

Dear Members of House Energy & Digital Infrastructure Committee, and Senate Finance Committee:

For over a year and a half now, I have been involved with opposition to the proposed Vertex/Verizon cell tower in my village of Rochester. Since first hearing about this proposed tower, even before the first presentation by Vertex, I have opposed it. In so many ways, this proposed tower violates the spirit and the letter of Rochester's wise and detailed Town Plan. But I personally oppose this tower on the following grounds, resulting from my own science-based research as well as long-time professional and personal experience: ethical, philosophical, procedural, logical, environmental, and health, and I can justify this opposition fully and with citation. However, for the purposes of this comment, I will only offer an argument that I feel is the most salient and the least acknowledged on why telecommunications towers and even small cell antennas in Vermont should not be built, or should be subject to far more regulation than less. Meanwhile, as you are discussing the possible sunset of Section 248a, let me say that the time and effort I and other Rochester residents have had to spend in order to do and say the right thing at the right time reflects a process that is simply industry-friendly and citizen-hostile. I am also well aware that other Vermont communities are having to do the same protracted thing for the same reasons. 248a should be allowed to sunset, as it promotes an unclear and laborious process, for Vermont citizens as well as for Vermont regulatory and other agencies.

For far too long, I have been aware of the muzzling by the FCC of state and local regulatory entities, regarding discussions of health effects of wireless radiation. Let me be very clear about the obvious: the FCC is and has been no more than a revolving door for the telecom industry, doing its bidding for a very long time. The FCC is a regulatory agency whose ostensible job is to protect the public from industry. It has, instead, become extremely effective at protecting industry from the public. This edict from the FCC to squelch all discussion and decisions based on health effects is arbitrary, illogical, and most likely illegal. In fact, in August of 2021 the FCC was ordered by a Federal District Court to read the 11,000 pages of peer-reviewed science that were sent to them by Plaintiffs prior to their 2020 lawsuit, and to then justify or change its now 30-year-old health and safety standards, which it had been refusing to do. ***Under such an order, which they have since ignored, the FCC has lost authority to impose such restrictions on discussions of health effects (see duck.ai conclusion below).*** This is the elephant in the room that nobody dares talk about. Yet it is the most important. Every time a telecom company is allowed to build the infrastructure for towers and antennas, that decision is aiding and abetting health and environmental destruction on many levels.

These telecom companies are issued a "Certificate of Public Good" that allows construction to begin. By whose definition of "Public Good" are such decisions based? If the definition of Public Good is the one-dimensional argument that more cell coverage equals better safety, and that decision is made in the absence of full context of the actual Public Good that will be violated with such a decision by sickening the human public and other living beings, then that decision for Public Good is an invalid misnomer. Any decision-making entity can hide behind the FCC edict, but the reality is that **any decision for something that will risk damage to human health and the environment, in the name of the Public Good, is illogical and dangerous.**

I work with people who have been environmentally poisoned and are extremely sensitive not only to multiple chemical triggers, but also to electromagnetic radiation/frequencies (EMR, EMFs). People with these conditions are not able to be anywhere near such radiation without great suffering. These are real people with a REAL, *debilitating* condition. Their numbers are growing by orders of

magnitude. There are literally almost NO places left on the planet where they can find any relief. And, most often, people with EMR illness and sensitivities have developed this syndrome from overexposure to EMFs, until their bodies reach a threshold beyond which symptoms appear and do not leave unless exposure is stopped. **This can happen to anyone, including members of these committees and their families.**

In this country, in spite of thousands of peer-reviewed studies on EMR/EMF health effects (and common sense!), the government has NEVER conducted an in-depth investigation of either the FCC itself nor wireless radiation health and environmental effects! And the FCC still goes by the very inadequate (even at the time) safety standards it composed back in 1996, allowing far more “allowable” radiation than any other country on the planet. That was before everyone had cell phones and 5G wasn’t even a thing. Harvard University published a report that concluded that the FCC was a totally compromised, corrupt, captured agency.*

So, I am asking you to please consider – as evidence in your decision-making – something that the FCC has bullied government decision-makers to believe isn’t supposed to be under consideration.

Something that should be the first and foremost criterion to determine the “Public Good”. Ignoring this is similar to closing one’s eyes and then saying something can’t be seen. Or sticking one’s head in the sand. Really. This never should have been acceptable, and certainly shouldn’t be now. Please exercise your responsibility for the REAL Public Good. Please sunset 248a so that you are not continuing to enable multinational corporations to thrive while Vermont citizens have to scramble and expend much time, energy and money in the effort to maintain a healthy life in this state. This is not fair, not right, and not wise. Please don’t be intimidated or bamboozled by these giant corporations.

I am including several different links, lists of studies, other references, that are just a SMALL SAMPLE of what’s in the peer-reviewed literature on health effects (on people, pollinators, plants, pets and other animals). If you follow the links I provide, you will be led to many, many more peer-reviewed studies as well as other, well-documented facts and information on the subject.

Thank you,

Deborah E Moore, MEd, MA, PhD
Rochester, VT

** Captured Agency: How the Federal Communications Commission is Dominated by the Industries it Presumably Regulates*, Alster, Norm of the Edmond J. Safra Center for Ethics at Harvard U. 2015.

