

1                   **Coronavirus Relief Fund – Committee Recommendations**  
2                   *House Committee on Energy and Technology – June 8, 2020*  
3

4                   \* \* \* Legislative Findings and Intent \* \* \*

5                   Sec. 1. LEGISLATIVE FINDINGS AND INTENT

6                   (a) The General Assembly finds that:

7                   (1) Never has the need for reliable, affordable, high-speed broadband  
8                   connectivity been so critical. The COVID-19 pandemic and the required social  
9                   distancing it has engendered have served as an accelerant to the socioeconomic  
10                  disparities between the connected and the unconnected in our State.

11                  (2) Vermonters who cannot access or cannot afford broadband  
12                  connectivity, many of whom are geographically isolated, face challenges with  
13                  respect to distance learning; remote working; accessing telehealth services;  
14                  accessing government programs and services, including our institutions of  
15                  democracy, such as the court system; and otherwise trying to maintain some  
16                  form of social connection and civic engagement in these trying times.

17                  (3) The pandemic has highlighted the extent to which robust and  
18                  resilient broadband networks are critical to our economic future as a whole and  
19                  provide a foundation for our educational, health care, public health and safety,  
20                  and democratic institutions.

1           (4) Data collected by the Department of Public Service underscore the  
2           magnitude of the State’s connectivity needs. Of the 308,082 addresses in our  
3           State:

4                   (A) 6.8 percent (20,978 addresses) do not have access to broadband  
5                   that meets a minimum speed of 4/1 Mbps.

6                   (B) 23 percent (69,899 addresses) do not have access to broadband  
7                   that meets the FCC’s benchmark of 25/3 Mbps.

8                   (C) 82.5 percent (254,000 addresses) do not have access to  
9                   broadband that meets a minimum speed of 100/100 Mbps.

10           (5) Last year, the General Assembly took significant steps to close the  
11           digital divide. Through Act 79, an act relating to broadband deployment  
12           throughout Vermont, we not only provided financial incentives and  
13           streamlined processes for broadband deployment, we also supported numerous  
14           innovative approaches to shore up community efforts to design and implement  
15           their own broadband solutions.

16           (6) Due to the COVID-19 public health emergency, we must accelerate  
17           our efforts. With haste and precision, the State must redouble its efforts to go  
18           where the market will not.

19           (7) The measures taken in this act complement and advance the State’s  
20           long-term goal of achieving the universal availability of 100 Mbps  
21           symmetrical service by the year 2024.



1           (B) [\$2,000,000] to the COVID-Response Line Extension Customer  
2           Assistance Program established in Sec. 4 of this act.

3           (C) [\$6,000,000] to the Get Vermonters Connected Now Initiative  
4           established in Sec. 5 of this act.

5           (D) [\$500,000] to support the COVID-Response  
6           Telecommunications Recovery Plan established in Sec. 6 of this act.

7           (E) [\$XXX] to support the COVID-Response Telehealth and  
8           Connectivity Initiative established in Sec. 8 of this act.

9           (F) [\$XXX] to be disbursed among the State’s access media  
10           organizations for costs incurred due to unbudgeted and unplanned coverage of  
11           public meetings and events in response to the COVID-19 pandemic, as well as  
12           for unplanned and unbudgeted expenditures related to critical public health and  
13           safety communications concerning the current public health emergency.

14           (G) [\$30,000,000] to fund ratepayer arrearages as they pertain to  
15           utilities affected by the Public Utility Commission’s moratorium on utility  
16           disconnections issued on March 18, 2020, as further amended and revised by  
17           the Commission, and as established in Sec. 9 of this act.

18           (2) [\$3,000,000] to the Agency of Digital Service to fund efforts to  
19           mitigate cybersecurity risks posed by State employees working from home as a  
20           result of the COVID-19 pandemic.

