

1 TO THE SENATE COMMITTEE ON APPROPRIATIONS:

2 Regarding the broadband connectivity provisions in H.966, the Committee
3 on Finance recommends that the Senate propose to the House the following
4 CRF appropriations:

5 **[Total \$20,000,000 CRF Appropriation]**

6 * * * COVID-Response Accelerated Broadband Connectivity Program * * *

7 Sec. 1. COVID-RESPONSE ACCELERATED BROADBAND
8 CONNECTIVITY PROGRAM

9 (a) \$17,433,500.00 is appropriated to the COVID-Response Accelerated
10 Broadband Connectivity Program, a newly established program administered
11 by the Commissioner of Public Service, consistent with the requirements of
12 this section. The purpose of the Program is to rapidly and significantly
13 increase broadband connectivity consistent with the federal parameters
14 applicable to expenditures under the Coronavirus Relief Fund in a manner that
15 best serves the State’s goal of achieving universal 100 Mbps symmetrical
16 service by 2024 as specified in 30 V.S.A. § 202c. To achieve this purpose, the
17 Commissioner is given broad discretion to allocate funding, as he or she deems
18 appropriate, subject to legislative oversight as required under subsection (m) of
19 this section, to support the following programs and initiatives:

20 (1) Up to \$2,000,000.00 for the COVID-Response Line Extension
21 Customer Assistance Program established in subsection (b) of this section.

1 (2) The Get Vermonters Connected Now Initiative established in
2 subsection (c) of this section.

3 (3) The COVID-Response Temporary Broadband Lifeline Program
4 established in subsection (d) of this section.

5 (4) The Connectivity Initiative established under 30 V.S.A. § 7515b for
6 projects that can be completed consistent with the parameters of Coronavirus
7 Relief Fund eligible expenditures, including fixed wireless projects.

8 (5) Wi-Fi deployment as specified in subsection (g) of this section.

9 (b) There is established the COVID-Response Line Extension Customer
10 Assistance Program, the purpose of which is to provide financial assistance for
11 the customer costs associated with line extensions to unserved locations. The
12 Commissioner shall develop guidelines and procedures to implement this
13 Program and may incorporate relevant provisions of PUC Cable Rule 8.313,
14 including the formula for assessing contributions in aid of construction.

15 Conditions of the Program shall include the following:

16 (1) An unserved location means an area without access to 25/3 Mbps.

17 (2) Per customer financial assistance may not exceed \$3,000.00.

18 (3) Locations eligible for financial assistance shall provide to the
19 Department data related to connectivity needs as they pertain to remote
20 learning, telehealth, and telework needs.

21 (4) A health care provider may apply for assistance on behalf of a

1 patient residing in Vermont for a line extension so that the patient can receive
2 telehealth or telemedicine services from the health care provider. Any K–12
3 educational institution, including a public or private school or school district,
4 may apply for a line extension on behalf of a student, provided the student’s
5 service location is in Vermont and the student needs the broadband service to
6 receive remote instruction from the educational institution.

7 (5) Funds under this Program shall be available for the most cost-
8 effective and site- appropriate line extension. Funds shall be disbursed on a
9 rolling basis until funds in the Program are expended or December 20, 2020,
10 whichever occurs first.

11 (c) There is established the Get Vermonters Connected Now Initiative.
12 Notwithstanding any provision of law to the contrary, funds shall be
13 distributed through the Connectivity Initiative established under 30 V.S.A.
14 § 7515b, and are available for projects in areas otherwise considered served
15 under the Connectivity Initiative. The purpose of the Program is to provide
16 financial assistance to Internet service providers to offset the customer costs of
17 fiber-to-the-premises installations, which include underground conduit
18 installations, where required, and service drops. The Commissioner shall
19 prioritize projects involving installation of underground conduit, where
20 required, that would result in broadband access to low-income households with
21 remote learning, telehealth, and telework needs.

1 (d) To the extent it is administratively feasible within the time constraints
2 of section 601(d) of the Social Security Act, the Department may establish a
3 COVID-Response Temporary Broadband Lifeline Program to provide
4 subsidies for customer broadband monthly subscriptions to increase broadband
5 adoption rates in response to the COVID-19 public health emergency.

6 (e) Up to \$50,000.00 of funds appropriated under this section may be used
7 to reimburse the Department of Public Service and the Agency of Digital
8 Services for any costs associated with the deployment of Wi-Fi hotspots not
9 covered by the Federal Emergency Management Agency.

10 (f) The Commissioner shall establish guidelines and procedures consistent
11 with Section 601(d) of the Social Security Act and shall incorporate provisions
12 for ensuring, to the greatest extent possible and based on the best available
13 data, that the Program will significantly increase broadband capacity for
14 distance learning, telehealth, and telework during the public health emergency.
15 To that end, projects funded under this Program shall reflect the Department’s
16 ongoing efforts with both the Agency of Education and the Vermont Program
17 for Quality in Health Care, Inc. to identify addresses and clusters of students or
18 vulnerable or high-risk Vermonters, or both, who do not have access to
19 broadband connectivity. In addition, the guidelines shall attempt to direct
20 funds under the Program to projects designed to serve economically-
21 challenged households or communities.

1 (g) Any new services funded in whole or in part by monies from this
2 Program shall be capable of speeds of at least 25 Mbps download and 3 Mbps
3 upload; however, when the technology is feasible, priority shall be given to
4 services that are capable of 100 Mbps symmetrical service and to fixed
5 wireless served by fiber backhaul.

