

STATE OF VERMONT  
PUBLIC UTILITY COMMISSION

Case No. 21-3784-PET

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Petition of New Cingular Wireless PCS, LLC d/b/a AT&T regarding a certificate of public good, pursuant to 30 V.S.A. § 248a, for the installation of telecommunications equipment in Hardwick, Vermont	
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**PETITIONER'S MOTION TO DISMISS PETITION WITHOUT PREJUDICE**

New Cingular Wireless PCS, LLC d/b/a AT&T (“AT&T”), hereby moves the Public Utility Commission (the “Commission”) pursuant to V.R.C.P. 41(a)(2) to dismiss without prejudice the above-referenced petition filed in this case.

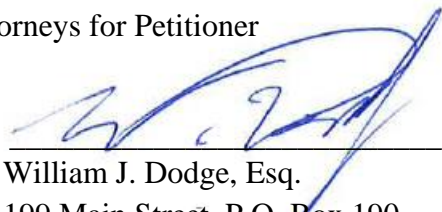
AT&T’s motion is based upon complications resulting from issues with utility line placement at the existing Facility, as well as problems involving title in and to portions of the access road leading to the existing Facility. A new petition will be filed if AT&T is able to address these issues, or if AT&T is able to find a different location for a facility.

AT&T submits that any comments in this case are moot in light of this motion to dismiss. Since no prehearing conference has yet to take place, dismissal without prejudice is appropriate at this juncture.

Dated at Essex, Vermont this 25<sup>th</sup> day of February, 2022.

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