

ATTACHMENT A – STATEMENT OF WORK**A. Program Background**

The Vermont COVID-19 Response Telecommunications Recovery Plan is one of Vermont's CARES Act funding initiatives. Funding for this project was appropriated to the Department of Public Service in Act 137. Section 15 states as follows:

The sum of \$500,000.00 is appropriated to the Commissioner of Public Service to retain a consultant to assist with preparation of a COVID-Response Telecommunications Recovery Plan. The purpose of the Recovery Plan is to reassess the State's critical connectivity needs in light of the COVID-19 public health emergency and to reevaluate broadband deployment objectives going forward. On or before December 20, 2020, the Recovery Plan shall be submitted to the House Committee on Energy and Technology and the Senate Committee on Finance

The Contractor shall work at the direction of the PSD to complete a draft COVID Response Telecommunications Recovery Plan. The Plan shall outline short-term steps the state should take to respond to the COVID-19 Public Health Emergency. The Plan must be achievable and include concrete steps for attaining the goals described in 30 V.S.A. § 202c. The Plan should describe the public and private costs and the consequences of each implementation step. The Plan shall include the following items:

1. **An assessment of the current state of commercial and residential telecommunications infrastructure and services.** This section shall provide a needs-gap assessment of telecommunications infrastructure that includes a description of how this infrastructure has performed during COVID-19 Public Emergency, and near-term changes that should be considered in light of the emergency.
2. **Survey of Vermont residents and businesses** - One or more surveys of Vermont residents and businesses, conducted in cooperation with the Agency of Commerce and Community Development ("ACCD") to determine what telecommunications services are needed now during the Public Emergency and with respect to the following specific sectors in Vermont;
 - a. Educational sector, with input from the Secretary of Education;
 - b. Healthcare and human services sectors, with input from the Commissioner of Health and Secretary of Human Services;
 - c. Public Safety sector, with input from the Commissioner of Public Safety and the Executive Director of the Enhanced 911 Board; and
 - d. The Workforce Training and Development sectors, with input from the Commissioner of Labor.
3. **An assessment and evaluation of State-owned and managed telecommunications systems and related infrastructure** - An assessment, conducted in cooperation with the

Agency of Digital Services (“ADS”) and Agency of Transportation (“AOT”), of State-owned and managed telecommunications systems and related infrastructure and an evaluation, with specific goals and objectives, of alternative proposals for upgrading the systems to provide the best available and affordable technology for use by State and local government, public safety, educational institutions, community media, nonprofit organizations performing governmental functions, and other community anchor institutions. This section shall have a focused discussion of how the state’s telecommunications infrastructure as performed during the COVID-19 Public Health Emergency and what needs have emerged as a result of this emergency.

4. **An assessment of status, coverage, and capacity of telecommunications networks and services** - A geographically specific assessment of the status, coverage, and capacity of telecommunications networks and services available throughout Vermont, a comparison of available services relative to other states, including price and broadband speed comparisons for key services and comparisons of the status of technology deployment. The assessment shall include data and information of how the Public Emergency has affected the capacity of current networks. Particular attention should be paid to the need for telehealth and remote education services and how they have been used during the COVID-19 Public Health Emergency.
5. **An assessment of opportunities for shared infrastructure** - An assessment of opportunities for shared infrastructure, open access, and neutral host wireless facilities that is sufficiently specific to guide the Public Utility Commission, the Department of Public Service, State and local governments, and telecommunications service companies in the deployment of new technology that can assist the state in responding to the current public health emergency and help the state recover from the economic impact of the public health emergency.
6. **PEG television analysis** - An analysis of available options to support the State’s access media organizations, with particular attention to changes brought on by the COVID-19 Public Emergency. Discussion should focus on the implementation of Act 137 as it pertains to public access television and the economic and financial impact to PEG stations caused by the pandemic. This section should not replicate efforts undertaken by the Agency of Commerce and Community Development as directed by Section 19 of Act 137, but address PEG Access in the context of the state’s overall communications needs.
7. **An analysis of short-term alternative strategies to expand broadband and increase network resiliency during the COVID-19 Public Health Emergency** – Contractor shall include a discussion of short-term measures that the State can undertake now to leverage its ownership and management of the public rights-of-way to create opportunities for accelerating the buildout of fiber-optic broadband and for increasing network resiliency capacity.
8. **An Assessment of emergency communications initiatives and requirements** - With respect to emergency communications, an analysis of all federal initiatives and requirements, including the Department of Commerce FirstNet initiative and the Department of Homeland Security Statewide Communication Interoperability Plan, and how these activities can best be integrated with strategies to advance the State’s short-

