

April 13, 2023

TO Senate Finance Committee

RE Section 248a Hearing on H.110, Thursday, April 14, 2023

Good day, Senate Finance Committee Members,

I submitted a comment to your Committee regarding this subject on March 30, 2023. This missive is to expand on the particular issue of the misleading and inaccurate coverage projections asserted by AT&T in both Granville cases, i.e., Case No. 21-1144-PET and Case No. 22-2775-PET. The first case began in November of 2020 and was dismissed without prejudice in October 2021. As explained in my earlier comment, the second case began with Advance Notice being filed in January 2022 - proposing a different site on the same property as the previous case. The Petition for this new site was filed mid-July 2022.

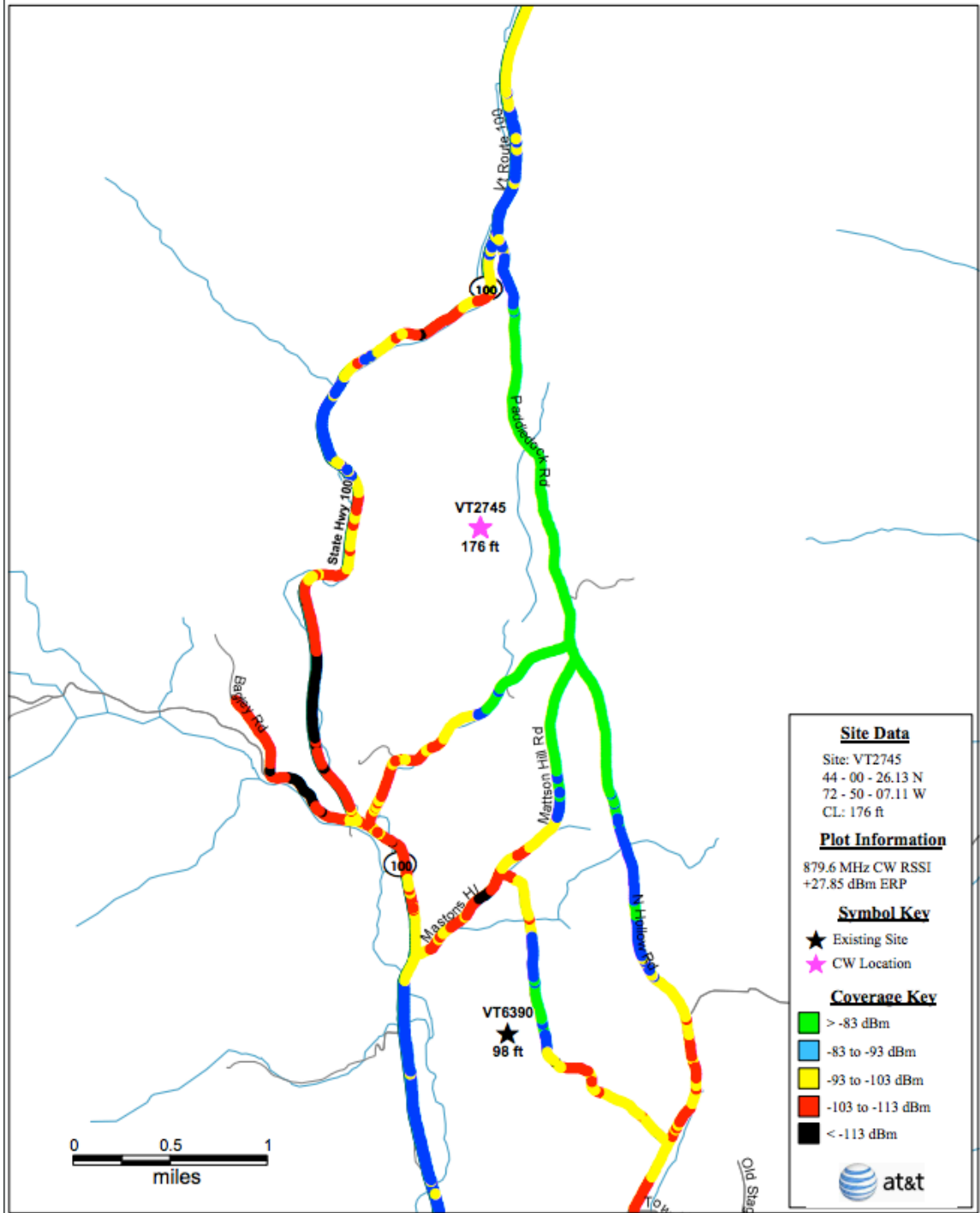
It is important to note that the ostensible primary purpose of this proposed cell tower is to provide coverage of VT Rte.100 as it traverses the Granville Gulf. There is already an AT&T cell tower about two miles south of the currently proposed project that provides coverage for much of Granville.

In both cases, our research about cell signal strength (including gaining understanding of dBm levels) applied to the continuous wave coverage evaluation drive tests indicated that the coverage claims being made by AT&T were inaccurate and exaggerated.

