

Frequently Asked Questions (FAQ) for Broadband Construction Grant Program

Question 1: We are a provider in the midst of constructing new route miles in several towns. How will that affect your program?

Answer 1: The goal of the VCBB and the CUDs is to reach the underserved addresses. Often that involves going through served areas incidentally to reach the underserved, and even those routes must meet the Outside Plan Design Standards for fiber count, etc.

We are unlikely to look kindly on a proposal that pays for drops in those areas with state funds (would reject a proposal that purposely overbuilds using VCBB Funds – builds the branches when there are no underserved beyond), but I wouldn't assume that any area you built is entirely off-limits if it is incidental to the overall project proposal. We can also not prevent other private funding or even town ARPA funds that are only subjected to the much more lenient final treasury guidelines from being used if there is a case to make – i.e. Cost, level of service, speeds available, etc. – but our mission and goal is to reach all the underserved, so we won't be encouraging that.

Another issue is that the official data source is the PSD map which is not updated even on a quarterly basis to show new construction. The best I can tell you now is that we will carefully examine the issue when it's an issue. There are too many unknowns at the moment. Please review the [Mapping, Data, and Overbuild Policy for more information](#).

Question 2: As a provider, what should I do if I feel the data is incorrect for our service area?

Answer 2: Providers are encouraged to contact the Connectivity Division of the Public Service Department. The Department requests and processes the data from providers on annual basis. When submitting the Eligibility/Pre-Application, an Applicant should note any claimed discrepancies and provide supporting material detailing that service is available at that address.

If the applicant doesn't directly serve the customers, it is encouraged to include a letter from the actual provider certifying that those addresses in question have service available without the need for a line extension. Without such verification, based on the requirement in Act 71 that all funding must go to projects that are a part of a Universal Service Plan that covers all underserved, on-grid addresses in the towns or Communications Union District, staff will judge the applicant not eligible. The Applicant can appeal that determination to the full Board. All providers are encouraged to provide the Department of Public Service with E911 addresses to avoid these problems. Please review the [Mapping, Data, and Overbuild Policy for more information](#).

Question 3: Where can I find homes passed data?

Answer 3: The RFP contains links to two spreadsheets. The first spreadsheet details the road miles and the second the homes passed. We expect applicants to have the GIS capability to determine the associated addresses.

Question 4: Is there a map of addresses considered unserved or underserved that corresponds to the spreadsheet?

Answer 4: [This map of eligible locations](#) was developed by Stone Environmental in partnership with the VCBB. [Download a CSV](#)

Question 5: How are RDOF obligations accounted for?

Answer 5: Applicants must include all sources of income for the proposed Universal Service Plan. If the applicant is also an RDOF winner, that income should be included. If those addresses are to be served by a different company that was awarded RDOF funding, that should be explained in the universal service

plan. The applicant requesting funding to serve the remaining addresses is encouraged to submit a letter from the winning RDOF bidder as part of their Universal Service Plan.

Question 6: How do the Universal Service Plan obligations address the customer buried service issues?

Answer 6: A Universal Service Plan must explain how service will be provided to every on the grid E911 address that does not currently have access to wireline service of at least 25/3. The VCBB will consider creating a high-cost program to address situations in which an underground drop is required, and the resident is low-income. Applicants should explain in their application challenges associated with underground drops. Applicants are also encouraged to reach out to towns to address issues related to conduit and drops.

Question 7: Why doesn't the VCBB just create the Universal Service Plan?

Answer 7: Communications Union Districts (CUD) and other eligible providers are in a much better position to understand the layout of their service area. Most Eligible Providers have also engaged in planning and preconstruction work. While such an approach was considered in Act 71, the VCBB determined that such an approach would be duplicative of previous efforts which would not be a responsible use of taxpayer funding and would likely result in the loss of the 2022 construction season.

Question 8: Traditional service areas rarely follow town lines. How does the USP allow flexibility for Vermont's geography?