1           (3) [\$XXX] to the Agency of Digital of Services to support municipal  
2           officials in addressing cybersecurity risks and mitigate vulnerabilities posed by  
3           closed municipal offices, municipal employees and elected officials working  
4           from home, and using teleconferencing platforms as a result of the COVID-19  
5           pandemic.

6           (4) [\$XXX] to the Enhanced 911 Fund for necessary expenses incurred  
7           due to unbudgeted and unplanned critical public health and safety activities  
8           and services directly caused by or provided in response to the COVID-19  
9           public health emergency.

10           (5) [\$XXX] to the Agency of Education to be allocated as follows:

11           (A) [\$XXX] to Vermont Public Broadcasting Service to reimburse  
12           costs incurred for unbudgeted and unplanned specialized learning content and  
13           other educational programming aired in response to school closures during  
14           COVID-19 pandemic, as well as for unbudgeted and unplanned expenditures  
15           related to critical public health and safety communications concerning the  
16           current public health emergency.

17           (B) [\$XXX] to Vermont Public Radio for unbudgeted and unplanned  
18           expanded educational programming aired in response to school closures during  
19           the COVID-19 pandemic, as well as for unbudgeted and unplanned  
20           expenditures related to critical public health and safety communications  
21           concerning the current public health emergency.





1 union district, financial assistance under this Program shall not be awarded  
2 unless notice of the proposed line extension is provided to the communications  
3 union district and the Department receives a written letter of support for the  
4 project from the affected communications union district or 30 days have  
5 elapsed since notice was provided and no communication was delivered to the  
6 Department, whichever is sooner.

7 (5) Locations eligible for financial assistance shall provide to the  
8 Department household data related to connectivity needs as they pertain to  
9 remote learning, telehealth, telework needs.

10 (6) The Commissioner shall retain any award of financial assistance  
11 under this section until he or she determines that eligible expenses have been  
12 incurred and properly documented by the grantee in a form and manner  
13 prescribed by the Commissioner.

14 (b) The Commissioner’s policies and practices shall be consistent with  
15 section 601(d) of the Social Security Act and shall incorporate provisions for  
16 ensuring that the Program will significantly increase broadband capacity for  
17 distance learning, telehealth, and telework during the public health emergency.

18 \* \* \* Get Vermonters Connected Now Initiative \* \* \*

19 Sec. 5. GET VERMONTERS CONNECTED NOW INTIATIVE

20 (a) There is established the Get Vermonters Connected Now Initiative to be  
21 administered by the Commissioner of Public Service. The purpose of the



1 program is to provide financial assistance to low-income Vermonters with  
2 respect to obtaining fiber-to-the-premises (FTTP) by offsetting the costs of  
3 underground conduit installations and service drops, generally; and also to  
4 support installation of temporary Wi-Fi hotspots to expand broadband capacity  
5 in critical need areas throughout the State. Conditions of the Program shall  
6 include the following:

7 (1) Projects involving installation of underground conduit that would  
8 result in broadband access to low-income households with remote learning,  
9 telehealth, and telework needs shall be prioritized.

10 (2) Both FTTP service drops and Wi-Fi installations supported by this  
11 Program shall reflect the Department’s ongoing efforts with both the Agency  
12 of Education and the Vermont Program for Quality in Health Care, Inc. to  
13 identify addresses and clusters of students or vulnerable or high-risk  
14 Vermonters, or both, who do not have access to broadband connectivity.

15 (3) In supporting Wi-Fi installations under this Program, the Department  
16 shall consider the installation of equipment that will increase broadband  
17 capacity at libraries, schools, and on school buses.

18 (4) To the extent it is administratively feasible within the time  
19 constraints of section 601(d) of the Social Security Act, the Department may  
20 provide temporary subsidies for customer broadband monthly subscriptions to

1 increase broadband adoption rates where installations are performed pursuant  
2 to this section.

3 (5) The Commissioner shall retain any award of financial assistance  
4 under this section until he or she determines that eligible expenses have been  
5 incurred and properly documented by the intended recipient in a form and  
6 manner prescribed by the Commissioner.

