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H.527

An act relating to extending the sunset of 30 V.S.A. § 248a

It is hereby enacted by the General Assembly of the State of Vermont:

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

§ 248a. CERTIFICATE OF PUBLIC GOOD FOR COMMUNICATIONS
FACILITIES

* * *

(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 Commission 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 Land Use Review 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 that itemizes the rights and opportunities available to those bodies under subdivisions (c)(2)

1 and (e)(2) of this section and under subsections (m), (n), and (o) of this section
2 and informs them of the guide published under subsection (p) of this section
3 and how to obtain a copy of that guide.

4 * * *

5 (2) ~~On the request of~~ For any application other than a de minimis
6 modification, as defined in subdivision (b)(2) of this section or a facility of
7 limited size and scope, as defined in subdivision (b)(4) of this section, the
8 municipal legislative body or the planning commission, shall hold and the
9 applicant shall attend a duly warned public meeting with the municipal
10 legislative body or planning commission, or both, within the 60-day notice
11 period before filing an application for a certificate of public good. The
12 Department of Public Service shall attend the public meeting ~~on the request of~~
13 ~~the municipality~~. The Department shall consider the comments made and
14 information obtained at the meeting in making recommendations to the
15 Commission on the application and in determining whether to retain additional
16 personnel under subsection (o) of this section.

17 * * *

18 (i) Sunset of Commission authority. Effective on July 1, ~~2026~~ 2029, no
19 new applications for certificates of public good under this section may be
20 considered by the Commission.

21 * * *

1 Sec. 2. EFFECTIVE DATE

2 This act shall take effect on passage.