Answer 8: The VCBB is governed by Act 71. Act 71 clearly defined a Universal Service Plan as a plan for providing access to broadband in a municipality or a Communications Union District. See 30 V.S.A. § 8082(12). If an Applicant does not serve the entire municipality in which it proposes to expand service, the Applicant should explain the situation, including the number of addresses impacted. Applicants should also seek letters of commitment from the neighboring small communications carrier that would traditionally serve the remaining addresses outside the wire-center boundaries, the RDOF winner, or the Communications Union District committing to serve those addresses within a set period of time. If the other provider refuses, that refusal should be included in the application to the Board.

Question 9: Will the Line Extension Customer Assistance Program (LECAP) program continue?

Answer 9: The Line Extension Consumer Assistance Program (LECAP) was created by the Public Service Department. The Public Service Department did not request funding to continue the program.

Question 10: Can you please post a Word version of the RFP?

Answer 10 : [Click here to download a Word version of the RFP](#)

Question 11: How will seasonal camp locations be included (or excluded) in funding?

Answer 11: All on-grid, unserved and underserved addresses must be provided with access as part of a universal service plan. Access does not mean drops, but the ability to get service. This is a 30-year plan. As demonstrated during the pandemic, camps are often converted to year-round residents. There is also the potential for other types of development in the area.

Question 12: The way my team reads this is that infrastructure grants are only available for individual municipalities that were not part of a CUD prior to June 2021. Is that the intent of the language?

Answer 12: To be available in towns that are currently part of CUDS, the following conditions must be met.

1. The Eligible Provider is in partnership with the CUD
2. The CUD supports the project
3. On appeal to the full board, the Eligible Provider must successfully make the case that it's in the State's best interest to accept the proposal

Below is the language from the RFP:

"If the Applicant has no formal relationship with the Communications Union District, it is the responsibility of the Applicant to convince the Board that a full proposal should be invited. An Applicant seeking funding for a project in a Communications Union District should provide the following information at a minimum:

- i. Whether the town a) was a member of the Communications Union District as of June 1, 2021; b) became a member of the Communications Union District after June 1, 2021; or c) is not a member of the Communications Union District.
- ii. An overview of the Applicant's relationship with the Communications Union District. The Board will consider whether the Applicant replied to RFPs and/or made a substantial attempt to forge a partnership, and any reasons why a partnership was not formed.
- iii. Why the proposed project will not conflict or undermine the business plan of the Communications Union District.
- iv. Why it is in the best interest of the State to consider a full proposal.

The Staff will advise each CUD of the contents of any proposal to provide service within the CUDs' municipal borders and will rely on written testimony from each affected CUD regarding the likely impact of the Applicant's proposal on the CUD's business plan. The Staff shall make the decision whether the Applicant complies with this requirement of Act 71, § 8086(e). A potential Applicant not invited to submit a full proposal because of this clause may appeal this determination to the VCBB Board. A CUD impacted by a Staff decision to permit the Applicant to submit a full proposal may appeal that decision to the Board. The Vermont Communications Union Districts Association ("VCUDA") or other CUDs may submit material that may further inform the Board's decision."

Question 13: Does this mean that if a service provider has a better plan than the CUD of providing Universal Service at an overall cheaper cost, it will not be given consideration unless the CUD in that territory basically agrees? This seems to create a situation where a service provider could enhance the services available at a cheaper cost being excluded because it conflicts with the particular agenda of the CUD. Are we understanding the realities of Act 71?

Answer 13: The purpose of Act 71 was to provide universal service and public accountability to broadband projects. All Communications Union Districts have had or are currently engaged in an open process for determining partners. Companies that failed to pursue such a partnership at the time are encouraged to reach out to the CUD in their area and make the case for a partnership for all or part of the CUD. A provider may also submit eligibility materials for the Act 71 Construction Program to the VCBB and appeal any rejection to the full Board. The Board will attempt to bring all parties together and see if there is a workable solution in the best interest of the state and compliant with Act 71.