

Testimony of Scott Brooks

on behalf of Consolidated Communications regarding Vermont House Bill 11

Chair James, Vice-Chair Campbell, and committee members, on behalf of Consolidated Communications I'm here today to respectfully oppose House Bill 11 related to Telecommunications; broadband; commerce; competition; unfair or deceptive acts; VoIP service and consumer protection.

There are a lot of moving parts in this Bill to digest and in the end Consolidated feels that the majority of the issues this proposed Bill addresses is already cared for by other laws or statutes already on the books that we adhere to. This Bill proposes a number of things related to data collection, net neutrality, a host of prohibited practices that in many cases Consolidated already addresses in its own business practices. This is a Bill that tries to impose regulatory requirements on a deregulated service that could impede future broadband growth in the state not only by Consolidated, but by other broadband providers when companies are making great progress closing the gap of providing high-speed broadband to under and unserved Vermonters.

Consolidated is and continues to invest heavily in fiber broadband around the state which plays a critical role in connectivity, economic development, telemedicine, work from home, educational opportunities, public safety, etc. This Bill would slow those efforts down across the Broadband industry as the appetite for high-speed broadband continues to accelerate as well as the demands for more bandwidth.

As mentioned earlier, many of the provisions of this Bill are already addressed and one example is consumer protection. Today consumer complaints are received by the Consumer Affairs and Public Information Division (CAPI) of the Vermont Department of Public Service (VTDPs). We work closely with Director Flint and her staff as well as the rest of the VTDPs to address consumer complaints. Consumer complaints include, but are not limited to no dial tone, a scratchy or hum on the phone line, a missed appt, billing issues, porting a customer's phone number to another provider and broadband issues. I would point out that back in February you had Todd Dolaz, Director of Policy and Legislative Affairs, with the

Vermont Attorney General's Office come in and testify regarding this Bill. Mr. Dolaz's major points of concern which supports Consolidated's concerns above were, lack of clear justification and scope of this Bill. "The AG's office does not support H.11 as currently drafted because 1) it is unclear what specific problem the bill is addressing, 2) broadband-related complaints are not among the top issues received by CAPI. And 3) the Department of Public Service (DPS), which already tracks broadband-related complaints, would be the more appropriate agency to handle them."

Another example is any broadband provider contracting with the state needs to certify that they are in compliance with net neutrality requirements which we do. Recently, you had Sean Brown, Deputy Secretary of the Agency of Administration in to testify as well and he stated that, "Bulletin 3.5 mandates that all internet service providers (ISPs) contracting with the state certify their compliance with these regulations. Second, that no waivers for net neutrality compliance have been requested or granted, and no issues with compliance have been flagged to date and lastly, AOA does not regulate ISPs and that enforcement of service quality and adherence to net neutrality falls under the purview of the Department of Public Service."

There is more of an appetite today for high-speed broadband than ever before and Consolidated would hate to see a Bill like this thwart the momentum all broadband providers are having in the state that are trying to meet the needs of all Vermonters. The industry is banded together to try and get the current 15% of Vermont locations indicated in the Bill that do not have high-speed broadband access reduced sooner than later.

These are just a few reasons why we oppose House Bill 11.