AGENCY OF TRANSPORTATION

TELECOMMUNICATION IN THE RIGHT OF WAY

JANUARY 8, 2026

ACT 145

(a) The Secretary of Transportation, in consultation with the Commissioner of Public Service and the Secretary of Digital Services, shall conduct a study concerning access to and use of the public right-of-way (ROW) in Vermont by telephone (wired and wireless) and broadband companies. In particular, the Secretary shall determine how the ROW is currently being accessed and used by such companies in Vermont and, in addition, shall review and assess how other jurisdictions outside Vermont manage and charge for such access and use.

KEY FINDINGS

- Vermont's ROW and electric utility location data are generally complete and accurate
- Communications infrastructure data is lacking in both completeness and accuracy
- Two approaches
  - (1) bartering for infrastructure improvements
  - (2) revenue generation.
- It is largely unknown if the costs associated with operations are covered by revenue collected.

EXISTING DATA SOURCES

Category	Dataset Name	Relative Completeness	Relative Accuracy
ROW	ROW Lines	High	Medium
ROW	1111 Permits	Medium	Low
Communications	Broadband Status 2024	High	High
Communications	Communication Tower Sites	High	High
Communications	Act250 for towers/antenna	Medium	Low
Communications	VT Telecommunication Facilities	Medium	Low
Communications	VT Data Fiber Routes 2024	Medium	Low
Communications	Cable Routes 2024	Medium	Low

NCHRP REPORTS

- National Academies of Sciences, Engineering, and Medicine. 2014. Managing Longitudinal Utility Installations on Controlled Access Highway Right-of-Way https://doi.org/10.17226/22356.

- National Academies of Sciences, Engineering, and Medicine. 2023. Valuation and Compensation Approaches in Utility Accommodation https://doi.org/10.17226/27163.

RESEARCHED STATES

- California
- Colorado
- Georgia
- Iowa
- Louisiana
- Maryland
- Utah
- Virginia
- West Virginia
- Wisconsin

STRATEGIC GOALS

- Maximize property use for community planning; efficient broadband deployment.
- Maximize utility accommodation and enhance network connectivity statewide.
- Focus on expanding broadband access, improving statewide connectivity.
- Strategic development of telecommunications; optimize utility accommodations.
- Improve statewide connectivity by facilitating broadband expansion through ROW access.
- Statewide fiber deployment, support for telemedicine and remote connections.

LOCATION OF ASSETS

STATE	LOCATION	NOTES
California	Interstate	Additionally, Roadside Rest Areas, Park and Ride Lots, Maintenance Stations, Storage Areas and Caltrans buildings
Colorado	Interstate	Goal is to expand the state's communication infrastructure.
Iowa	Interstate, Freeways	There are a few radio towers located near state-owned garages.
Maryland	Interstate, Freeways	Goal is to expand the state's communication infrastructure.
Utah	Interstate, State Hwy	
Virginia	Interstate, Freeways	There are a few cell towers located in rest areas.
Wisconsin	Interstate	

REVENUE USE

State	Use of Revenue
California	Funds go into the State Transportation Fund for future transportation projects.
Colorado	Primarily used to sustain the fiber and broadband program team, covering salaries and operational costs.
Iowa	Funds are directed to the Living Roadway Trust Fund, supporting roadside vegetation management and ecological enhancements. Funds do not cover permitting or other staff costs in the group or other staff costs outside that group.
Maryland	Revenue enhances digital infrastructure for state IT services, including broadband expansion and supporting governmental operations.
Utah	Used primarily through in-kind contributions to enhance the state's fiber optic network, supporting ITS and connectivity services.
Virginia	Used to enhance broadband infrastructure deployment, aligning with federal and state connectivity goals.
Wisconsin	Supports telecommunications infrastructure expansion, specifically targeting ITS enhancements and using dark fiber trades.

CHALLENGES

- Limited interest in full collaboration by the telecom companies
- Lack of existing staff to execute
- Time delay for revenue receipt due to comprehensive data baselining and start-up process development and maturity
- Perception of fee paying being potentially "regressive."
- Could slow deployment of broadband in underserved areas
- Uncertain revenue estimates until data is resolved
- Uncertainty around whether revenue generated would pay for direct costs of program administration as well as more diffuse efforts required

CONCLUSION

A successful ROW monetization program in Vermont requires precise data management, significant development of workflow and processes, strategic legislative support, collaborative industry engagement, and transparent fee-structure frameworks. Currently the agency, while highly capable, is hobbled by the aforementioned challenges, and would have to allocate significant resources against an uncertain outcome..