7 (b) The Commissioner shall establish policies and practices consistent with  
8 section 601(d) of the Social Security Act and shall incorporate provisions for  
9 ensuring, to the greatest extent possible and based on the best available data,  
10 that the Program will significantly increase broadband capacity for distance  
11 learning, telehealth, and telework during the public health emergency.

12 \* \* \* COVID-Response Telecommunications Recovery Plan \* \* \*

13 Sec. 6. COVID-RESPONSE TELECOMMUNICATIONS RECOVERY

14 PLAN

15 The Commissioner of Public Service shall retain a consultant to assist with  
16 preparation of a COVID-Response Telecommunications Recovery Plan. The  
17 purpose of the Recovery Plan is to reassess the State’s critical connectivity  
18 needs in light of the COVID-19 public health emergency and to reevaluate  
19 broadband deployment objectives going forward. On or before December 20,  
20 2020, the Recovery Plan shall be submitted to the House Committee on Energy  
21 and Technology and the Senate Committee on Finance.

1 Sec. 7. 2019 Acts and Resolves No. 79, Sec. 23, subsection (a) is amended to  
2 read:

3 (a) It is the intent of the General Assembly that, regardless of when the  
4 2017 Telecommunications Plan is adopted, a new Plan shall be adopted on or  
5 before ~~December 1, 2020~~ June 30, 2021 in accordance with the procedures  
6 established in 30 V.S.A. § 202d(e). The next Plan after that shall be adopted  
7 on or before December 1, 2023, and so on.

8 \* \* \* COVID-Response Telehealth Connectivity Program \* \* \*

9 Sec. 8. COVID-RESPONSE TELEHEALTH CONNECTIVITY PROGRAM

10 (a) The General Assembly finds that:

11 (1) Since the onset of COVID-19, telehealth utilization in Vermont has  
12 increased exponentially. During this pandemic, telehealth has become an  
13 essential tool to minimize the spread of COVID-19 and provide clinicians the  
14 tools they need to treat patients.

15 (2) According to a recent survey conducted by the Vermont Medical  
16 Society, 87 percent of health care providers indicated that lack of patient  
17 access to a smartphone or video capability was a barrier to accessing telehealth  
18 services, and 79 percent indicated that a patient's inability to operate digital  
19 equipment as a barrier.

20 (b) There is established a temporary COVID-Response Telehealth  
21 Connectivity Program to be administered by the Vermont Program for Quality

1 in Health Care, Inc. (VPQHC) consistent with its mission under 18 V.S.A. §  
2 9416 and with its Connectivity Care Packages pilot proposal. The purpose of  
3 the Program is to support equitable access to telehealth services by providing  
4 outreach and educational opportunities that improve digital literacy skills of  
5 patients and providers and also by providing the equipment needed to support  
6 telehealth needs during the COVID-19 public health emergency, particularly in  
7 areas that are both digitally and medically underserved. Conditions of the  
8 Program shall include:

9 (1) To the extent feasible under the timing and funding constraints of  
10 this Program, VPQHC shall make every effort to identify and prioritize  
11 assistance to vulnerable and high-risk patients.

12 (2) VPQHC shall ensure that all expenditures made pursuant to this  
13 Program are properly documented and retained, consistent with the  
14 requirements of section 601(d) of the Social Security Act.

15 (c) This Program shall sunset when funds are fully expended or on  
16 December 20, 2020, whichever occurs first. Any unexpended funds shall be  
17 transferred (?) to XXX on or before December 20, 2020.

