

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Energy and Technology to which was referred House
3 Bill No. 50 entitled “An act relating to extending the current expiration date of
4 the telecommunications siting law” respectfully reports that it has considered
5 the same and recommends that the bill be amended by striking out all after the
6 enacting clause and inserting in lieu thereof the following:

7 Sec. 1. 30 V.S.A. § 248a is amended to read:

8 § 248a. CERTIFICATE OF PUBLIC GOOD FOR COMMUNICATIONS
9 FACILITIES

10 * * *

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

1 shall be filed with each of these municipal and regional planning commissions.
2 The notices to the legislative body and planning commission of the
3 municipality shall attach a statement that itemizes the rights and opportunities
4 available to those bodies under subdivisions (c)(2) and (e)(2) of this section
5 and under subsections (m), (n), and (o) of this section and informs them of the
6 guide published under subsection (p) of this section and how to obtain a copy
7 of that guide.

8 * * *

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

18 (3) With the notice required under this subsection, the applicant shall
19 include a written assessment of the collocation requirements of subdivision
20 (c)(3) of this section, as they pertain to the applicant's proposed
21 telecommunications facility. On the request of the municipal legislative body

1 or the planning commission, the Department of Public Service, pursuant to its
2 authority under subsection (o) of this section, shall retain an expert to review
3 the applicant's colocation assessment and to conduct further independent
4 analysis, as necessary. Within 45 days of receiving the applicant's notice and
5 colocation assessment, the Department shall report its own preliminary
6 findings and recommendations regarding colocation to the applicant and to all
7 persons required to receive notice of an application for a certificate of public
8 good under this subsection (e).

9 * * *

10 (i) Sunset of Board authority. Effective on July 1, ~~2017~~ 2020, no new
11 applications for certificates of public good under this section may be
12 considered by the Board.

13 * * *

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on July 1, 2017.

16 and that after passage the title of the bill be amended to read: "An act relating
17 to the telecommunications siting law"

18
19 (Committee vote: _____)

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Representative _____
FOR THE COMMITTEE