



Telecommunications & Connectivity Advisory Board

Meeting Minutes

September 17th, 2020 Meeting

10:00 am – 12:00 pm Remote Meeting

Attendees:

1. David Snedeker – Chair of the Board, Northeastern Vermont Development Association
2. Michael Clasen – Deputy State Treasurer
3. Clay Purvis – Director, Connectivity Division, Dept. of Public Service
4. Michael DeHart - Telecommunications & Connectivity Staff, Dept. of Public Service
5. Katherine Sims – NEK Collaborative
6. June Tierney – Commissioner of Department of Public Service
7. Evan Carlson – NEK CUD
8. Ken Jones – ACCD
9. Robert T. White - AOT

Members of public:

Kevin Reagan – RTO Wireless

Steve Hubbard – RTO Wireless

Jeff Austin – Consolidated Communications

Roger Nishi - WCVT

Item	Item Description	Action By
1.0	Call to Order at 10:04am	Chair Snedeker
2.0	Meeting Minutes 8.18.20 <ul style="list-style-type: none">• Corrections: none• Motion to Approve	Moved: Michael C. Second: Evan C. Approved Unanimous
3.0	New Business: Presented award recommendations from Dept, as approved by Commissioner Considering geographic diversity more in Rd2, looking to hit areas not covered by R1. Ken Jones: Ranking system vs final award recommendations? Did the difference	Clay Purvis

have more to do with CUD responses, technology, geography?

Purvis:

You're right that there is a difference there. The scoring isn't the ultimate determining factor. We deferred to CUD objections, and took them seriously. Other issue is address duplication. We're trying to select projects that do not duplicate addresses from R1 or other R2 projects. Other element is geography- we're trying to get more into Bennington, Addison, and Rutland counties. We're happy about what we've awarded to the NEK area (Canaan and Norton). You're right that we didn't simply start at the top of the list and go down from there.

Robert White:

I don't know the final locations of these projects, and AOT needs to know if these construction projects would interact with our construction projects.

Purvis:

We can certainly provide that info at a later date.

Sims:

Appreciate fiber and geographic diversity, but is there a reason that we're not seeing the full applications for each project?

Purvis:

We're not opposed to providing that, but we're under considerable time constraints at this time. Language in H.966 says that we are to provide notice of pending awards to the TCAB, and we've provided information far beyond that because we value your input. But, we need to move quickly to address this on an emergency basis.

<p>Sims: After this is done, I'd like to see more of a historical overview of the Connectivity Initiative- geographic and company-by-company award information. I'd like to see more context to understand the initiative as a whole.</p> <p>Carlson: Second that sentiment.</p> <p>Purvis: It would be nice to distribute funds in a geographically equitable manner, but we're reliant upon providers submitting applications. We've seen lots of applications from ECFiber, so the upper valley has probably seen a larger share of projects- for example. We have other areas of the state where providers haven't decided to step up. In this COVID-19 grant, we've seen applications from providers that haven't applied before, and we're giving awards to areas we haven't awarded before- so that's encouraging.</p> <p>Snedeker: What are the CUD's receiving?</p> <p>Purvis/DeHart: Address list, technology, and responding provider for every address within a CUD boundary.</p> <p>Clasen: Would the board like to see more information before voting?</p> <p>Carlson: I'd like to see more info, but I don't want to hold up the process.</p> <p>White: I'd like to see more information, and I don't want to vote without that.</p>	
---	--

	<p>Purvis: I'd like to point out that the CRF funds are going through a different process (see H.966). We are to notify you of the pending awards.</p> <p>Clasen: I'd like a legal opinion on that interpretation.</p> <p>Sims: After this process has concluded, I'd like to discuss this Board's statutory roles further.</p> <p>Clasen: I want to practice legal due diligence.</p> <p>Tierney: From the Department's perspective, we are operating lawfully. I appreciate that this board has stated they don't have enough information to make a decision. However, we are operating under a separate procedure due to H.966. I can tell you that the Department of Public Service has operated on a good-faith basis and in compliance with the law.</p>
4	<p>Public Comment: Roger Nishi – I can't stress enough how seriously we need approval in order to meet our December 20 deadline. Each week we lose is a setback in our construction process.</p> <p>Jeff Austin – We are at a crucial point for being able to meet the December 20 deadline as well. We need notifications as soon as possible.</p> <p>Whitaker – First round awards have not been made. Board can still request materials under 202f. I agree with the urgency. Something is wrong if first round hasn't been awarded but second</p>

round is being hurried. Just because Department isn't doing its job doesn't mean this board shouldn't do theirs.

