

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~~ reporting requirements designed to
10 inform State policy with regard to ensuring all telephone customers have
11 continuous and reliable access to emergency services.

12 An act relating to copper-based to fiber-based telecommunications network
13 transitions and ~~backup power requirements for VoIP service consumer~~
14 ~~protections~~

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

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

17 § 227f. TRANSITION FROM COPPER-BASED TO FIBER-BASED

18 TELEPHONE SERVICE; BACKUP POWER OBLIGATIONS

19 CONSUMER PROTECTIONS

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

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

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

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

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

17 (5) Previously, federal regulations had required providers of facilities-
18 based, fixed, residential voice services that are not line powered, such as VoIP
19 service, to offer for sale at least one option with eight hours of standby backup
20 power, as well as an additional 24-hour option, to ensure customer equipment

1 maintained E-911 access during a power outage. However, those requirements
2 were sunset by operation of law on September 1, 2025.

3 (6) There is a need for clear consumer protections that customer
4 safeguards to ensure adequate notice, reliable service, and the availability of
5 backup power solutions continuous and reliable service during the transition to
6 and in the provision of VoIP service and for enhanced State oversight of
7 customer access to emergency services, generally.

8 (b) Intent. It is the intent of the General Assembly to protect Vermont
9 customers balance telephone network modernization with customer safeguards
10 during a copper-to-fiber network transition and to ensure that VoIP service
11 providers meet minimum backup power requirements necessary to ensure
12 continuity of E-911 service enhance State oversight with regard to ensuring
13 that all telephone customers have continuous and reliable access to emergency
14 services.

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

18 (d) Notice of network transition. A telecommunications carrier proposing
19 to transition from a copper-based network to a fiber-based network in its
20 service territory shall provide written notice by U.S. first-class mail and email
21 to the Commissioner of Public Service, the E-911 Board, and all affected

1 customers at least 120 days, ~~90 days~~ 60 days, and 30 days prior to the planned
2 transition. In a form and manner prescribed by the Commissioner, the notice
3 shall include:

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

5 (2) the details of service changes, including any potential impact on a
6 customer's ~~current~~ telephone service and whether the carrier will offer a
7 reasonably comparable replacement service in relation to pricing, terms, and
8 conditions;

9 (3) information sufficient to inform customers about the need to test and
10 verify any auxiliary telecommunications devices (such as alarm systems and
11 ~~Life Alert~~ medical alert devices) to ensure they function properly over the new
12 VoIP service;

13 (4) disclosures about the carrier's obligation to provide regulated
14 landline voice service to ~~all~~ residential customers in its service territory;

15 (5) information on the need for and availability of backup power options
16 and battery backup devices to ensure each customer can maintain service
17 continuity during a power outage;

18 (6) a link to the consumer protection rules in Public Utility Commission
19 Rule 7.600, ~~Standards for Billing, Credit and Collections, and Customer~~
20 ~~Information for Telecommunications Carriers, which includes a Consumer Bill~~

1 of Rights (standards for billing, credit and collections) and Rule 7.605
2 (consumer bill of rights):

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

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

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

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

20 (f) Enforcement. A telecommunications carrier that violates a provision of
21 this section shall be subject to the remedies authorized by this title, including

1 penalties authorized by section 30 of this title and injunctions authorized by
2 section 209 of this title.

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

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

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

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

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

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

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

13 Sec. 2. EFFECTIVE DATE; APPLICATION

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