

Dear Chairperson Cummings and other Committee Members,

My name is Mark O'Connell, John Egan and I am a resident of Warren VT.

I am writing to support extending 248a for renewal on a short term basis. This will give the legislature time to consider appropriate reforms to the statute, reforms which are necessary given the current climate in which communications companies attempt to circumvent public discussion, legitimate legislative deliberation, and community involvement in order to promote not only necessary cell coverage, but also lucrative data streaming businesses.

These conversations tend to align along a pro tower vs anti tower divide. I would hope that legislators would not think of extending 248a along these lines. At issue is not "yes" towers vs "no" towers, but establishing and maintaining appropriate legislative oversight and community involvement; democratic and local processes so essential to our state.

I became aware of this issue last fall when Verizon issued an advance notice under Section 248a of its intention to build a 140 foot tower on a prominent hill in the middle of the Mad River Valley. Over the course of the 60 day advance notice period, Verizon refused three requests from the Town of Warren to meet with town officials and residents. Verizon cancelled a requested meeting with the Central Vermont Regional Planning Commission. At no point in the process were local concerns acknowledged by Verizon. Verizon failed to provide any RF propagation maps or any aesthetics studies. While they did conduct their own balloon test, they did so with no notice to anyone, including the landowner. As noted above, it is now clear that their main intention for this tower was not to improve cell coverage, or local emergency communication access, but to provide wireless data services and internet to skiers at Sugarbush. Along these lines, Moreover, Verizon has been actively promoting a \$25/month internet and TV that would likely put our local telecom provider, Waitsfield Telecom, out of business, after they just invested \$40 million in high speed fiber throughout the valley.

This process made clear to us that Verizon had no intention of engaging in good faith discussions with the town or residents, and that we were largely impotent to influence them to do so. The big three telecom companies have an army of well trained lawyers, our town has limited resources, and we were thoroughly overmatched without there being a regulatory framework that is, again, not anti-tower but pro legitimate legislative process. Our aim is to even the playing field between powerful cell companies with an increasingly aggressive agenda, and towns that would like to have some input on how this agenda impacts many aspects of local culture.

I ask you not to lock our state into a rigid regulatory framework with no ability to re-visit it as circumstances and public opinion continues to evolve.

I support representative Kari Dolan's [H.70], which would effect modest changes to 248a and go a long way toward ensuring that cell tower companies engage in good faith discussions and negotiations during the advance notice period.

Thank you for your time and consideration,

Mark O'Connell

Warren, Vermont