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H.50

Representative Marcotte of Coventry moves that the bill be amended in
Sec. 1, 30 V.S.A. § 248a, by inserting before the first ellipsis:

* * *

(e) Notice. No less than 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.
The notices to the legislative body and planning commission of the
municipality shall attach a statement itemizing the rights and opportunities
available to those bodies under subdivisions (c)(2) and (e)(2) of this section
and subsections (m), (n), and (o) of this section.

1 (1) Upon motion or otherwise, the Public Service Board shall direct that
2 further public or personal notice be provided if the Board finds that such
3 further notice will not unduly delay consideration of the merits and that
4 additional notice is necessary for fair consideration of the application.

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

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

1 colocation assessment, the Department shall report its own preliminary
2 findings and recommendations regarding colocation to the applicant and to all
3 persons required to receive notice of an application for a certificate of public
4 good under this subsection (e).