

1 H.898

2 An act relating to copper-based to fiber-based telecommunications network  
3 transitions and consumer protections

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

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

6 § 227f. TRANSITION FROM COPPER-BASED TO FIBER-BASED

7 TELEPHONE SERVICE; CONSUMER PROTECTIONS

8 (a) Findings. The General Assembly finds that:

9 (1) When a telecommunications carrier transitions its infrastructure from  
10 a copper-based network to a fiber-based network, it is critical to ensure that  
11 existing customers have continued access to high-quality, reliable  
12 telecommunications service.

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

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

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

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

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

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

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

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

8            (1) the date the transition is expected to occur;

9            (2) the details of service changes, including any potential impact on a  
10        customer's telephone service and whether the carrier will offer a reasonably  
11        comparable replacement service in relation to pricing, terms, and conditions;

12            (3) information sufficient to inform customers about the need to test and  
13        verify any auxiliary telecommunications devices, such as alarm systems and  
14        medical alert devices, to ensure they function properly over the new VoIP  
15        service;

16            (4) disclosures about whether the carrier is obligated to provide  
17        regulated landline voice service to residential customers in its service territory;

18            (5) information on the need for and availability of backup power options  
19        and battery backup devices to maintain service continuity during a power  
20        outage;

1           (6) a link to the consumer protection rules in Public Utility Commission  
2           Rule 7.600, Standards for Billing, Credit and Collections, and Customer  
3           Information for Telecommunications Carriers, which includes a Consumer Bill  
4           of Rights, or how to obtain a hard copy of Rule 7.600 by U.S. mail;

5           (7) contact information for carrier customer support and for the Division  
6           of Consumer Affairs and Public Information within the Department of Public  
7           Service;

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

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

15           (e) VoIP service provider reporting. Beginning on or before November 1,  
16           2026, and annually thereafter, each VoIP service provider shall file a report  
17           with the Department of Public Service detailing the number of customers who  
18           have purchased battery backup systems from the carrier, including the  
19           purchase and installation costs, if applicable; and documenting any known  
20           incidents where E-911 access was impaired or interrupted due to the lack of  
21           backup power.

1        (f) Enforcement. A telecommunications carrier that violates a provision of  
2        this section shall be subject to the remedies authorized by this title, including  
3        penalties authorized by section 30 of this title and injunctions authorized by  
4        section 209 of this title.

5        (g) Department monitoring. In addition to reviewing the annual reports  
6        required under subsection (e) of this section, the Commissioner of Public  
7        Service shall review, quarterly, the outage reports submitted to the E-911  
8        Board pursuant to the Board's Rule Governing Outage Reporting  
9        Requirements for Originating Carriers and Electric Power Companies, as well  
10       as the Department's telecommunications service availability data and any other  
11       relevant data available to the Commissioner, to determine if there are areas of  
12       the State particularly prone to carrier or power outages and assess whether  
13       locations in those areas may be vulnerable to extended periods of time without  
14       access to E-911 service. In addition, the Commissioner, in coordination with  
15       the Office of the Attorney General, shall establish a mechanism for receiving  
16       and tracking any consumer complaints concerning VoIP service quality and  
17       reliability.

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

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

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

6           (i) Department report. The Commissioner shall include in the  
7           Commissioner's annual report to the General Assembly findings and  
8           recommendations related to the implementation and enforcement of this  
9           section. In the 2027 report only, the Commissioner shall consider and make  
10          recommendations on:

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

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

16          Sec. 2. EFFECTIVE DATE; APPLICATION

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