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Subject: [External] Appropriations Testimony

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So this is an elaboration on my testimony to Appropriations Committees public hearing held yesterday, Tuesday from 3-5pm.

I support the \$1 million dollar budget request for the access media organizations or the peg channels. But I want to point out that possibly some language should be appended to that section that appropriation as these Public Access stations have been in the past and funded exclusively by the cable subscribers. They may not be technically publicly instrumentalities, they have in some cases taken the position that they are not bound by access to public records laws regarding fees for copies of videos or regarding records retention. As they are in effect becoming the video library of our community government history this requires immediate resolution. So this there is a provision under the Public Utility Commission Rule, 8 or 8.5 or something like that. That includes provision for creating a Statewide Access Media Organization which could Implement uniform governance and access and preservation requirements among all the Statewide PEG organizations.

Similarly, if most of their viewers or subscribers are now utilizing the web interface rather than cableTV, the governance structure needs to change to accommodate recognition of the Statewide funding for the state funding and the obligations that accrue as a result of that.

These AMOs or these Public Access station should also be integrated into the planning for our emergency communications and preparedness. Similarly, they should have a voice in electronic interfaces and policies for State House Broadcasts. Plans for the media planning participation were repealed in what I believe was a mistake when the bill moved to create the Legislative Management Oversight Committee. More on that upon request.

The Vermont Community Broadband Board's funding should be conditioned upon transparency and access to the financial planning assumptions of the CUDs. Including the Grant application to the NTIA. To be conducting such a massive multi-hundred million dollar buildout absent this transparency is wholly inconsistent, with our telecommunications planning statutes found at 30 VSA 202c and 202d, which require extensive public scrutiny including Drafts, comments on draft plans and documented responses to comments.

Appropriations to Legal Aid and Legal Services of Vermont, should be conditioned upon representation and the ensuing ethical obligations that come with that. To be taking millions of dollars in public money and then offering Advice rather than legal representation leaves many to

fall through the net - to fall through the cracks yet they've had, in fact, taken the Money and Run. Details of one such case available upon request.

The \$10 million dollar Budget request for cellular build-out, presently directed to the Department of Public Service, should be redirected to be spent with the regional dispatch funds. \$11 million from last year's appropriation, \$9 million from a Leahy congressionally directed spending and the additional \$10 million for Cellular in accordance with Regional Communications plans for dispatch emergency response and cellular coverage.

The Public Service Department needs close scrutiny or an investigation that's costing \$12 million dollars a year. But in effect has been captured by the utilities that it's supposed to be regulating. One, small example, is the \$750K fraud of a 10-year telcom plan contract, which in no way met the statutory requirements, the requirements of the contract nor the requirements of the proposal by the vendor. That same vendor is now doing the engineering consulting for the Broadband Board. That should raise a red flag.

I would also suggest conditioning the Vermont State Colleges appropriation on maintaining the libraries with books in them. The potential damage the irreparable harm that can result from disposing of our book collections can be compared with The Lost libraries of the Atheneum.

But people and legislators are suffering from the illusion that they can learn as effectively and as thoroughly from disappearing pixels as they do from Ink on paper. Our physiology has evolved over millions of years sith full resolution sound and not disappearing pixels to reference cross-reference, to annotate, to contemplate, review, look at from a different perspective, look at it upside down, Etc. And to pretend that we have instantly evolved in the course of a generation or two to be able to learn from digital, especially compressed digital and disappearing digital sources, without the need to reference the tangible ink on paper is short-sighted at best, disastrous at worst. Preserve the libraries.

Thank you.
Stephen Whitaker

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