

From: **Lindsay Fletcher** <lindsayjeanfletcher@gmail.com>

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Subject: Telecom Vermont Section 248a Telecom Siting Testimony in Senate Committee on Finance

To: <acummings@leg.state.vt.us>, <tchittenden@leg.state.vt.us>, <rhardy@leg.state.vt.us>, <mgulick@leg.state.vt.us>, <rbrock@leg.state.vt.us>, <sbeck@leg.state.vt.us>, <emattos@leg.state.vt.us>

Greetings,

My name Lindsay Fletcher-Minor. As a proud Vermonter I am profoundly disappointed that the state legislature that has allowed the continual disenfranchising of Vermont citizens through the Public Utility Commission project approval process.

A little about me as I believe it is important to introduce myself as one of your constituents. I am a former HVAC technician who decided to earn a Master's degree to become a science teacher. I later began teaching STEM and partnered with our technical center to encourage students to pursue careers in science and the trades. I am currently working two jobs, not necessarily for financial reasons, but because our state does not attract qualified science teachers. As I prepare to administer state mandated science testing I am noticing parallels between the lack of understanding, representation, and implementation, and oversight of science education and the approval process of utilities through the Public Utility Commission. The State cites poor test scores and the need for academic improvement based on these scores as a talking point for the reassessment of education reorganization. With that being said, the state guidance of science standards are not even aligned to the tested content. The state should consider holding up a mirror and taking some responsibility around this issue rather than using schools and test scores as evidence to address taxes issues.

The failure to recognize this issue is a clear lack of oversight and accountability at the state department level. Which is also occurring with the Public Utility Commission and its systems of approval for siting utilities which eliminates the 'public' from certifications of public good.

For example in the situation Case 26-0048 PET:

- The public notice of this projects was an overly specific requests was a posting of a newspaper local residents stopped receiving a week(s) prior to the posting. Only adjoining landowners and the select board were notified.
- The time frame imposed by the Commission makes it difficult for working Vermonters to review hundreds of pages of legal documents thoroughly. This timeframe seems to be useful for the Commission, telecommunication companies and their lawyers, but not the actual public. Even now, as I write this in a panic to have my voice heard, working Vermonters lack the time and resources to properly be involved based on the time limits set by the PUC or be a part of the legislative process.

- The Vermont Public Utility Commission’s online platform is unintuitive and user-hostile, making it difficult for proficient digital users to navigate, thus making it nearly completely inaccessible to those who possess a lower digital skill level. Most notably our elderly population.
- The Certificate of Public Good has allowed corporations to take advantage of the public through vague claims.
 - For example, companies use municipal and regional planning documents to justify the installation of these towers. Companies use select portions regarding “telecommunications”, “cellular”, and “E911” from town and regional plans to claim that the towers being built will meet a need for the public good. What is buried deep in some applications is that companies propose to build towers over the maximum height limits of 30 V.S.A § 248 to provide two-way radio service to those who subscribe to their service. It is mentioned in applications that there would be space available for *possible future* collocation opportunities for major cellular carriers. In many cases there are no commitments from commonly used cellular carriers.
 - Companies are not providing a service for the broader public, instead creating their own niche network infrastructure without the input of the larger public.
- A point of issue with Case 26-0048 PET is that one of the three select board members is married to one of the owners of the host property the company will be using to install a telecommunications tower. The town planning commission also has one of the property owners on the board, and an extended family member to the property owners on the board as well.
 - This extended family members also serves as the chair of Plan and Project Review Committee (reviews Act 250 and Section 248 applications) for the Regional Planning Commission.
 - In regard to the town select board, I have yet to find any evidence of recusal in the meeting minutes and I have yet to locate meeting recordings.
- Also in this case the Agency of Natural Resources has made the suggestion for reports submitted by the applicant to remove the name of an endangered species and input 'riparian dependent species'.
 - The ANR did recognize that the plans violated the 50 foot riparian zone and made suggestions to reduce the proposed project area.

While the Vermont House of Representative did pass Bill H.527 to sunset Commission authority related to 30 V.S.A. § 248a, with the date of no new applications effective on July 1, 2029, this does not address the current Certificate of Public Good process that disenfranchises Vermonters. All Certificates of Public Good applications should be subject to a public moratorium until an independent authority fully assesses this process and revises the criteria to ensure that in each case the *public* is the primary beneficiary and not corporations, or immediately sunset the PUC and move the utility siting process to Act 250. The Vermont Legislature is responsible for ensuring the voice of the public is more respected and valued than the bottomline of niche telecommunication companies.

I will this was a more cohesive email, but as previously mentioned, the time limits imposed make it difficult for working Vermont to be a part of this process. Thank you for you time.

Sincerely,
Lindsay Fletcher-Minor

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