

1 H.513

2 Senator Brock moves to amend the bill as follows:

3 First: In Sec. 2, 30 V.S.A. § 7523, by striking out subsection (b) in its
4 entirety and inserting in lieu thereof a new subsection (b) to read as follows:

5 (b) Beginning on July 1, 2019, the rate of charge established under
6 subsection (a) of this section shall be increased by **four-tenths** of one percent
7 of retail telecommunications service, and the monies collected from this
8 increase shall be transferred to the Connectivity Fund established under section
9 7516 of this title.

10 Second: In Sec. 10 (concerning the Broadband Innovation Grant Program),
11 subdivision (a)(1), by striking out the words “100 Mbps symmetrical” and
12 inserting in lieu thereof 25 Mbps download and 3 Mbps upload

13 Third: In Sec. 13 (concerning public-private partnerships and
14 communications plants), 24 V.S.A. § 1913, by striking out subsection (f) in its
15 entirety and inserting in lieu thereof a new subsection (f) to read as follows:

16 (f) Notwithstanding any other provision of law to the contrary, a
17 municipality may enter into a public-private partnership for the purpose of
18 exercising its authority under this subchapter regarding the provision of
19 communications services. **A municipality may contract with a private**
20 **entity to operate and manage a communications plant owned by the**
21 **municipality or** may contract with a private entity to co-own, operate, or

1 manage a communications plant. **A communications plant that is the**
2 **subject of a public-private partnership authorized by this subsection may**
3 **be financed** in whole or in part pursuant to this chapter and chapter 53,
4 subchapter 2 of this title, provided the municipality first issues a request for
5 proposals seeking an Internet service provider to serve **or to assist with**
6 **servicing** unserved and underserved locations targeted by the issuing
7 municipality. The terms of such a partnership shall specify that the owner or
8 owners of the communications plant, as applicable, shall be responsible for
9 debt service.

10 Fourth: In Sec. 20 (concerning refunds for make-ready work not timely
11 completed), 30 V.S.A. § 209, subdivision (i)(2)(C), in the first sentence,
12 immediately after the words “pole owner” by adding the following: , within 30
13 days of the expiration of the make-ready completion period,

14 Fifth: By striking out Sec. 25 in its entirety and inserting in lieu thereof a
15 new Sec. 25 to read as follows:

16 Sec. 25. POWER OUTAGES AFFECTING E-911 SERVICE; REPORTING;
17 RULE; E-911 BOARD

18 (a) The E-911 Board shall adopt a rule requiring every provider of
19 facilities-based, fixed voice service that is not line-powered to report to the E-
20 911 Board within two hours **or as soon as practicable** any outage in its system
21 such that more than 10 subscribers lose the capacity to make an E-911 call. An

1 outage for purposes of this section is any loss of E-911 calling capacity,
2 whether caused by lack of function of the subscriber's backup power
3 equipment, lack of function within the provider's system, or by any other
4 factor external to the provider's system, including an outage in the electric
5 power system. ~~In addition, the rule shall require every electric company to~~
6 ~~report to the E-911 Board any network-wide power outage affecting more~~
7 ~~than one service location within two hours of notice of the outage or as~~
8 ~~soon as practicable. In addition, the E-911 Board shall consult with each~~
9 ~~electric company to determine the most efficient protocol for the E-911~~
10 ~~Board to obtain or be apprised of power outages in a timely manner that~~
11 ~~will help them assess 911 service availability, or lack thereof during power~~
12 ~~outages.~~ The E-911 Board shall file a final proposed rule with the Secretary of
13 State and with the Legislative Committee on Administrative Rules pursuant to
14 3 V.S.A. § 841 on or before February 1, 2020.

15 (b) On or before 30 days after the effective date of this section, the E-911
16 Board shall adopt temporary standards and procedures consistent with the
17 requirements in subsection (a) of this section that shall remain in effect until
18 the effective date of permanent rules adopted under subsection (a) of this
19 section.