6 (h) The location and capacity of infrastructure funded through this Program
7 shall be part of a permanent, public database maintained by the Department.

8 (i) If a proposed project under the Program is in the service territory of a
9 communications union district, immediately upon receipt of the application for
10 the proposed project, the Commissioner shall notify the affected
11 communications union district of the proposed project and provide seven
12 calendar days for the district to raise an objection to the proposed project. The
13 Commissioner may award funding to the proposed project over the objection
14 of a communications union district, provided he or she documents in writing
15 the reasons for overriding the objection.

16 (j) The Commissioner may disburse an award for advance payment of
17 capital costs provided the Commissioner determines such funding is necessary
18 for project commencement. The Commissioner may retain an award of
19 financial assistance, or a portion thereof, under this section until he or she
20 determines that eligible expenses have been incurred and properly documented

1 by the intended recipient in a form and manner prescribed by the
2 Commissioner.

3 (k) Funds under the Program shall not be used to support a provider’s costs
4 associated with line extensions otherwise required to be constructed pursuant
5 to a certificate of public good granted under 30 V.S.A. chapter 13.

6 (l) The Commissioner shall consider and coordinate with existing
7 stakeholders and initiatives, including VELCO and FirstNet, to leverage
8 private and public assets to the greatest extent possible in furtherance of the
9 objectives of this Program.

10 (m) On or before July 31, 2020 and every month thereafter until December
11 1, 2020, the Commissioner shall provide to the Joint Information Technology
12 Oversight Committee, the Senate Committee on Finance, and the House
13 Committee on Energy and Technology a status report on the Program that
14 identifies funding distributions to date, the amount of funds that remain
15 available for distribution, and plans for awarding available funds on or before
16 December 20, 2020.

17 (n) Any unexpended funds under the Program as of December 20, 2020
18 shall be returned to the State Coronavirus Relief Fund.

19 (o) Personal information submitted under the Program is confidential and
20 exempt from disclosure under the Public Records Act. Such information may
21 only be disclosed publicly in an anonymized and aggregated format.

1 (p) The Program shall sunset on January 1, 2021. The Department shall be
2 the successor in interest to any remaining rights, liabilities, and obligations.

3 (q) The Commissioner shall notify the Telecommunications and
4 Connectivity Advisory Board of pending grant awards.

5 * * * COVID-Response Connected Community Resilience Program * * *

6 Sec. 2. COVID-RESPONSE CONNECTED COMMUNITY RESILIENCE
7 PROGRAM

8 (a) The sum of \$800,000.00 is appropriated to the COVID-Response
9 Connected Community Resilience Program, a grant program to be
10 administered by the Commissioner of Public Service. The purpose of the
11 Program is to fund recovery planning efforts of communications union
12 districts, particularly with regard to accelerating their deployment schedules.
13 Accelerated deployment is necessary in direct response to the COVID-19
14 public health emergency, which has caused communications union districts to
15 rapidly reassess the connectivity needs in their respective service areas and to
16 reevaluate their deployment objectives going forward, either independently or
17 collaboratively. Conditions of the Program shall include the following:

18 (1) Costs eligible for funding under this Program include consultant
19 fees, administrative expenses, and any other recovery planning costs deemed
20 appropriate by the Commissioner.

21 (2) A grant award may not exceed \$100,000.00.

1 (b) The Commissioner shall develop policies and practices for Program
2 implementation consistent with the purposes of this section and also with
3 Section 601(d) of the Social Security Act, including standards for expense
4 verification and records retention.

5 * * * COVID-Response Telecommunications Recovery Plan * * *

6 Sec. 3. COVID-RESPONSE TELECOMMUNICATIONS RECOVERY
7 PLAN

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

16 Sec. 4. 2019 Acts and Resolves No. 79, Sec. 23, subsection (a) is amended to
17 read:

18 (a) It is the intent of the General Assembly that, regardless of when the
19 2017 Telecommunications Plan is adopted, a new Plan shall be adopted on or
20 before ~~December 1, 2020~~ June 30, 2021 in accordance with the procedures
21 established in 30 V.S.A. § 202d(e). The next Plan after that shall be adopted

1 on or before ~~December 1, 2023~~, and so on June 30, 2024 and every three years
2 thereafter.

3 * * * COVID-Response Telehealth Connectivity Program * * *

4 Sec. 5. COVID-RESPONSE TELEHEALTH CONNECTIVITY PROGRAM

5 (a) The sum of \$800,000.00 is appropriated to the COVID-Response
6 Telehealth Connectivity Program to be administered by the Vermont Program
7 for Quality in Health Care, Inc. (VPQHC) consistent with its mission under 18
8 V.S.A. § 9416 and with its Connectivity Care Packages pilot proposal. The
9 purpose of the Program is to support equitable access to telehealth services by
10 providing outreach and educational opportunities that improve digital literacy
11 skills of patients and providers and also by providing the equipment needed to
12 support telehealth needs during the COVID-19 public health emergency,
13 particularly in areas that are digitally and medically underserved and
14 distributed geographically across the State. Conditions of the Program shall
15 include:

16 (1) To the extent feasible under the timing and funding constraints of
17 this Program, VPQHC shall make every effort to identify and prioritize
18 assistance to vulnerable and high-risk patients in all regions of the State.

19 (2) VPQHC shall ensure that all expenditures made pursuant to this
20 Program are properly documented and retained, consistent with the
21 requirements of Section 601(d) of the Social Security Act.

