

STATE OF VERMONT
DEPARTMENT OF PUBLIC SERVICE

IN RE: THE 2014 VERMONT TELECOMMUNICATIONS
PLAN

September 4, 2014
7 p.m.

115 Eastern Avenue
St. Johnsbury, Vermont

Public Hearing held before the Vermont
Department of Public Service, at the Catamount Arts
Center, 115 Eastern Avenue, St. Johnsbury, Vermont, on
September 4, 2014, beginning at 7 p.m.

P R E S E N T

Vt. Department of Public Service:

James Porter, Esq., Director of Telecom
Clay Purvis
Kiersten Bourgeois
Corey Chase

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Charles Larkin
Steve Whitaker

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1 MR. PORTER: Good evening. Thank you
2 for coming tonight. We are here for a
3 public hearing to take comments on the 2014
4 draft Telecom Plan or the comments draft.

5 My name is Jim Porter. I'm with the
6 Department of Public Service. With me
7 tonight is Corey Chase and Clay Purvis, also
8 from the Department of Public Service.
9 Kiersten Bourgeois who is with the Agency of
10 Commerce and Community Development and is
11 the Governor's representative to the VTA
12 Board and the --

13 MS. BOURGEOIS: Connect Vermont.

14 MR. PORTER: Connect Vermont position.
15 And your comments are very helpful to us,
16 and we are glad that you're here, and please
17 feel free to speak. And we have a court
18 reporter who will be transcribing your
19 comments.

20 MR. LARKIN: You know, I went to
21 Burlington, Brattleboro, Barre hearing, and
22 the hearing before the joint boards. My
23 name is Charles Larkin. I'm a retired
24 Telecommunications Engineer for the
25 Department of Public Service, some 30 years

1 plus. Prior to then I was a Consumer
2 Affairs Officer for the Department. So I
3 saw these issues two directions; consumers
4 directly and telecommunications issues.

5 And I looked at the planning in Vermont,
6 and I find it sadly lacking. We've already
7 discussed the missing '07, '10 and '13 plans
8 using 2004 as a basis, but actually as soon
9 as you miss a plan, like 2007, every year
10 you should be doing it, you missed the
11 opportunity because you didn't have to wait
12 three more years to reiterate a plan that
13 wasn't there. You should have waited one
14 year and reiterated it the next time.

15 And I wonder if, from what I have been
16 able to gather and I could be wrong, that
17 there are no conduits in the city streets of
18 Montpelier; recently all torn up. And the
19 streets of St. Johnsbury; recently all torn
20 up, which could have been left vacant, put
21 in there specifically to rent it out to
22 other users, fiber users. We could have had
23 fiber within all these towns, all these two
24 cities, one is really a town, St. Johnsbury.
25 But one of our larger communities and

1 doesn't have good fiber to the home and
2 business. And that could have been done
3 relatively inexpensive if the planning had
4 been done to put that in, or if, I fear the
5 planning not to put it in had not been done.
6 That too many people have been avoiding
7 planning. I mean you aren't the only people
8 to plan, the Department. There are others.
9 And why didn't the others do any planning?
10 Shouldn't be all on your shoulders. You
11 have your own responsibilities from the
12 statutes, but you're not totally responsible
13 for St. Johnsbury and how it planned its
14 communications and how it takes care of its
15 customers.

16 Every other issue I could mention would
17 be a repeat of what either I or others have
18 said to you, so I'm afraid unless you, Mr.
19 Whitaker wants to speak up, your hearing is
20 done. Thank you for your opportunity.

21 MR. PORTER: Thank you.

22 MR. WHITAKER: All right. I'll put in
23 two words just on the-- the process again.
24 In that Charlie and I made the effort, Mr.
25 Larkin and I made the effort to come out for

1 your February hearing. And we gave very
2 detailed and specific testimony on PEG
3 access funding, interconnective PEG access
4 systems, et cetera. And it was totally
5 ignored in the draft that was put out months
6 later. That would tend to dissuade the
7 general public from thinking that this
8 process is really meant to gather
9 information to be used in a plan.

10 I did ask in Montpelier if conduits were
11 being put in, while the district heat had
12 most of the downtown buildings accessible to
13 the basement, and it was not -- it was not
14 being done. We asked today when we arrived
15 in town if St. J was putting in any
16 conduits. As far as the person knew, there
17 was none going in. And that tells me that
18 the guidance that would have been in the
19 last three iterations of the 10-year plan
20 would have sparked some recognition that we
21 need to be thinking about this. That's a
22 missed opportunity of an enormous magnitude.

23 I don't know what's going to be done
24 about it. I believe that if the Department
25 proceeds to adopt a plan without another set

1 of hearings before the legislature on the
2 final draft, and proceeds to put forth a
3 plan that does not include all the
4 statutorily required elements, that it will
5 not be in compliance with law. And if you
6 continue to persist that it is, the
7 Department will further lose credibility,
8 because it will become more and more evident
9 that it is not.

10 It's time for a real plan. And we would
11 like to see one. That's what you're paid to
12 do. Thank you.

13 MR. PORTER: Thank you. If you don't
14 mind if we just hang around a little bit
15 longer to see if anyone else comes.

16 (Recess was taken.)

