

1 H.898

2 Introduced by Committee on Energy and Digital Infrastructure

3 Date:

4 Subject: Telecommunications; telephone service; copper-to-fiber network

5 transitions; VoIP service; backup power; consumer protections

6 Statement of purpose of bill as introduced: This bill proposes to establish

7 consumer protections related to a legacy telephone company's transition from

8 a copper-based network to a fiber-based network and, in addition, to establish

9 reporting requirements designed to inform State policy with regard to ensuring

10 all telephone customers have continuous and reliable access to emergency

11 services.

12 An act relating to copper-based to fiber-based telecommunications network

13 transitions and consumer protections

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 30 V.S.A. § 227f is added to read:

16 **§ 227f. TRANSITION FROM COPPER-BASED TO FIBER-BASED**

17 **TELEPHONE SERVICE; CONSUMER PROTECTIONS**

18 **(a) Findings. The General Assembly finds that:**

19 **(1) When a telecommunications carrier transitions its infrastructure from**

20 **a copper-based network to a fiber-based network, it is critical to ensure that**

1 existing customers have continued access to high-quality, reliable
2 telecommunications service.

3 (2) The transition to Voice over Internet Protocol (VoIP) service over a
4 fiber-based network may affect service reliability, consumer choices, and
5 access to emergency services, particularly for vulnerable populations,
6 including older adults and those with medical dependencies.

7 (3) Unlike traditional service over a self-powered copper-based
8 network—otherwise known as plain old telephone service or POTS—a fiber-
9 based service relies upon an optical network terminal (ONT), which must be
10 connected to a power source or outlet at a customer’s home or business in
11 order to be operational.

12 (4) In the event of a power outage, most backup batteries connected to
13 the ONT will provide VoIP service for up to eight hours; however, backup
14 power systems that provide service for a longer duration are also available.

15 (5) Previously, federal regulations had required providers of facilities-
16 based, fixed, residential voice services that are not line powered, such as VoIP
17 service, to offer for sale at least one option with eight hours of standby backup
18 power, as well as an additional 24-hour option, to ensure customer equipment
19 maintained E-911 access during a power outage. However, those requirements
20 were sunset by operation of law on September 1, 2025.

1 (6) There is a need for clear customer safeguards to ensure continuous
2 and reliable service during the transition to and in the provision of VoIP
3 service and for enhanced State oversight of customer access to emergency
4 services, generally.

5 (b) Intent. It is the intent of the General Assembly to balance telephone
6 network modernization with customer safeguards during a copper-to-fiber
7 network transition and to enhance State oversight with regard to ensuring that
8 all telephone customers have continuous and reliable access to emergency
9 services.

10 (c) Definition. As used in this section, “VoIP service” means an
11 interconnected, facilities-based, fixed, residential voice service that is not line
12 powered.

13 (d) Notice of network transition. A telecommunications carrier proposing
14 to transition from a copper-based network to a fiber-based network in its
15 service territory shall provide written notice by U.S. first-class mail and email
16 to the Commissioner of Public Service, the E-911 Board, and all affected
17 customers at least 120 days, 60 days, and 30 days prior to the planned
18 transition. In a form and manner prescribed by the Commissioner, the notice
19 shall include:

1 (8) information regarding the availability of and eligibility for any
2 federal, State, or carrier discount programs applicable to the replacement VoIP
3 service; and

4 (9) any other disclosures deemed necessary and appropriate by the
5 Commissioner of Public Service to ensure that the public convenience and
6 necessity will not be adversely affected by the transition or discontinuance of
7 service.

8 (e) VoIP service provider reporting. Beginning on or before November 1,
9 2026, and annually thereafter, each VoIP service provider shall file a report
10 with the Department of Public Service detailing the number of customers who
11 have purchased battery backup systems from the carrier, including the
12 purchase and installation costs, if applicable; and documenting any known
13 incidents where E-911 access was impaired or interrupted due to the lack of
14 backup power.

15 (f) Enforcement. A telecommunications carrier that violates a provision of
16 this section shall be subject to the remedies authorized by this title, including
17 penalties authorized by section 30 of this title and injunctions authorized by
18 section 209 of this title.

19 (g) Department monitoring. In addition to reviewing the annual reports
20 required under subsection (e) of this section, the Commissioner of Public
21 Service shall review, quarterly, the outage reports submitted to the E-911

1 Board pursuant to the Board's Rule Governing Outage Reporting
2 Requirements for Originating Carriers and Electric Power Companies, as well
3 as the Department's telecommunications service availability data and any other
4 relevant data available to the Commissioner, to determine if there are areas of
5 the State particularly prone to carrier or power outages and assess whether
6 locations in those areas may be vulnerable to extended periods of time without
7 access to E-911 service. In addition, the Commissioner, in coordination with
8 the Office of the Attorney General, shall establish a mechanism for receiving
9 and tracking any consumer complaints concerning VoIP service quality and
10 reliability.

11 (h) Consumer education and outreach. The Commissioner shall develop
12 consumer education and community outreach initiatives designed to ensure:

13 (1) all customers impacted by the transition from a copper-based
14 network to a fiber-based network are aware of their rights and the carrier's
15 obligations during the transition; and

16 (2) all customers who use VoIP service are aware of the risks and best
17 practices concerning emergency preparedness in the event of a power outage.

18 (i) Department report. The Commissioner shall include in the
19 Commissioner's annual report to the General Assembly findings and
20 recommendations related to the implementation and enforcement of this

1 section. In the 2027 report only, the Commissioner shall consider and make

2 recommendations on:

3 (1) whether the State should establish a program designed to provide
4 financial assistance to customers with low income for costs associated with the
5 purchase and installation of backup power equipment; and

6 (2) whether the State should enact additional backup power obligations
7 applicable to VoIP service providers.

8 Sec. 2. EFFECTIVE DATE; APPLICATION

9 This act shall take effect on passage and shall apply to all
10 telecommunications carriers on September 1, 2026.