regional planning commissions in the communities in which the applicant proposes to construct or install facilities; the Secretary of Natural Resources; the Secretary of Transportation; the Division for Historic Preservation; the Commissioner of Public Service and its Director for Public Advocacy; the Natural Resources Board if the application concerns a telecommunications facility for which a permit previously has been issued under 10 V.S.A. chapter 151; and the landowners of record of property adjoining the project sites. In addition, at least one copy of each application shall be filed with each of these municipal and regional planning commissions.

(1) Upon motion or otherwise, the Public Service Board shall direct that further public or personal notice be provided if the Board finds that such

1 further notice will not unduly delay consideration of the merits and that
2 additional notice is necessary for fair consideration of the application.

3 (2) On the request of the municipal legislative body or the planning
4 commission, the applicant shall attend a public meeting with the municipal
5 legislative body or planning commission, or both, within the ~~45-day~~ 60-day
6 notice period before filing an application for a certificate of public good. The
7 Department of Public Service shall attend the public meeting on the request of
8 the municipality. The Department shall consider the comments made and
9 information obtained at the meeting in making recommendations to the Board
10 on the application and in determining whether to retain additional personnel
11 under subsection (o) of this section.

12 (3) With the notice required under this subsection, the applicant shall
13 include a written assessment of the collocation requirements of subdivision
14 (c)(3) of this section, as they pertain to the applicant's proposed
15 telecommunications facility. On the request of the municipal legislative body
16 or the planning commission, the Department of Public Service, pursuant to its
17 authority under subsection (o) of this section, shall retain an expert to review
18 the applicant's collocation assessment and to conduct further independent
19 analysis, as necessary. Within 45 days of receiving the applicant's notice and
20 collocation assessment, the Department shall report its own preliminary
21 findings and recommendations regarding collocation to the applicant and to all

1 persons required to receive notice of an application for a certificate of public
2 good under this subsection (e).

3 * * *