term responses to the COVID-19 Public Health Emergency. Contractor shall give an assessment of how these systems have performed during the pandemic and what is needed to respond to the COVID-19 Public Emergency.

9. **Analysis of regulatory and legal barriers facing state action** – The COVID-19 Response Telecommunications Recovery Plan shall include a discussion of relevant federal and state laws and regulations affecting State action in the telecommunications and information market, including relevant preemption issues raised by any proposed policy initiatives.
10. **Initiatives to advance state telecommunication policies and goals** - In developing the Plan, the Department shall address each of the State telecommunications policies and goals of 30 V.S.A. § 202c, and shall assess initiatives designed to advance and make measurable progress with respect to each of those policies and goals. Specifically, the assessment shall include identification of the resources required and potential sources of funding for plan implementation that meet the following goals in 30 V.S.A. § 202c:
 - (a) *The General Assembly finds that advances in telecommunications technology and changes in federal regulatory policy are rapidly reshaping telecommunications services, thereby promising the people and businesses of the State communication and access to information, while creating new challenges for maintaining a robust, modern telecommunications network in Vermont.*
 - (b) *Therefore, to direct the benefits of improved telecommunications technology to all Vermonters, it is the purpose of this section and section 202d of this title to:*
 - (1) *strengthen the State's role in telecommunications planning;*
 - (2) *support the universal availability of appropriate infrastructure and affordable services for transmitting voice and high-speed data;*
 - (3) *support the availability of modern mobile wireless telecommunications services along the State's travel corridors and in the State's communities;*
 - (4) *provide for high-quality, reliable telecommunications services for Vermont businesses and residents;*
 - (5) *provide the benefits of future advances in telecommunications technologies to Vermont residents and businesses;*
 - (6) *support competitive choice for consumers among telecommunications service providers and promote open access among competitive service providers on nondiscriminatory terms to networks over which broadband and telecommunications services are delivered;*
 - (7) *support the application of telecommunications technology to maintain and improve governmental and public services, public safety, and the economic development of the State;*
 - (8) *support deployment of broadband infrastructure that:*
 - (A) *uses the best commercially available technology;*
 - (B) *does not negatively affect the ability of Vermont to take advantage of future improvements in broadband technology or result in widespread installation of technology that becomes outmoded within a short period after installation;*
 - (9) *in the deployment of broadband infrastructure, encourage the use of existing facilities, such as existing utility poles and corridors and other structures, in preference to the construction of new facilities or the replacement of existing structures with taller structures; and*

(10) support measures designed to ensure that by the end of the year 2024 every E-911 business and residential location in Vermont has infrastructure capable of delivering Internet access with service that has a minimum download speed of 100 Mbps and is symmetrical.

11. **Public Comment draft and the Final Draft of Report.** The Contractor should provide the Public Comment draft to the Department of Public Service by **November 16, 2020**. The Department of Public Service will facilitate collaboration with other State agencies as statutorily required. The Department of Public Service will also facilitate the required public process procedures for drafting the Public Comments draft, including conducting public hearings and accepting public comments. The Department of Public Service anticipates that it will produce the Final Draft following additional public process after the release of the Public Comments draft. Vendor shall make itself available as needed to assist with the publication of the final draft. Final Draft will be due **December 20, 2020**.