

H.966 – AS PASSED THE HOUSE
SUMMARY OF BROADBAND CONNECTIVITY, IT, UTILITY RATEPAYER ASSISTANCE, AND
CRF ADMINISTRATIVE PROVISIONS ONLY

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BROADBAND CONNECTIVITY, IT, UTILITY RATEPAYER ASSISTANCE (SECS. 2-10)		
SECTION	AMOUNT	SUMMARY
Sec. 2	N/A	<p>Findings and Intent Section on Broadband Connectivity</p> <p><u>Findings.</u> There are 8 findings. Only two are included here.</p> <ul style="list-style-type: none"> • Data collected by the Department of Public Service underscore the magnitude of the State’s connectivity needs. Of the 308,082 addresses in our State: <ul style="list-style-type: none"> ○ 6.8 percent (20,978 addresses) do not have access to broadband that meets a minimum speed of 4/1 Mbps ○ 23 percent (69,899 addresses) do not have access to broadband that meets the FCC’s benchmark of 25/3 Mbps ○ 82.5 percent (254,000 addresses) do not have access to broadband that meets a minimum speed of 100/100 Mbps • The measures taken in this recommendation complement and advance the State’s long-term goal of achieving the universal availability of 100 Mbps symmetrical service by the year 2024

		<p><u>Intent.</u> In response to the COVID-19 pandemic and the critical need for access to broadband connectivity, it is the intent of the General Assembly to support rapid response recovery planning and broadband solutions that will significantly increase rural broadband capacity for distance learning, remote working, telehealth, and other critical services during the public health emergency and to do so in a manner that is consistent with the criteria of the federal Coronavirus Relief Fund.</p>
Sec. 3(a), in part, and (b)	\$43,068,500	<p>This is the total recommended appropriation for broadband connectivity, IT, and utility ratepayer assistance, allocated as further specified in this section.</p> <p>Any unexpended funds as of December 20, 2020 shall be transferred to the State’s Coronavirus Relief Fund. Recipients of an appropriation under this section shall obtain and retain documentation demonstrating expenses are eligible for reimbursement under the CARES Act.</p>
Sec. 3(a)(1)	\$35,566,500	This is the total appropriation to the Department of Public Service, allocated in subdivisions (a)(1)(A)-(G)
Sec. 3(a)(1)(A) and Sec. 4	\$800,000	<p>COVID-Response Connected Community Resilience Program</p> <ul style="list-style-type: none"> • Administered by DPS • Purpose is to fund recovery planning efforts of communications union districts (CUDS) • The COVID-19 public health emergency has caused CUDs to rapidly reassess connectivity needs; reevaluate deployment objectives (either independently or collaboratively); and accelerate deployment schedules

		<ul style="list-style-type: none"> • Eligible expenses include consultant fees and administrative expenses • Each grant award capped at \$100K • Commissioner shall develop policies and practices for Program implementation consistent with the CARES Act, including standards for expense verification and records retention
Sec. 3(a)(1)(B) and Sec. 5	\$2,000,000	<p>COVID-Response Line Extension Customer Assistance Program</p> <ul style="list-style-type: none"> • Administered by DPS • Provides financial assistance for customer costs associated with line extensions to unserved locations • An unserved location means a location without access to 25/3 Mbps • A line extension must be capable of at least 25/3 Mbps • Per customer cap is \$3,000 • A CUD letter of support is required for line extensions in a CUD’s service territory • Locations must provide to the Department data related to their telehealth, remote learning, and telework needs • Health care providers and K-12 schools may apply on behalf of patients and students, respectively, who have telehealth or distance learning needs • Awards may be retained until expenses incurred and properly documented • Commissioner shall publish guidelines and procedures on or before July 15, 2020, and may incorporate relevant provisions of PUC Cable Rule 8.313, including the formula for assessing contributions in aid of construction • Funds are available only for the most-cost effective and site-appropriate line extension • Funds disbursed on a rolling basis until all funds expended or December 20, 2020, whichever occurs first

