

H.297 – As Passed the Senate
Section by Section Summary
Legislative Council – April 30, 2014 at 10:10 AM

Sec. No.	Topic	Finance Strike All Amendment
1	Purpose and Findings	<ul style="list-style-type: none"> • To promote broadband and cell deployment through greater coordination and consolidation of telecom functions • More equitable application of USF surcharge • New revenue invested in telecom build out
2	USF Distribution	<ul style="list-style-type: none"> • In addition to existing programs (relay service; Lifeline; E-911), funds go to new Connectivity Fund
3	Connectivity Fund	<ul style="list-style-type: none"> • To support at least 4-1 service, beginning with those unserved as of 12/31/13 (within that category, priority to those with access only to dial up or satellite) • Fiscal agent determines funds available by September 1 • DPS publishes list of eligible census blocks based on most recent mapping data • Reverse auction (providers, VTA, Division for Connectivity can apply)
4	USF Applied to Prepaid Wireless	<ul style="list-style-type: none"> • Provider assessment based on retail sales in VT • Public Service Board establishes formula to capture 2% of retail business in VT • Beginning September 1, 2014 • Will raise an estimated \$500,000 annually
5	USF Charge	<ul style="list-style-type: none"> • Raised to a flat 2 percent • Beginning July 1, 2014 • Will raise an estimated \$650,000 annually

6	USF Fiscal Agent Examination	<ul style="list-style-type: none"> Fiscal agent to examine provider records to ensure USF surcharge is applied to all assessable telecommunications services, such as: the federal subscriber line charge, directory assistance, enhanced services unless billed as separate line items, and toll-related services
7	State Telecom Policy	<ul style="list-style-type: none"> Adds new State objective: support measures designed to ensure 100Mbps (symmetrical) to every E-911 location in VT by end of year 2024
8	State Telecom Plan	<ul style="list-style-type: none"> Remains the responsibility of DPS Plan period extended from 7 to 10 years DPS receives input and assistance from new Division for Connectivity Minimum technical service objectives revised at least every 3 years
9	Division for Connectivity	<ul style="list-style-type: none"> Within Agency of Administration Successor in interest to and continuation of Vermont Telecommunications Authority (VTA) Similar goals and duties as the VTA, but no bonding authority Takes over telecom planning, coordination, and reporting functions presently assigned to the Secretary of Administration (as well as responsibility for leasing State lands) Promotes only minimum technical service characteristics in State Telecom Plan Annual report on served and unserved areas, based on speed, and cost estimates for providing service to unserved areas
10	Repeals	<ul style="list-style-type: none"> Repeals Secretary of Admin telecom duties transferred to Division for Connectivity by this Act Repeals minimum technical service characteristic objectives incorporated in State Telecom Plan by this act Repeals broadband infrastructure investment program, which will be completed by end of year 2015
11	Creation of Positions for	<ul style="list-style-type: none"> One full-time Director and up to 6 additional FTEs, as deemed necessary by the Secretary of

	Division for Connectivity	<p>Administration</p> <ul style="list-style-type: none"> • Filled to extent there are vacancies in Executive Branch • VTA employees not employed in new Division acquire same recall (reemployment rights) as non-management State employees under existing collective bargaining agreement
12	Transitional Provisions	<ul style="list-style-type: none"> • Secretary of Administration determines where offices of new Division are housed • All assets, liabilities, and legal and contractual obligations of VTA transferred to Agency of Administration
13	Public Highways and Conduit Standards	<ul style="list-style-type: none"> • Intent is to have developers install telecom conduit within public highways and rights-of-way during construction projects to prevent need for future excavations for telecom deployment • Secretary of Administration, in consultation with Secretary of Transportation, Commissioner of DPS, and VLCT shall adopt rules requiring installation of conduit during construction projects • Rules specify standards • Costs borne by party constructing the public highway
14-18	248a	<ul style="list-style-type: none"> • Extends sunset for another 2 years (until July 2016) • Provides automatic party status to municipal bodies where telecom is proposed to be located
19	Administration Report	<ul style="list-style-type: none"> • Report to GA by January 1, 2015 • Plan for transferring E-911 to Division for Connectivity, Department of Public Service, or Department of Public Safety • Goals: better coordination and efficiency; reduction in redundancy; and operational savings of at least \$300K • Include recommendation on whether it would be cost effective to select an existing State agency to serve as fiscal agent of VUSF • Include report on status of Vermont Communications Board and Vermont Public Safety Broadband Network Commission (Vermont FirstNet) • Propose draft legislation creating a 15-member advisory board (within Division for Connectivity or Department of Public Safety) merging functions of E-911 Board, Vermont Communications

		Board, and Vermont FirstNet
20	DPS Deployment Report	<ul style="list-style-type: none"> • DPS submits report to General Assembly on July 15, 2015 • Report includes maps indicating service type and average speed of available broadband and mobile telecommunications services within VT by census block as of June 30, 2015
21	VTA Dormancy	<ul style="list-style-type: none"> • On July 1, 2015, Division for Connectivity becomes successor in interest to and continuation of VTA • VTA ceases operations and does not resume duties unless directed to do so by enactment of the General Assembly; or by order of the JFC, if circumstances change during interim, and bonding seems like most effective means of telecom deployment
22	CPG Applications – Conform with State Telecom Plan	<ul style="list-style-type: none"> • Applications to operate business in Vermont must conform with State Telecom Plan, if applicable
23	CPGs for Cable Companies	<ul style="list-style-type: none"> • CPG Applications must conform with State Telecom Plan • Applies to all certificates that expire or new applications filed after 2014 (Telecom Plan expected to be completed in 2014)
24	Disclosure of Retransmission Fees	<ul style="list-style-type: none"> • A retransmission consent agreement entered into between a cable company and a commercial broadcasting station shall not include terms prohibiting the cable company from disclosing to its subscribers any fees incurred for program content retransmitted on the cable network
25	State Rev and Leg. Intent	<ul style="list-style-type: none"> • Delete references to “by the end of the year 2013” in 30 V.S.A. chapter 91 (VTA statutes) • Replace Secretary of Administration with Director for Connectivity with respect to leasing of State land for telecom infrastructure (process remains the same) • Clarify that duties of new Division are not operable until the Division is established

26	Effective Dates	<ul style="list-style-type: none">• Act takes effect on passage, except sections pertaining to the new Division for Connectivity take effect on July 1, 2015