

1 H.485

2 Introduced by Representatives Masland of Thetford, Buxton of Tunbridge,  
3 Cheney of Norwich, Clarkson of Woodstock, Condon of  
4 Colchester, Conquest of Newbury, Davis of Washington, Deen  
5 of Westminster, French of Randolph, Goodwin of Weston,  
6 Mrowicki of Putney, Sharpe of Bristol, Spengler of Colchester,  
7 Stevens of Shoreham, Waite-Simpson of Essex, Wilson of  
8 Manchester, and Woodward of Johnson

9 Referred to Committee on

10 Date:

11 Subject: Telecommunications; broadband services; minimum technical service  
12 characteristics

13 Statement of purpose of bill as introduced: This bill proposes to increase the  
14 minimum technical service requirements for broadband services and provide  
15 for legislative review.

16 An act relating to the minimum technical service requirements for  
17 broadband

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

1       Sec. 1. LEGISLATIVE FINDINGS

2           The General Assembly finds that:

3           (1) The Vermont Telecommunications Authority has made great strides  
4 in meeting the goal of providing all residences and businesses in all regions of  
5 the State access to affordable broadband services not later than the end of the  
6 year 2013.

7           (2) The Vermont Telecommunications Authority is required by statute  
8 to give priority toward projects which expand the availability of broadband  
9 services that meet the minimum technical service characteristics established by  
10 the State Telecommunications Plan.

11          (3) In the 2011 Vermont Telecommunications Plan, the Department of  
12 Public Service defines the minimum technical service characteristics for basic  
13 broadband as services with 0.768 megabits per second download and  
14 0.2 megabits per second upload speeds.

15          (4) These current minimum technical service characteristics are not  
16 sufficient to meet the needs of Vermonters, particularly in the business and  
17 education sectors.

18          (5) Uninterrupted very high speed Internet is increasingly important for  
19 entrepreneurs, whether home-based or at large businesses, and for distance  
20 learning, telemedicine, tourists, and families.

1           (6) In this regard, the United States is lagging behind other  
2           industrialized nations, and Vermont is no exception. That puts Vermont  
3           businesses at a competitive disadvantage.

4           (7) Many states define broadband at much higher speeds than Vermont  
5           currently does. For example, Michigan defines broadband as having speeds of  
6           seven megabits per second download and five megabits per second upload.

7           (8) Online courses from top universities require real-time video  
8           streaming that can only be supported by stable speeds of at least five megabits  
9           per second.

10           (9) Real-time telemedicine involving video communication between  
11           patient and physician requires similar speeds.

12           (10) Latency, which Internet users experience as interruptions in  
13           downloading or uploading, is common among services that are not fiber-optic  
14           based and causes inefficiency and intolerable delays among many users.

15           (11) Advertised Internet speeds of “up to” a certain speed are barely that  
16           and frequently fall well below what is advertised.

17           (12) Reciprocal speeds (upload and download) are critical for business,  
18           high quality distance learning, and advanced telemedicine.

19           (13) Start-up businesses, which are often run out of homes, require the  
20           same speed and quality broadband as found in urban areas or with business  
21           incubators.



1 broadband services needed to support current and emerging applications of  
2 broadband services. The ~~department~~ Department shall review and update the  
3 minimum characteristics established under this section no less than every ~~three~~  
4 two years starting in 2009 and report its findings and recommendations to the  
5 General Assembly beginning in January of 2015. In the event such review is  
6 conducted separately from an update of the ~~state telecommunications plan~~  
7 State Telecommunications Plan pursuant to subsection 202d(f) of this title, the  
8 ~~department~~ Department shall issue revised minimum characteristics as an  
9 amendment to the ~~plan~~ Plan.

10 (b) The ~~authority~~ Authority shall give priority in its activities toward  
11 projects which expand the availability of broadband services that meet the  
12 minimum technical ~~services~~ service characteristics established by the ~~state~~  
13 ~~telecommunications plan~~ State Telecommunications Plan.

14 (c) ~~Until the department of public service adopts minimum service~~  
15 ~~characteristics under subsection (a) of this section, Beginning in 2013, the~~  
16 ~~authority~~ Authority shall give priority to the expansion of broadband services  
17 which deploy equipment capable of a data transmission rate with upload and  
18 download speeds of not less than three megabits per second ~~and offer a service~~  
19 ~~plan with a data transmission rate of not less than 1.5 megabits per second in at~~  
20 ~~least one direction to unserved areas~~ or combined upload and download speeds  
21 equal to or greater than five megabits per second.

1       Sec. 3. EFFECTIVE DATE

2       This act shall take effect July 1, 2014.