		<ul style="list-style-type: none"> • Program sunsets December 31, 2020 • Guidelines and procedures must be consistent with the CARES Act and shall ensure the Program will significantly increase broadband capacity for distance learning, telehealth, and telework during the public health emergency
Sec. 3(a)(1)(C) and Sec. 6	\$11,000,000	<p>Get Vermonters Connected Now Initiative</p> <ul style="list-style-type: none"> • Administered by DPS • The purpose of the program is to provide financial assistance to Internet service providers to: <ul style="list-style-type: none"> ○ Offset the customer costs of fiber-to-the-premises (FTTP) installations, which include underground conduit installations, where required, and service drops ○ Expand fixed wireless coverage to unserved and underserved locations ○ Reimburse DPS and ADS for costs associated with Wi-Fi hotspot deployments not covered by FEMA, up to \$50K • Priority is given to projects involving installation of underground conduit, where required, that would result in broadband access to low-income households with remote learning, telehealth, and telework needs • FTTP and fixed wireless installations supported by the program shall reflect the Department’s ongoing efforts with the Agency of Education and VPQHC to identify addresses and clusters of students or vulnerable or high-risk Vermonters, or both, who do not have access to broadband • A CUD letter of support is required for proposed projects in a CUD’s service territory • DPS may provide temporary subsidies for customer broadband monthly subscriptions to increase adoption rates

		<ul style="list-style-type: none"> • Any new services funded in whole or in part by monies from this Initiative shall be capable of speeds of at least 25/3 Mbps • Commissioner may retain awards until expenses have been incurred and properly documented • Commissioner shall establish guidelines and procedures consistent with the CARES Act, which shall include provisions ensuring the program will significantly increase broadband capacity for distance learning, telehealth, and telework needs during the public health emergency • Funds are distributed through the <i>existing</i> <u>Connectivity Initiative</u>, which specifies: <ul style="list-style-type: none"> ○ “Unserved” means access only to satellite and dial-up ○ “Underserved” means access to less than 4/1 Mbps ○ DPS solicits bids for eligible census blocks ○ Funded services must be capable of being continuously upgraded to reflect the best available, most economically feasible service capabilities ○ Priority given to lowest cost, but other factors are considered, including: data transmission characteristics; customer prices and installation costs; whether best technology/economically feasible; availability of service of comparable quality and speed; and objectives of Telecom Plan • The location and capacity of infrastructure funded through the program shall be part of a permanent, public database maintained by the Department
Sec. 3(a)(1)(D) and Secs. 7 and 8	\$500,000	<p>COVID-Response Telecommunications Recovery Plan</p> <ul style="list-style-type: none"> • The Commissioner of Public Service shall retain a consultant to assist with the preparation of a COVID-Response Telecom Recovery Plan • The purpose of the Plan is to reassess the State’s critical connectivity

		<p>needs in light of the public health emergency and to reevaluate broadband deployment objectives going forward</p> <ul style="list-style-type: none"> • On or before December 20, 2020 the Plan shall be submitted to HE&T and Finance <p>Deadline for next 10-year Telecom Plan extended from December 1, 2020 to June 30, 2021, and the deadline for the next Plan after that is extended from December 1, 2023 to June 30, 2024</p>
<p>Sec. 3(a)(1)(E) and Sec. 9</p>	<p>\$800,000</p>	<p>COVID-Response Telehealth Connectivity Program</p> <ul style="list-style-type: none"> • Administered by VPQHC consistent with its statutory mission and its Connectivity Care Packages pilot proposal • Purpose is to support equitable access to telehealth services by providing: <ul style="list-style-type: none"> ○ Outreach and educational opportunities to improve digital literacy skills of patients and providers ○ Equipment for telehealth during the public health emergency, particularly in areas that are digitally and medically underserved, and distributed geographically across the State • Vulnerable and high-risk patients are prioritized • Expenditures must be documented and retained consistent with the CARES Act • Funds disbursed on a rolling basis until all funds expended or December 20, 2020, whichever occurs first • Unexpended funds shall be transferred back to the State on or before December 20, 2020 • Program sunsets on December 31, 2020 • On or before January 15, 2021, VPQHC reports to relevant legislative committees on the Program’s effectiveness