17 MR. LARKIN: I think that what happened
18 to the Barre PEG, they were forced to move
19 up to the 180 or 90s area of the lineup, for
20 15 or 20 years of I think 7 or 11, I
21 believe. And they had it in their logo,
22 they had it in all their ads. The world and
23 his brother and father knew where they
24 belonged and where to find them.

25 Now they are going to be searching

1 through 200 channels to find them. It
2 seemed to me that many years ago it was
3 required that the PEG channels be allowed to
4 stay down there in the low part of the
5 lineup with the local over-the-air channels.
6 That should have been at least addressed in
7 the plan. And I think that should be
8 mentioned. Thank you.

9 MR. PORTER: Thank you.

10 MR. WHITAKER: Charlie, it's not like
11 you to run out of things to say.

12 MR. LARKIN: I didn't run out, but I
13 knew I talked about them earlier. I don't
14 think it's productive to mention a specific
15 issue all over again. I think it just
16 clouds the issue. If I look at it from a
17 different perspective, then I would mention
18 it.

19 But we all know we want fiber to the
20 home, and allegedly of the 100 symmetrical
21 by 2024. I think that's already been
22 mentioned that really should be the bottom,
23 not the top. We should be doing that now.
24 And there are a number of state channels,
25 state networks, that have been constructed

1 with either internal state money or grants
2 that already serve that kind of level or at
3 least much more than 10, one.

4 And we should be looking at -- plan
5 should have looked at those state networks
6 and seen where they were good for and how
7 they could have been blended together and
8 how they were paid for. I think that was
9 all missing in the plan. If we sit here,
10 I'll think of it.

11 MR. WHITAKER: You've got to leave them
12 some time to go home and write.

13 MR. LARKIN: What? Right, right. I
14 understand you're going to have two meetings
15 down in Orange County.

16 MR. PORTER: Yes.

17 MR. WHITAKER: Times and dates, places?

18 MR. PORTER: They are the 18th, aren't
19 they?

20 MR. PURVIS: Yeah. September 18. One
21 is at the Middle Branch Grange Hall in East
22 Bethel. East Bethel, it's on Route 14 --
23 actually it's off Route 14. But the address
24 will be posted on our Web site if it's not
25 already. The second one is at the Barrett

1 Memorial Hall in Strafford.

2 MR. LARKIN: Barrett.

3 MR. PURVIS: B-A-R-R-E-T-T Memorial
4 Hall.

5 MR. WHITAKER: What time?

6 MR. PURVIS: The Bethel-- the Bethel one
7 starts at 2. And the Strafford one starts
8 at 6.

9 MR. PORTER: They're on the Web site;
10 aren't they?

11 MR. PURVIS: Yes.

12 MR. LARKIN: A large gap between the end
13 of one and start of the other. If we have a
14 similar sized hearing you'll be out of there
15 by three at the most. You'll have three
16 hours to get up to --

17 MR. PURVIS: I think there is a lot of
18 interest in that area. I think it will be
19 well attended.

20 MR. LARKIN: Could be. You know I
21 wondered about the lack of hearings in St.
22 Albans area, the Northeast Kingdom, the
23 upper part of the Kingdom, Newport, Derby.
24 Morrisville. Bennington. A lot of area
25 that people are not going to get to. As

1 weak as this is it's better to have at least
2 a VIT hearing than have it all those places.

3 MR. PURVIS: Well that way we can kind
4 of assure that everyone can get into every
5 site. Because we will be there.

6 MR. WHITAKER: How about using the state
7 library sites? They have got higher quality
8 video conferencing. How many showed up in
9 Rutland?

10 MR. PORTER: I think we had three.

11 MR. WHITAKER: Did the PEG access video
12 it?

13 MR. PORTER: No.

14 MR. WHITAKER: Was this hearing
15 advertised locally on radio or print?

16 MR. PURVIS: Yeah, it was advertised in
17 the Caledonian Record. You guys want to
18 bring your friends?

19 MR. LARKIN: Our friend?

20 MR. PURVIS: Friends. I mean I don't
21 know. No. All right.

22 MR. WHITAKER: I have to believe in the
23 process before I would drag anybody else
24 into it.

25 MR. PURVIS: Okay.

1 MR. LARKIN: I guess I'm stupid. I
2 don't understand the comment.

3 MR. PORTER: Okay. It's 7:30, so I
4 guess we will conclude the hearing. Again,
5 thank you for your comments and thank you
6 for attending tonight. Good night.

7 (Whereupon, the proceeding was
8 adjourned at 7:30 p.m.)

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I, Kim U. Sears, do hereby certify that I recorded by stenographic means the public hearing re: 2014 Vermont Telecommunications Plan, at the Catamount Arts Center, 115 Eastern Avenue, St. Johnsbury, Vermont, on September 4, 2014, beginning at 7 p.m.

I further certify that the foregoing testimony was taken by me stenographically and thereafter reduced to typewriting and the foregoing 13 pages are a transcript of the stenograph notes taken by me of the evidence and the proceedings to the best of my ability.

I further certify that I am not related to any of the parties thereto or their counsel, and I am in no way interested in the outcome of said cause.

Dated at Williston, Vermont, this 6th day of September, 2014.

Kim U. Sears, RPR

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