

1 Introduced by Committee on Energy and Digital Infrastructure

2 Date:

3 Subject: Telecommunications; telephone service; copper to fiber network
4 transitions; VoIP service; backup power; consumer protections

5 Statement of purpose of bill as introduced: This bill proposes to establish
6 consumer protections related to a legacy telephone company's transition from
7 a copper-based network to a fiber-based network and, in addition, to establish
8 backup power requirements applicable to all facilities-based, fixed VoIP
9 telephone service providers in Vermont.

10 An act relating to copper-based to fiber-based network transitions and
11 backup power requirements for VoIP service

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

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

14 **§ 227f. TRANSITION FROM COPPER-BASED TO FIBER-BASED**

15 **TELEPHONE SERVICE; BACKUP POWER OBLIGATIONS**

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

17 **(1) When a telecommunications carrier transitions its infrastructure from**
18 **a copper-based network to a fiber-based network, it is critical to ensure that**
19 **existing customers have continued access to high-quality, reliable**
20 **telecommunications service.**

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

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

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

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

19 (6) There is a need for clear consumer protections that ensure adequate
20 notice, reliable service, and the availability of backup power solutions during
21 the transition to and in the provision of VoIP service.

1 **(b) Intent.** It is the intent of the General Assembly to protect Vermont
2 **customers during a copper-to-fiber network transition and to ensure that VoIP**
3 **service providers meet minimum backup power requirements necessary to**
4 **ensure continuity of E-911 service.**

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

8 **(d) Notice of network transition.** A telecommunications carrier proposing
9 **to transition from a copper-based network to a fiber-based network in its**
10 **service territory shall provide written notice to the Commissioner of Public**
11 **Service and to all affected customers at least 90 days, 60 days, and 30 days**
12 **prior to the planned transition. In a form and manner prescribed by the**
13 **Commissioner, the notice shall include:**

14 **(1) the date the transition is expected to occur;**
15 **(2) the details of service changes, including any potential impacts to a**
16 **customer’s current telephone and broadband service, as applicable;**
17 **(3) instructions for customers on how to transition their service to VoIP**
18 **service or alternative services, including information and technical support for**
19 **customers seeking to continue home monitoring equipment, such as a security**
20 **system, medical equipment, or other equipment that relies upon telephone**
21 **service to function properly;**

1 (4) disclosures about the carrier's obligation to provide regulated
2 landline voice service to all residential customers in its service territory,
3 including its obligation to provide a calling plan at the same price as offered
4 prior to the transition, unless a customer voluntarily chooses to make service
5 changes;

6 (5) information on the availability of backup power options and battery
7 backup devices to ensure each customer can maintain service continuity during
8 a power outage, including clear information on the availability, costs, and
9 installation procedures for battery backup systems;

10 (6) a brief summary of and link to the consumer protection rules in
11 Public Utility Commission Rule 3.300;

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

15 (8) any other disclosures deemed necessary and appropriate by the
16 Commissioner of Public Service and consistent with the purpose of this
17 section.

18 (e) VoIP service provider reporting. Beginning on or before November 1,
19 2026, and annually thereafter, each VoIP service provider shall file a report
20 with the Department of Public Service detailing the number of customers who
21 have purchased battery backup systems from the carrier and the cost of battery

1 backup options offered to customers, if applicable; and documenting any
2 known incidents where E-911 access was impaired due to the lack of backup
3 power.

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

8 (g) Department monitoring. In addition to reviewing the annual reports
9 required under subsection (e) of this section, the Commissioner of Public
10 Service shall review, quarterly, the outage reports submitted to the E-911
11 Board pursuant to the Board's *Rule Governing Outage Reporting*
12 *Requirements for Originating Carriers and Electric Power Companies* to
13 determine if there are areas of the State particularly prone to carrier or power
14 outages and assess whether locations in those areas have access to facilities-
15 based, fixed voice service that is line powered or to voice service offered by a
16 Commercial Mobile Radio Service provider. In addition, the Commissioner, in
17 coordination with the Office of the Attorney General, shall establish a
18 mechanism for receiving and tracking any consumer complaints concerning
19 VoIP service quality and reliability.

20 (h) Consumer education and outreach. The Commissioner shall develop
21 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 low-income customers 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.