

1 TO THE HONORABLE SENATE:

2 The Committee on Finance to which was referred Senate Bill No. 301
3 entitled “An act relating to repealing the sunset on 30 V.S.A. § 248a”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 Sec. 1. 30 V.S.A. § 248a(i) is amended to read:

8 (i) Sunset of Commission authority. Effective on July 1, ~~2020~~ 2025, no
9 new applications for certificates of public good under this section may be
10 considered by the Commission.

11 Sec. 2. REPORT ON CRITERIA

12 On or before February 1, 2021, the Public Utility Commission shall review
13 the criteria used in awarding a certificate of public good under 30 V.S.A. §
14 248a and report to the Senate Committee on Finance and the House Committee
15 on Energy and Technology any changes that should be made in light of the
16 recent developments in telecommunications technology.

17 Sec. 3. 2019 Acts and Resolves No. 79, Sec. 25 is amended to read:

18 Sec. 25. OUTAGES AFFECTING E-911 SERVICE; REPORTING;
19 RULE; E-911 BOARD

20 The E-911 Board shall adopt a rule establishing protocols for the E-911
21 Board to obtain or be apprised of, in a timely manner, system outages

1 applicable to wireless service providers, providers of facilities-based, fixed
2 voice service that is not line-powered and to electric companies for the purpose
3 of enabling the E-911 Board to assess 911 service availability during such
4 outages. An outage for purposes of this section includes any loss of E-911
5 calling capacity, whether caused by ~~lack of function of the telecommunications~~
6 ~~subscriber's backup power equipment, lack of function within a~~
7 telecommunications provider's ~~system~~ network failure, or an outage in the
8 electric power system. For purposes of this section, a network failure includes
9 the failure of backup power equipment that is owned and controlled solely by
10 the telecommunications provider. The rule shall incorporate the threshold
11 criteria established under 47 C.F.R. Part 4, § 4.9(e) as it pertains to outage
12 reporting requirements applicable to wireless service providers. The E-911
13 Board shall file a final proposed rule with the Secretary of State and with the
14 Legislative Committee on Administrative Rules pursuant to 3 V.S.A. § 841 on
15 or before ~~February 1, 2020~~ September 30, 2020.

16 Sec. 4. OUTAGE REPORTING; LEGISLATIVE INTENT;

17 RECOMMENDATION

18 The General Assembly recognizes that, with respect to outage reporting
19 requirements applicable to wireless service providers, the federal threshold
20 criteria established under 47 C.F.R. Part 4, § 4.9(e) may not provide data at a
21 sufficient level of granularity to adequately inform the E-911 Board of outages

1 that raise significant public safety concerns for Vermonters. However, the
2 General Assembly also recognizes that more particularized reporting
3 requirements will impose additional burdens on Vermont wireless service
4 providers. Accordingly, to the extent a wireless service provider has the
5 capability of providing more granular outage data than is required under
6 applicable FCC rules, such provider may voluntarily report that data to the E-
7 911 Board. The E-911 Board shall review all outage data reported by wireless
8 service providers and make a recommendation to the General Assembly on or
9 before January 1, 2021 as to whether the threshold criteria should be adjusted
10 in any manner to promote the public’s health, safety, and security.

11 Sec. 5. EFFECTIVE DATE

12 This act shall take effect on passage.

13 and that after passage the title of the bill be amended to read: “An act
14 relating to miscellaneous telecommunications changes”

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17 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE