

Comments on H. 117, draft 1.3

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Chair, ECFiber
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For the record, my name is Irv Thomae. I have been a Norwich resident since 1975, and currently serve on ECFiber's Governing Board both as the delegate from Norwich and Chair.

The following are derived from my testimony of Feb. 12th. Page and line numbers below refer to strike-all draft 1.3, dated 2-23-15.

Facts: Upload speed is essential for serious economic activity.

Recommendations:

In §7515b (a) (page 25, lines 8 and 9): "... shall be capable of being continuously upgraded to reflect the best available, most economically feasible upload as well as download service capabilities."

And in §7515b (b)(4) (page 26, lines 3 and 4): "whether the proposal would use the best available technology that is both economically feasible and extensible to symmetrical upload and download speeds of at least 10 Mbps each."

Facts : The VTA is currently building approximately 160 miles of open access dark-fiber infrastructure which will significantly improve both broadband and mobile service in several parts of the state. These projects involve \$3.3 million of state funding from the VTA's capital appropriation, almost \$220,000 in Federal funds, and additional investment from other sources. Substantial funds have already been expended for engineering, makeready, materiel, etc., but construction is unlikely to be complete by July 1. The skill set and detailed knowledge base needed to ensure satisfactory completion are very different from the "Contract Supervisor" position described in the Administration's Dec 15 2014 plan for "Establishment of the Connectivity Division." With \$3.5 million of public and other money in process, it is very short-sighted to "save" \$20,000-\$30,000 by terminating the VTA staff member now supervising those contracts effective July 1.

Recommendations:

§202e (b) (pages 8 and 9) enumerates activities to be taken in support of the goals listed in 202e (a). Following (8), insert a new (9):

(9) Ensure timely and functional completion of any VTA infrastructure projects still in process as of 1 July 2015, if necessary retaining on a temporary basis one VTA staff

person for a period not to exceed four months; renumbering what follows accordingly.

Also, in (8) (page 9, lines 10 and 11) insert two words:
“... and promote development and implementation of the infrastructure that enables the provision of these services;”

Facts:

A transparent process of policy development builds public confidence. The VTA's Board meetings, except of course when dealing with personnel or contract matters, are open to the public by teleconference as well as in person.

Recommendation:

Add to §202f (i) (Page 17, line 3) change “The Board may meet up to six times a year.” as follows:

The Board shall meet no less than four and as many as six times a year. Meetings of the Board shall be publicly warned, and with the exception of evaluating proposals for grants or other Department funding, shall be open to the public by teleconference as well as physical attendance.

Facts:

The funds available for use developing rural telecomm infrastructure are very limited in relation to the task, especially the goal of 100/100 Mbps broadband throughout Vermont in ten years' time. Grant money is spent once. Revolving loan funds “recycle” scarce dollars, and can encourage additional investment from private as well as public sources.

Recommendation:

In §202e(b)(1) (page 8, line 8): insert the word as follows:
“in the form of grants, revolving loan funds, technical assistance, coordination, and other incentives;”

Facts:

One of the surest ways to avoid wasteful duplication of effort and expenditure is to **require** that infrastructure built with public funding be “open access”, meaning that excess capacity is available for use on a non-discriminatory, non-exclusive basis. (See, for example, the VTA's long-term lease provisions for tenants of dark fiber trunks such as the OCFC.)

Principle:

The State has every right to impose conditions on the use of its money.

Recommendations:

Add to some part of §202e (a) or (b) : Require that telecomm infrastructure built with State funding be made available for use by multiple providers on a non-discriminatory, non-exclusive basis. *Note: it is possible that this should instead be added to the section of the bill that deals with the Connectivity Initiative.*

Facts:

The VTA announced its “Business Broadband Improvement Districts” program in late July of 2013, with proposals due in early September. Its option for clusters of four or more home-based businesses was and is an excellent fit for rural economic development. Despite relatively short notice at a time that meshed very poorly with the family schedules of many community volunteers, the VTA received on the order of 20 credible proposals. We have evidence of many additional clusters of home businesses (and telecommuters) that have a similar need **now** for symmetrical high-speed broadband.

Recommendation:

Reserve 15% of available Connectivity Initiative funding to be used in support of additional rural BBID's, by building open-access dark fiber infrastructure capable of delivering 25/3 Mbps now, and upgradable to 100/100 without redesign or rebuilding.

Miscellaneous Recommendation for Clarity:

Wherever the expression “mobile telecommunications and broadband infrastructure” occurs, change it to “broadband and mobile telecommunications infrastructure”.