

1 H.513

2 Introduced by Representative Ancel of Calais

3 Referred to Committee on

4 Date:

5 Subject: Telecommunications; public service; natural resources; land use;  
6 siting

7 Statement of purpose of bill as introduced: This bill proposes to repeal the  
8 option for the developer of a telecommunications facility to obtain siting  
9 approval from the Public Service Board instead of Act 250 and local land use  
10 authorities, since the option is no longer needed to meet the goal of achieving  
11 statewide broadband availability by the end of 2013 or to assist the Vermont  
12 Telecommunications Authority, which has ceased operations.

13 An act relating to repealing the option to choose Public Service Board  
14 approval of a telecommunications facility

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

16 Sec. 1. FINDINGS

17 (a) 30 V.S.A. § 248a (section 248a) allows the developer of a  
18 telecommunications facility to bypass Act 250 (10 V.S.A. chapter 151) and  
19 local land use bylaws by obtaining approval from the Public Service Board  
20 (PSB).

1       (b) A major purpose of section 248a was to assist the Vermont  
2       Telecommunications Authority (VTA) to achieve, by a date certain, access to  
3       affordable broadband by all residences and businesses and availability of  
4       mobile telecommunications services throughout the State. Originally, this date  
5       was December 31, 2010, and the authority to approve new applications under  
6       section 248a was set to end on July 1, 2010.

7       (c) The General Assembly later extended the 2010 statewide  
8       telecommunications goal to December 31, 2013. It also extended the  
9       expiration of the PSB's authority under section 248a to July 1, 2014 and,  
10       subsequently, to July 1, 2017.

11       (d) The current Vermont Telecommunications Plan, issued by the  
12       Department of Public Service on December 31, 2014, states that Vermont has  
13       met the goal of universal broadband availability in the State.

14       (e) The VTA ceased operations as of July 1, 2015.

15       (f) The option under section 248a to bypass Act 250 and local land use  
16       approval is no longer needed to support the activities of the VTA or the goal of  
17       achieving universal broadband availability by the end of 2013.

18       Sec. 2. REPEAL

19       30 V.S.A. § 248a (certificate of public good for telecommunications  
20       facilities) is repealed.

21       Sec. 3. EFFECTIVE DATE

22       This act shall take effect on passage.