

Sec. E.233 ENERGY PLANNING SUPPORT; ALLOCATION OF COSTS

(a) During fiscal year 2019, the Commissioner of Public Service, in consultation with the Commissioner of Housing and Community Development, shall award the amount of \$300,000 to regional planning commissions established under 24 V.S.A. chapter 117 and to municipalities for the purpose of providing training under 2016 Acts and Resolves No. 174.

(b) In awarding funds under this section, the Commissioners shall consider the need and size of a municipality or region and the availability, if any, of other assistance, expertise, or funds to a municipality or region to implement 2016 Acts and Resolves No. 174.

(c) The Commissioner of Public Service shall allocate costs under subsection (a) of this section to the electric distribution utilities subject to its supervision under Title 30 of the Vermont Statutes Annotated based on their pro rata share of total Vermont retail kilowatt-hour sales for the previous fiscal year. Each of these utilities shall pay its allocation into the State Treasury at such time and in such manner as the Commissioner may direct.

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Sec. E.233.1 SUSTAINABLE FUNDING FOR THE PUBLIC UTILITY COMMISSION AND THE DEPARTMENT OF PUBLIC SERVICE; STUDY

(a) The Commissioner of Public Service, in consultation with the Public Utility Commission, shall study and make findings and recommendations regarding the gross operating revenue tax on public utilities imposed under 30 V.S.A. § 22, as well as the assessments imposed under 30 V.S.A. §§ 20 and 21. The purpose of the study is to determine whether the existing statutory mechanisms for financing utility regulation in Vermont are appropriate and, if not, how they might be improved to achieve a sustainable general gross receipts tax fund position and to better serve the public interest.

(1) With respect to the gross operating revenue tax, the Commissioner shall consider:

(A) the total amount collected by each category of companies described under 30 V.S.A. § 22;

(B) how that amount correlates with the regulatory activities of the Commission and the Department with respect to those companies;

(C) whether there is cross-subsidization of regulatory activities and, if so, to what extent;

(D) the gross operating revenue trends of companies subject to the tax and the factors influencing those trends;

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(E) the projected fund balance in the general gross receipts tax fund;

(F) the allocation of funds between the Public Utility Commission and the Department of Public Service and whether the 40/60 percentage allocation is appropriate;

(G) whether adjustments should be made to the tax rates; and

(H) any other matters deemed relevant by the Commissioner.

(2) With respect to the assessments imposed under 30 V.S.A. §§ 20 and 21 (the bill-back provisions):

(A) whether there are persons involved in particular proceedings who are not subject to the assessment for State expenses incurred as a result of those proceedings;

(B) the amount of expenses incurred for which there is no applicable bill-back provision, resulting in expenses for additional personnel being reimbursed from the general gross receipts tax fund; and

(C) any other matters deemed relevant by the Commissioner.

(b) On or before November 1, 2018, after consultation with the Joint Fiscal Office, the Commissioner shall report his or her findings and recommendations to the Senate Committees on Finance and on Appropriations and the House Committees on Ways and Means and on Energy and Technology.

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#### Sec. E.233.2 SHORT-TERM EMERGENCY FUNDING TO MAINTAIN CRITICAL WIRELESS E-911 SERVICE; STUDY

(a) To meet critical public health and safety needs of Vermonters, beginning in fiscal year 2018 and continuing until December 1, 2018, the Commissioner of Public Service is authorized to spend up to \$50,000.00 from the Connectivity Fund established under 30 V.S.A. § 7516 to support E-911 geolocation service charges incurred by CoverageCo for the purpose of maintaining E-911 compliant wireless service in the CoverageCo service area. If the Commissioner determines that CoverageCo is in default of its contractual obligations with the State of Vermont, the Commissioner may award the funds specified in this subsection to another provider for the same purpose. Funds awarded pursuant to this subsection shall be on a reimbursement basis, only.

(b) Beginning on January 1, 2019 and continuing until July 1, 2019, the Commissioner of Public Service is authorized to spend up to an additional \$50,000.00 from the Connectivity Fund as specified in subsection (a) of this section, provided the Commissioner obtains the prior approval of the Joint Fiscal Committee.

(c) On or before September 1, 2018, in a form and manner specified by the Commissioner of Public Service, CoverageCo, or any successor in interest to CoverageCo, shall submit to the Department of Public Service a business plan that provides for full reimbursement of creditor expenses.

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(d) On or before December 1, 2018, the Commissioner of Public Service shall submit a report to the Senate Committees on Finance and on Institutions and the House Committees on Energy and Technology and on Institutions regarding E-911 compliant microcell service in Vermont. The report shall include findings and recommendations related to:

- (1) the financial viability of operating and maintaining a microcell network in Vermont using existing 2G technology as well as 4G technology;
- (2) whether changes to State regulatory policy are needed to facilitate the availability of wireless E-911 service in Vermont;
- (3) whether the State should subsidize E-911 geolocation service charges incurred by microcell service providers on a permanent basis;
- (4) the costs of completing a statewide propagation coverage analysis and whether such an analysis is needed to inform State policy, planning, and investment with respect to wireless service in Vermont;
- (5) the estimated costs of providing microcell service in Vermont, including rates and charges related to electric, backhaul, and geolocation services, pole rental fees, backup-power requirements, colocation requirements, and any other costs deemed relevant by the Commissioner; and
- (6) any other matters deemed relevant by the Commissioner.

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Sec. E.234 E-911 SYSTEM; PUBLIC UTILITY COMMISSION; REPORT

(a) On or before September 1, 2018, the Public Utility Commission shall submit a memorandum to the Joint Fiscal Committee detailing its regulatory authority with respect to Vermont's Enhanced 911 network, with specific reference to the regulatory authority of both the E-911 Board and the Federal Communications Commission. The memorandum shall include the Commission's recommendations, if any, for ensuring comprehensive regulatory oversight and enforcement of matters pertaining to the E-911 network.

Sec. E.235 E-911 SYSTEM; RESILIENCY AND REDUNDANCY;  
REPORT

(a) On or before September 1, 2018, the Executive Director of the Enhanced 911 Board shall submit a report to the Joint Fiscal Committee detailing the level of resiliency and redundancy within the E-911 system and its coverage area and explaining any plans for ensuring operational integrity in the event of critical software or hardware failures. The report shall include, with explanation, identification of the locations and services deemed most vulnerable to system outages or call failures, as determined by the Board. The report also shall include a cost estimate for making any recommended system upgrades.