**DEPARTMENT POSITION ON H.898**

The Department is in favor of a transition from copper to fiber. This is a technological transition that need to happen.

We think the notice portion of the bill is ok.

We think the battery reporting and study portion of the bill does not offer benefit as they do not solicit the needed information to draw the conclusions it is asked to draw.

The State Energy Office has a program "The Energy Storage Access Program (ESAP)" which is funded with a total of $7 million from ARPA-related revenue. This program has buying from GMP/VEC/and a joint (VPPSA/BED/WEC) project all focused on residential storage.

One thing to flag is an FCC order approved on March 26th. There is a section on preemption which may impact this bill.

https://docs.fcc.gov/public/attachments/DOC-419252A1.pdf

**Page 50 on the FCC PDF.**

**C. State Mandates Conflicting with the FCC's Section 214 Discontinuance Authorizations and Authority Are Subject to Preemption.**

**Issues**

Reporting

The engineering division of the Public Service Department compiles a document of electrical outages. The following numbers are the annual CAIDI measurement.

CADI is the Customer Average Interruption Duration Index (CAIDI) is a key electric utility metric representing the average restoration time for power outages, calculated as total interruption duration divided by the total number of customer interruptions.

A lower CAIDI indicates faster restoration, with typical North American utility median values around 1.36 hours

2024 data

The Average outage is roughly 3.78 hours for all the providers across the state.

The higher end times for a few smaller municipal power utilities are (7.02, 6.93 and 6.75) All under 8 hours.

2025 data

The Average outage is roughly 1.93 hours for all the providers across the state.

The average for all providers is under 8 hours. With 5.3, 3.1 and 2.7 being the top 3 with smaller municipal power companies.

Issue to flag

In the event of a power outage, only a wired landline works. If you have a cordless phone and the power goes out, so your cordless phone doesn't have power at the base station, it still won't work. If you have a medical device with a base station, it will not work. Only a corded phone plugged directly into a jack will work. Additionally, no amount of line power will overcome a tree taking out a line and requiring splice work to be fixed.

**Specific issues**

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

I do not think this will give an accurate view into the people who have opted to keep service during a power outage. To draw a conclusion from the people who opt for a battery backup ignores the people who have whole house generators, power walls or some other non-direct purchased backup battery solution. Given offering battery backup is no longer an FCC requirement it seems reporting the number of customers who purchased a battery backup directly from the provider is a of diminishing value.

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

*reliability.*

For the Electric Service Provider outages reported to E-911 the outage causes are

- Tree
- Equipment
- Weather
- Other
- No Outage
- Internally Generated

The one utility on the E-911 2025 report is GMP.

We get outage data at the department as well in the engineering division, but it is not grouped together on a quarterly basis. It is aggregated annually. The average outage numbers cited above are from that report.

For the Originating Carrier Outage report, the cause is not reported in all instances that I have seen. Some have a cause listed as "power failure", and others are just reported a "service outage". There is not a way to draw a reliable conclusion from the E-911 Originating Carrier outage data that is reported as to the root cause of the outage.

The reports which are cited just do not have granular enough information to make a the recommendation which is being solicited.

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

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

I don't think the data collected on page 5 section (e) offers enough information to suggest if a financial assistance program is needed. It only offers the number of takes of battery backup directly from the provider. It does not offer information on income, separate battery backup solutions in place or if the battery backup was not taken for financial reason. Additionally, as mentioned before a number of distribution utilities are already involved with the *Energy Storage Access Program* (ESAP) which offer batteries to income-eligible households.

**The Department is already doing what the bill requires in section h(1) and (2) on page 6 of 7 of this bill.**

*(h) Consumer education and outreach. The Commissioner shall develop*

*consumer education and community outreach initiatives designed to ensure:*

*(1) all customers impacted by the transition from a copper-based*

*network to a fiber-based network are aware of their rights and the carrier's*

*obligations during the transition; and*

*(2) all customers who use VoIP service are aware of the risks and best*

*practices concerning emergency preparedness in the event of a power outage.*

Current Department Process

https://publicservice.vermont.gov/telecommunications-and-connectivity/copper-fiber-phone-service-transitions-vermont

Announcement on our website that bubbles up to state of VT home page.

Announcement includes a link to our website with a page about copper to fiber transitions.

Web page on the transition

- Links to FCC site
- Links to provider petition.
- Section on Power outages and battery backup
- Section on Medical and Auxiliary telecommunications devices
- Section on how to prepare for the transition
    - Contact info to the department and direct link to CAPI complaint reporting information page.

We did outreach to organizations but did not learn of any specific navigator programs to assist with the Cooper to Fiber transition.

We do direct advocacy when approached. We spent a fair amount of time with a person in Morrisville who was transitioned to ensure his fax machine worked which he used in his business and extract the voicemail messages from the old system so he could keep the recordings of his deceased wife.

**The Department is working on an agreement with CCI/Fidium in parallel to this bill.**

The agreement is drafted with Fidium. It is not finalized but the process is started, and we are waiting to see what happens with this bill. It includes notification at 90 days so we can get the announcement out early and again at 30 days of how many people have not scheduled to switch. This will allow us to prepare for calls which may be generated by that population of people.

It also includes requirements for two additional communications. One outlining the need for battery backup with VoIP service to maintain service in a power outage and one on the need to test and verify any auxiliary devices to ensure they work on the new system.