As you review legislation concerning 30 VSA 248a please consider the following. Listed below are indisputable facts that call into question their interpretation of 30 VSA 202c, the foundation of 30 VSA 248a. The seminal paragraphs in 202c call for the implementation of the benefits of wireless telecommunications **and only the benefits**. That subsection does not prevent the department from assessing the harm of the technology; quite the opposite, **it requires it**. Nothing in the subsection prevents the Department from shielding the State's citizens from that harm; again, **it requires it**. Read the subsection. It exclusively calls for the implementation of that of the technology which is beneficial. Only through an understanding of the distinction between benefit and harm, can the department adhere to statute. Only through that understanding can 30 VSA 248a be adherent to law.

Has the Department of Public Service studied the technology sufficiently (or at all) to determine that which may cause harm? Apparently not. There is nothing in its actions that suggests that it takes its statutory duty seriously. Only by hearing the evidence, only by studying the research, only by understanding science could the Department be sufficiently informed to make the necessary evaluation and to appropriately dispatch its obligation to know what is in the general good of the citizens of Vermont. From the outside it appears that willful ignorance and political expediency have triumphed. Here are facts:

1. As of 2024, there were 1,405,700 terrestrial-based wireless communications broadcasting facilities operating in the US, and yet there are no rigorous, long-term studies by independent, highly qualified research institutions skilled in biological processes concerning the public health and environmental consequences of the radiation currently being emitted by wireless telecommunications antennas. Therefore, it may be fairly stated that only one reasoned conclusion can be drawn: the Department of Public Service is a participant in a radical, irresponsible, uncontrolled, and potentially dangerous experiment on a global scale. Don't believe me; ask the carriers for independent studies of their emissions.
2. It is without dispute that insurance against the risks associated with the potential public health and environmental impacts are not available to the wireless communications industry because of the known harm caused by the radiation emitted by wireless telecommunications facilities. Don't believe me; ask the carriers.
3. It is without dispute that the FCC's current maximum safe levels of exposure were established in 1996, and the rulemaking could not possibly have taken into consideration the 5G frequencies or power, pulse, and modulation profiles being used currently. Don't believe me; ask the FCC.
3. It is without dispute that in 2020 the FCC was successfully sued, losing in a Federal Court of Appeals a case concerning their rulemaking establishing maximum safe levels of exposure to radiation emitted by wireless communications devices.
4. It is without dispute that the Court of Appeals found that the FCC's rulemaking concerning safe levels of exposure was without evidentiary basis, saying specifically, *"The Commission's failure to provide a reasoned explanation for its determination that exposure to RF radiation at levels below its current limits does not cause negative health effects unrelated to cancer renders the order* ***arbitrary and capricious****."* Further, the DC Circuit judges ruled in Case 20-1025: *". . . we grant the petitions in part and* ***remand to the Commission to provide a reasoned explanation*** *for*

its determination that its guidelines adequately protect against harmful effects of exposure to radio-frequency [microwave] radiation. It must, in particular, (i) provide a reasoned explanation for its decision to retain its testing procedures for determining whether cell phones and other portable electronic devices comply with its guidelines, (ii) address the impacts of RF radiation on children, the health implications of long-term exposure to RF radiation, the ubiquity of wireless devices, and other technological developments that have occurred since the Commission last updated its guidelines, and (iii) address the impacts of RF radiation on the environment." The ruling was based on 27 volumes (11,000+ pages) of peer-reviewed, scientific evidence. Don't believe me; look it up.

5. The FCC unmotivated by the court-ordered judgement has not released any evidenced-based standards for radiation safety nor is there any evidence in the public record that it is currently reassessing its standards. Don't believe me; ask the FCC.

6. It is without dispute that exposure to nonthermal, non-ionizing radiation emitted by wireless communications devices at levels currently identified by the FCC as safe causes oxidative stress, and DNA damage in humans and that the vulnerability is greater in the gestating fetuses, infants, and children. Don't believe me; read the extensive peer-reviewed literature.

7. It is without dispute that the Department of Public Service has not studied the testimony of agronomists, entomologists, dendrologists, toxicologists, epidemiologists, medical researchers, and physicians all who have published calls for moratoriums on the installation of 5G facilities given the evidence of harm. Don't believe me; request expert testimony.

Does the Department of Public Service believe in the scientific process that has brought mankind into the modern world? It is hard to believe that it does. We need look no further than the installation of Wi-Fi antennas in school buses in rural Vermont to recognize their perfidy. We need look no further than the installation of cell towers in dangerous proximity to places of human habitation and vocation where they emit unceasing radiation without regard for the gestating fetus or infants that may be living there. In the height of irony, the Public Utilities Commission calls their approvals Certificates of Public Good. Yet, why is it that they do not affirm, insure, or guarantee that the cell towers they document as being in the public good are free of long-term negative consequences to public health or to the environment? Ask them.

The Department says through its Public Advocacy group that its hands are tied, that they are preempted from any determination about human and environmental consequences by Federal Statute. That is balderdash. A small non-profit successfully sued the FCC, and the Department was and remains **pitifully obsequious.** The Department says that providing cell phone coverage is in the best interest of the State, and who would not agree? People die because there is inadequate coverage, so who would not support that adequate coverage? **But that is not the question.** Cell phone coverage is at 4G frequencies, now and in the foreseeable future. Only by mitigating the harm of 5G technology are those coverage benefits reasonably and fairly realized. Know the consequences of this undeniably dangerous new technology, and draft a statute that adheres to 30 VSA 202c's requirement to promote the benefits of wireless telecommunications while mitigating its

serious, ongoing harm. **Deny all applications for 5G transmissions until the FCC obeys the law.**

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Ps. Kafka could not have written a better indictment of the Department when they published the report on the listening tour they undertook concerning 248a in 2023 and published on January 12, 2024. While only the public comments submitted in writing were included at the end of the report, the department dismissed without reply every single public comment, every single factual challenge, every single request for a policy revision as though they didn't exist. Rather the report indicated that the public simply didn't understand the exquisite wisdom of the department's faultless policies. Nothing, absolutely nothing of all the public testimony made it into the report. Don't believe me; read it and be aghast by its unfathomable hypocrisy.