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.

PRESENT

Vt. Department of Public Service:

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

CAPITOL COURT REPORTERS, INC.
P.O. BOX 329
BURLETON, VERMONT 05402-0329
(802) 863-6067
(802) 879-4736 (Fax)
EMAIL: info@capitolcourtreporters.com
SPEAKERS

Page

Charles Larkin
Steve Whitaker

Page 3
Page 5
MR. PORTER: Good evening. Thank you for coming tonight. We are here for a public hearing to take comments on the 2014 draft Telecom Plan or the comments draft. My name is Jim Porter. I'm with the Department of Public Service. With me tonight is Corey Chase and Clay Purvis, also from the Department of Public Service. Kiersten Bourgeois who is with the Agency of Commerce and Community Development and is the Governor's representative to the VTA Board and the --

MS. BOURGEOS: Connect Vermont.

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

MR. LARKIN: You know, I went to Burlington, Brattleboro, Barre hearing, and the hearing before the joint boards. My name is Charles Larkin. I'm a retired Telecommunications Engineer for the Department of Public Service, some 30 years
plus. Prior to then I was a Consumer Affairs Officer for the Department. So I saw these issues two directions; consumers directly and telecommunications issues.

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

And I wonder if, from what I have been able to gather and I could be wrong, that there are no conduits in the city streets of Montpelier; recently all torn up. And the streets of St. Johnsbury; recently all torn up, which could have been left vacant, put in there specifically to rent it out to other users, fiber users. We could have had fiber within all these towns, all these two cities, one is really a town, St. Johnsbury. But one of our larger communities and
doesn't have good fiber to the home and
business. And that could have been done
relatively inexpensive if the planning had
been done to put that in, or if, I fear the
planning not to put it in had not been done.
That too many people have been avoiding
planning. I mean you aren't the only people
to plan, the Department. There are others.
And why didn't the others do any planning?
Shouldn't be all on your shoulders. You
have your own responsibilities from the
statutes, but you're not totally responsible
for St. Johnsbury and how it planned its
communications and how it takes care of its
customers.

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

MR. PORTER: Thank you.

MR. WHITAKER: All right. I'll put in
two words just on the-- the process again.
In that Charlie and I made the effort, Mr.
Larkin and I made the effort to come out for
your February hearing. And we gave very
detailed and specific testimony on PEG
access funding, interconnective PEG access
systems, et cetera. And it was totally
ignored in the draft that was put out months
later. That would tend to dissuade the
general public from thinking that this
process is really meant to gather
information to be used in a plan.

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

I don't know what's going to be done
about it. I believe that if the Department
proceeds to adopt a plan without another set
of hearings before the legislature on the final draft, and proceeds to put forth a plan that does not include all the statutorily required elements, that it will not be in compliance with law. And if you continue to persist that it is, the Department will further lose credibility, because it will become more and more evident that it is not.

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

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

(Recess was taken.)

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

Now they are going to be searching
through 200 channels to find them. It seemed to me that many years ago it was required that the PEG channels be allowed to stay down there in the low part of the lineup with the local over-the-air channels. That should have been at least addressed in the plan. And I think that should be mentioned. Thank you.

MR. PORTER: Thank you.

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

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

But we all know we want fiber to the home, and allegedly of the 100 symmetrical by 2024. I think that's already been mentioned that really should be the bottom, not the top. We should be doing that now. And there are a number of state channels, state networks, that have been constructed
with either internal state money or grants that already serve that kind of level or at least much more than 10, one.

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

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

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

MR. PORTER: Yes.

MR. WHITAKER: Times and dates, places?

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

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

MR. LARKIN: Barrett.

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

MR. WHITAKER: What time?

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

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

MR. PURVIS: Yes.

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

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

MR. LARKIN: Could be. You know I wondered about the lack of hearings in St. Albans area, the Northeast Kingdom, the upper part of the Kingdom, Newport, Derby. Morrisville. Bennington. A lot of area that people are not going to get to. As
weak as this is it's better to have at least a VIT hearing than have it all those places.

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

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

    MR. PORTER: I think we had three.

    MR. WHITAKER: Did the PEG access video it?

    MR. PORTER: No.

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

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

    MR. LARKIN: Our friend?

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

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

    MR. PURVIS: Okay.
MR. LARKIN: I guess I'm stupid. I don't understand the comment.

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

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

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