Roger Nishi – As soon as we received our award notice, even without a signed contract- we began working. We need to get the job done.

Tierney – I appreciate the comments from the public and the board. However, we are moving quickly to rise to the challenge of this pandemic. We are trying to meet the needs of students, telehealth patients, and remote workers. I understand if you aren't comfortable, and don't want to vote on these projects. My view of the law is that I must proceed regardless of the outcome in this board. My view of the law is that I must proceed, if need be without an outcome from this Board, because the Department has to get this money out the door.

[PROPOSED REVISION] The legislature has a clear will that these funds be distributed quickly, and the fact that they took the effort to change this board's role for CRF grants is notable. If there is something that we can do quickly, to where you can express an opinion, we want to do that. I want to be clear though, that we are acting entirely lawfully.

Clasen: Are you saying that the Department can act on these awards regardless of what this Committee says and does?

Tierney: Not regardless- I give regard to what this board has to say. Can the Dept proceed over your objections?
Yes.

Clasn: understood, thank you.

White: Why aren't we receiving what

the CUD's received?

Tierney: You're not receiving the proposals because of time constraints around confidentiality. When we have 20+ proposals and eight board members, that becomes very time intensive. There was no direct decision to provide less information than what the CUD's received. I wasn't aware that this board wasn't satisfied with the information sent for Round 1.

Purvis: We can get you the addresses.

Snedeker: I would like to inquire about the status of the Connectivity Fund. It was due to us on September 15.

Purvis: We don't have that currently, but we will get that to you shortly.

Snedeker: And what about the Telecommunications Plan?

Purvis: We have hired a consultant, CTC, to write the COVID-response Telecommunications Plan. We'll share their RFP response once an agreement is executed. Their deliverable is due June 1, 2021.

Jones: Arrearages program- what services does that cover?

Purvis/Tierney: that covers any service covered by the PUC's moratorium- not including wireless service or broadband, but does include landline phone service.

Sims: So what should the Board do today?

Tierney: I would like to address the board again. I accept that this process isn't perfect, but we need you to understand that time is of the essence

as we try to serve Vermonters in response to this pandemic.

Snedeker: Thoughts from other board members? I heard that a few aren't comfortable giving approval.

Jones: Should this body weigh in on the specific scoring factors? Do we want to participate in structuring the decision?

Sims: I'd welcome the opportunity to have that higher-level conversation at another meeting. I'm hearing the Commissioner asking us to recognize the urgency of this moment, and asking us to trust that the Dept's due diligence. I'm willing to move forward in light of that, but I also recognize how others might not feel comfortable.

Purvis: Ken, I'd welcome that discussion for the State-funded Connectivity Initiative.

White: I understand the Commissioner's point, but I can't vote without knowing whether projects will interfere with VTrans projects. I will abstain.

Clasen: I will abstain.

Carlson: I am open to voting.

Jones: I will abstain. I don't know how the decisions were made.

Snedeker: I won't call for a vote with those numbers. I would entertain a motion to adjourn.

Whitaker: Resiliency and high-level strategy are not discussed here. What I see is a bunch of CUD's approaching things from different angles and prioritizing different technologies. There is no uniform concept between,

	<p>among, and within CUD's. I would ask this board to consider a recommendation to the Commissioner/Governor that CUD's have some form of higher organization, as well as an engineered approach.</p> <p>Also, this board can approve, disapprove, or make separate recommendations. Board can place conditions on approval as well.</p> <p>Carlson: I'd like to request all applications considered for approval in R3, we would really appreciate that.</p> <p>Jones: I'd like to see a map of all 3 rounds as well.</p> <p>Clasen: I'd like to see a paragraph summary of R1 and R2 recommendations in the R3 award memo.</p> <p>Snedeker: September 28 10am next meeting.</p>	
5	Adjournment 10:54am	Motion: Carlson Second: Jones

Minutes Subject to Approval