18 (d) On or before January 15, 2021, VPQHC shall report to the House  
19 Committees on Health Care and on Energy and Technology and the Senate  
20 Committees on Health and Welfare and on Finance an evaluation of the

1 Program’s effectiveness in terms of reducing health care costs, improving  
2 patient outcomes, or both.

3 \* \* \* Utility Ratepayer Arrearages \* \* \*

4 Sec. 9. FINANCIAL ASSISTANCE FOR RATEPAYER ARREARAGES

5 For the purpose of simultaneously minimizing financial hardship caused by  
6 the COVID-19 pandemic and also mitigating utility rate increases ultimately  
7 shared by all ratepayers, the Commissioner of Public Service shall develop  
8 policies and practices for providing financial support to utility ratepayers to  
9 cover account arrearages. For purposes of this section, a “utility” means a  
10 utility affected by the Public Utility Commission’s moratorium on utility  
11 disconnections issued on March 18, 2020, as further amended and revised by  
12 the Commission.

13  
14 **TIER II FUNDING PRIORITIES**

15 **To the extent federal guidance deems the following programs and**  
16 **appropriations eligible for CRF funding or additional federal funding is**  
17 **available to the State through subsequent federal legislation, the**  
18 **Committee recommends the following:**  
19

20 \* \* \* Critical Infrastructure Workforce Training Program \* \* \*

21 Sec. 1. CRITICAL INFRASTRUCTURE WORKFORCE TRAINING

22 PROGRAM

1       (a) The Department of Homeland Security, Cyber and Infrastructure  
2       Security Agency has issued guidance identifying communications systems  
3       supported by technicians, operators, call -centers, wireline and wireless  
4       providers, cable service providers, and satellite operations as part of the  
5       Critical Infrastructure workforce during COVID 19 recognizing the importance  
6       of maintaining the businesses and services that enable continued economic and  
7       social vitality.

8       (b) There is established a Critical Infrastructure Workforce Training  
9       Program to be administered by the Commissioner of Labor. The purpose of the  
10       Program is to ensure there is a strong, local, communications workforce to  
11       install, operate, and maintain robust and resilient communications networks in  
12       Vermont to meet the increased need for connectivity caused by the COVID-19  
13       public health emergency. The Program shall provide grants to  
14       communications providers for competency-based on the job training of  
15       communications workers. Conditions of the Program shall include:

16       (1) Eligible grant applicants include communications union districts and  
17       other units of government, nonprofit organizations, cooperatives, and for-profit  
18       businesses.

19       (2) A grant award may not exceed [\$\$\$].

20       (3) Not more than 2.5 percent of a grant may be used for grant  
21       management.

1           (4) In awarding grants under this Program, the Commissioner shall give  
2           preference for training related to the maintenance, construction, and  
3           installation of wired and wireless communications facilities.

4           (5) The Commissioner shall retain a grant award until he or she  
5           determines that eligible expenses have been incurred and properly documented  
6           by the grantee in a form and manner prescribed by the Commissioner.

7           Sec. 2. TEMPORARY, LIMITED SERVICE POSITIONS

8           There is appropriated from CRF [\$240,000] to fund two new temporary  
9           positions, COVID-19 rural broadband technical assistance specialists, to assist  
10           with the accelerated implementation of broadband deployment projects  
11           designed to meet the immediate and critical need for connectivity.

12           Sec. 3. ENGINEERING AND DESIGN

13           There is appropriated from CRF [\$7,000,000] to the COVID-Response  
14           Engineering and Design Program, a grant program for broadband providers to  
15           fund the pre-construction engineering, design, and survey work to bring  
16           broadband networks to underserved regions of the State. This program will  
17           also support pole-owning utilities in accelerating the processing of pole-  
18           attachment applications and license agreements to facilitate critical broadband  
19           deployment projects.

20           Sec. 4. CONNECTIVITY INITIATIVE (EBAP – GRANTS/LOANS)

21           There is appropriated from CRF [\$45,000,000] to the COVID-Response

- 1 Connectivity Initiative, a program designed to provide financing for critical
- 2 broadband deployment projects in the form of grants, loans, credit
- 3 enhancements, and letters of credit for projects that will provide all customers
- 4 in a specified region at least 100 Mbps symmetrical service.

DRAFT