<https://www.ethics.harvard.edu/publications/captured-agency-how-federal-communications-commission-dominated>

Best Links for peer-reviewed studies and other in-depth helpful information on the subject:

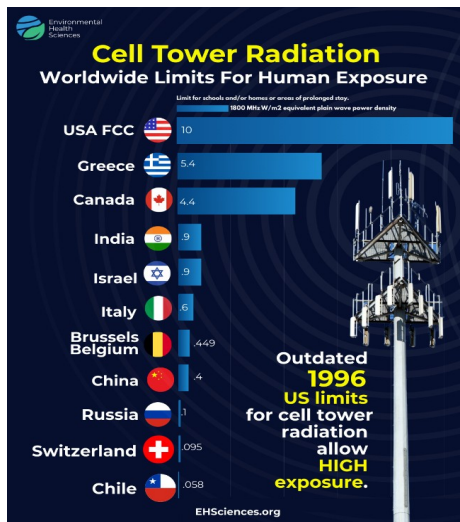
<https://ehtrust.org/science/science-on-health-effects-of-cell-phone-and-wireless-radiation/>

<https://ehsciences.org/wireless-radiation-and-health/>

<https://www.saferemr.com>

<https://icbe-emf.org>

A sample of information on cell towers, radiation limits, health effects:



<https://ehsciences.org/wp-content/uploads/2025/09/Cell-Tower-Wireless-Radiation-Limits-EHS-2.pdf>

A FEW STUDIES:

Evidence for a health risk by RF on humans living around mobile phone base stations: From radiofrequency sickness to cancer by Balmori in *Environ Research* (2022)

Scientific evidence invalidates health assumptions underlying the FCC and ICNIRP exposure limit determinations for radiofrequency radiation: implications for 5G by the International Commission on the Biological Effects of Electromagnetic Fields. *Environmental Health* (2022).

Development of health-based exposure limits for radiofrequency radiation from wireless devices using a benchmark dose approach by Uche and Naidenko. *Environmental Health* (2021).

The roles of intensity, exposure duration, and modulation on the biological effects of radiofrequency radiation and exposure guidelines by Lai & Levitt, *Electromagnetic Biology and Medicine*, (2022).

Wireless technology is an environmental stressor requiring new understanding and approaches in health care by McCredden et al. *Frontiers in Public Health* (2022).

Wireless technologies, non-ionizing electromagnetic fields and children: Identifying and reducing health risks by Davis et al *Current Problems in Pediatric and Adolescent Health Care* (2023).

A FEW REFERENCES ON COUNTRY LIMITS

Electromagnetic radiation safety: Russian national and international regulatory frameworks for radiofrequency electromagnetic fields by Grigoriev et al. *Public Health and Life Environment* (2020).

International policy and advisory response regarding children's exposure to radio frequency electromagnetic fields (RF-EMF) by Redmayne. *Electromagnetic Biology and Medicine* (2016).

Human radio frequency exposure limits: An update of reference levels in Europe, USA, Canada, China, Japan and Korea by Madjar. *International Symposium on Electromagnetic Compatibility* (2016).

Personal exposure to radiofrequency electromagnetic fields: A comparative analysis of international, national, and regional guidelines by Ramirez-Vazquez et al. *Environmental Research* (2024).

Legislative Decree 24 March 2024, n. 48. *Official Gazette of the Italian Republic* (2024).

Comparison of international policies on electromagnetic fields (power frequency and radiofrequency fields by Stam. National Institute for Public Health and the Environment, the Netherlands (2018).

U.S. FCC Limits for Maximum Permissible Exposure (MPE): 47 CFR 1.1310, Radiofrequency radiation exposure limits. National Archives (2025).

from duck.ai search:

Validity of FCC Regulation on Health and Environmental Arguments

The Federal Communications Commission (FCC) regulation prohibiting local and state governments from arguing against wireless infrastructure based on health and environmental concerns is under scrutiny, particularly after the **August 2021 federal court ruling**.

Legal Background

In the case of **Environmental Health Trust et al. v. FCC**, the U.S. Court of Appeals for the D.C. Circuit ruled that the FCC's decision to retain its 1996 guidelines for wireless radiation exposure limits was **"arbitrary and capricious."** The court found that the FCC failed to adequately review significant

scientific evidence regarding health and environmental risks associated with radiofrequency (RF) radiation, particularly non-cancer effects and children's vulnerabilities.

FCC's Current Standing

Since the court ruling:

- The FCC **has not appealed** this decision, which means the court's order stands.
- The court mandated the FCC to **provide a reasoned explanation** for why its existing limits remain valid, rather than simply relying on past assessments.

This lack of response from the FCC raises questions about the validity of its previous regulations that limit local and state governments in discussing health and environmental impacts. If the FCC cannot substantiate its claims regarding safety, it potentially loses the authority to regulate these arguments at local and state levels.

Implications of the Ruling





The court's ruling indicates that:

- The FCC can no longer uphold its **1996 guidelines** without addressing the new scientific evidence.
- Local and state governments may be able to criticize or challenge wireless installations based on health and environmental grounds, particularly if the FCC does not substantiate its regulations.

Conclusion

Overall, the FCC's prior restrictions on local and state governments regarding health arguments are increasingly challenged legally. The **August 2021 ruling** has effectively placed the FCC's authority in limbo until it complies with the court's mandate. **This scenario creates a significant opening for local and state governments to re-evaluate how they approach the regulation of wireless infrastructures based on health and environmental considerations.**

Search Results

-  [Landmark Federal Court Decision On Wireless Radiation ...ehsciences.org](#)
-  [Telecom DecisionLexology](#)
-  [Environmental Health Trust v. Federal Communications ...Justia](#)
-  [Court Of Appeals Orders FTC to Review Guidelineswww.bhpp.com](#)