### **AT&T Original location**

Our group of residents opposed to this project was fortunate enough to enlist, *gratis*, an independent radio frequency (RF) expert - Marv Wessel, CEO, Global RF Solutions - who validated our own assessments. Referring to the Drive Test map (see below), Mr. Wessel said, "The red color is very marginal coverage and the black coverage is basically no coverage. Everything yellow and above is acceptable coverage." During his subsequent participation in a DPS Public Hearing he reiterated these points. In an email exchange with me, following that Public Hearing, Mr. Wessel also said, "I believe the data has been "adjusted" to present better coverage than actually anticipated."

VT2745: CW Test - CW RSSI (879.6 MHz, ERP = 27.85 dBm)



Moreover, in that first case, even the independent expert contracted by DPS to assess AT&T's drive test report came to a similar conclusion. David Maxson of Isotrope, LLC, stated "The coverage added on Route 100 is intermittent and discontinuous."

Meanwhile, in the summary/cover letter of the drive test, specifically referring to Exhibit I, Drive Test Results, AT&T's Will Dodge claimed "The results confirm that the new facility will provide reliable coverage... along all of VT Route 100 until just after the Warren Town Line." In an email to the Chair of our Selectboard, Dodge also stated, "...there will be seamless coverage in the Granville Gulf."

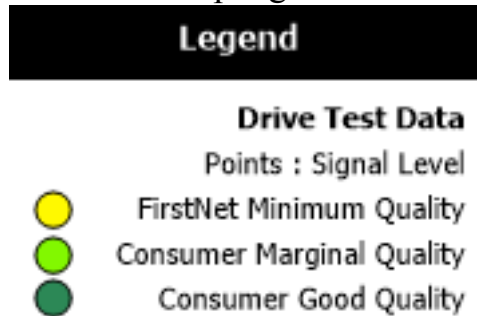
### **AT&T Current Location**

In the current case, there also seem to be inaccuracies in coverage prediction regarding the Granville Gulf, as confirmed by Dr. Kent Chamberlin, Professor & Chair Emeritus of the UNH Dept. of Electrical and Computer Engineering. As Dr. Chamberlin will not be appearing before this Committee, here is a portion of what he communicated to me and to the Granville Selectboard after I'd sent him the Drive Test Report on the currently proposed site:

"My overall view of the report is that it is very lacking in some important areas. The report does not present data in a manner that could be confidently deciphered in a legal setting. As just one example of this lack of clarity, I refer to the second page of the report that provides predicted coverage and drive test results. There are numerous locations where the overall color coding does not appear to agree with the color coding along the roadways where coverage is desired. There are other examples of error that we can discuss later if you are interested. My point is that the report appears to be significantly flawed. However, despite the flaws in the report, the results that are shown indicate that the proposed tower will not provide the desired coverage along the Granville Gulf portion of Rte. 100."

In this case, as in the original one, DPS contracted an independent RF expert to assess AT&T's coverage predictions. This time it was Brian Webster, Wireless Mapping Inc. Mr. Webster initially submitted an over-simplified PowerPoint presentation, but at the subsequent Public Hearing we made it clear to him that we had a deeper understanding of cell signal strength than

his presentation seemed to recognize and proceeded to question him about the problems we perceived in his assessment. For example, on page 3 of his PP he first refers to dBm as “techno speak” and then concludes the three bullet points on page 3 saying, “In human terms with [sic] have used colors that one can understand at a simple glance.” Below that bullet point was:



Since this “Legend” omits dBm levels, during the Public Hearing we got him to assign dBm levels to the colored circles. However, on the actual associated map, circles overlapped to the extent that - even when enlarged to 200% - it was virtually impossible to distinguish between dark green and light green circles. Another PP bullet point stated, “It was determined that the AT&T provided propagation prediction maps did not represent real world conditions for coverage.” I think it’s fair to say that Webster’s independent RF expert assessment did not inspire confidence or attest to accuracy of AT&T’s coverage predictions.

In both these Granville cases, we have demonstrated the ability of intervenors to assess coverage issues. Currently, in DPS/PUC proceedings, “the Commission may restrict [intervenor] participation to only those issues in which the party has demonstrated an interest” and currently prohibits intervenor participation vis-à-vis coverage. However, given that coverage is the fundamental issue in cell tower siting, it seems obvious that any person granted party status has a *prima facie* “interest” in coverage and should be permitted to address that issue in DPS/PUC proceedings.

In addition to the consistently inaccurate and misleading coverage claims, it is also of great concern to many Granville residents that the VT Agency of Natural Resources not only judged that the original site would have an “adverse impact” on the environment but that the *currently* proposed site would have an “*undue* adverse impact on the environment. I addressed this concern in my earlier Comment of March 30, 2023.

I'll also reiterate another concern expressed in that earlier Comment, i.e., the fact that the possible health threats posed by cell towers and their electromagnetic radiation (EMR) are not even considered in the DPS/PUC proceedings determining issuance of (of all things) a Certificate of Public Good. This needs to change.

To sum up, this Comment is in support of H.110 to authorize a one year extension on Section 248a so that when taken up again next year the many needed changes can be made, *including* allowing the granting of party status to intervenors on coverage issues.

Sincerely,  
Judy Wood  
3397 North Hollow Rd.  
Granville, VT 05747  
802 767 3008