Sec. 3(a)(1)(F)	\$466,500	<p>PEG access media organizations</p> <ul style="list-style-type: none"> • Funding disbursed by DPS in consultation with the Vermont Access Network • Purpose is to reimburse staffing and operational costs incurred due to unbudgeted and unplanned coverage of public meetings and events in response to the COVID-19 public health emergency; and for unplanned and unbudgeted expenditures related to increased production and technical support for live-streaming government and community-based organizations
Sec. 3(a)(1)(G) and Sec. 10	\$20,000,000	<p>Financial Assistance for Utility Ratepayers</p> <ul style="list-style-type: none"> • Administered by DPS • Purpose is to provide financial assistance to utility ratepayers to cover the account arrearages of ratepayers likely to face disconnection when the PUC’s involuntary disconnection moratorium ends • A “utility” means a utility affected by the PUC’s involuntary disconnection moratorium issued on March 18, 2020, as further amended and revised; (extended to July 31, 2020) • Funds disbursed on a rolling basis until all funds are expended or December 20, 2020, whichever occurs first • Commissioner may contract with an independent third party to assist with program administration • Customer information is confidential unless anonymized and aggregated
Sec. 3(a)(2)	\$3,000,000	<p>IT – Mitigation of State Cybersecurity Risks</p> <ul style="list-style-type: none"> • Appropriation to ADS to mitigate cybersecurity risks posed by State employees working from home as a result of the COVID-19 public

		health emergency
Sec. 3(a)(3)	\$4,000,000	IT – UI Claims Modernization <ul style="list-style-type: none"> • Appropriation to ADS to reimburse costs incurred for unbudgeted and unplanned expenditures for unemployment insurance claims modernization. Legislative intent is to increase Vermonters’ access to UI claims services in response to the COVID-19 public health emergency • Updates to the claims portal and the employer portal
Sec. 3(a)(4)	\$350,000	IT – Mitigation of Municipal Cybersecurity Risks <ul style="list-style-type: none"> • Appropriation to ADS to support municipal officials in addressing cybersecurity risks and mitigate vulnerabilities posed by closed municipal offices, muni employees and elected official working from home, and using teleconferencing platforms as a result of the COVID-19 public health emergency
Sec. 3(a)(5)	\$152,000	E-911 – COVID-Response Activities <ul style="list-style-type: none"> • Appropriation to the E-911 Fund for necessary expenses incurred due to unbudgeted and unplanned critical public health and safety activities and services directly caused by or provided in response to the COVID-19 public health emergency, including delayed transition to new operating system by INdigital
CRF ADMINISTRATIVE PROVISIONS Secs. 12-15		

Sec. 12	<p>Consistency with CARES Act and Guidance</p> <ul style="list-style-type: none"> • Expenditures pursuant to this act: <ul style="list-style-type: none"> ○ (1) are necessary expenditures incurred due to the public health emergency with respect to Coronavirus Disease 2019 (COVID-19); ○ (2) were not accounted for in Vermont’s fiscal year 2020 budget; and ○ (3) were, or will be, incurred during the period beginning on March 1, 2020 and ending on December 30, 2020.
Sec. 13	<p>Grant Recipient Requirements; Reversion and Reallocation Schedule</p> <ul style="list-style-type: none"> • Appropriations are subject to change based on subsequent federal law or guidance • Entities receiving CRF monies are responsible for compliance with all federal guidance as to CRF spending and use • Unexpended funds revert to State CRF on December 20, 2020 for reallocation
Sec. 14	<p>Grant Conditions</p> <ul style="list-style-type: none"> • Repayment required for ineligible uses, unless expenditures made in good faith reliance on authorization by specific guidance from administrator • AG or program administrator may seek civil or criminal penalties for violations of terms and conditions of program
Sec. 15	<p>Recordkeeping and Compliance</p> <ul style="list-style-type: none"> • Standard audit provisions, as required by Agency of Administration Bulletins 3.5 and 5, shall be included in all contracts, loans, and grant agreements • Records must be retained for at least 3 years • Program administrator must report to legislative committees July 31 and September 1, 2020

