



Board Packet Executive Summary

January 8, 2024

Christine Hallquist, Executive Director

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The agenda for this meeting is quite full so we may not get to all the items. We have moved the time-sensitive items to the front of the agenda.

Digital Equity Plan Review

This discussion will be led by Britaney Watson. The timeline for submission of the Digital Equity Plan is tight, with a support vote needed from the Board at the February meeting, which is the required submission date as established by the NTIA.

Legislative Priorities, including restoration of funding.

Toni Clithero will lead this discussion. These are staff policy recommendations for Board discussion. This will be held in Executive Session due to the sensitive nature of the discussion.

Otter Creek Update

Alexei Monsarrat will lead this discussion. Otter Creek will present their plan to shift construction grant funding to other areas of its District in light of GoNetSpeed/Shoreham's enforceable agreement with the FCC that will result in a fiber build throughout OCCUD's territory, including to addresses included in OCCUD's Act 71 grant.

CVFiber Construction Grant Amendment

Alexei Monsarrat will lead this discussion. CVFiber has determined it will need to change the scope of its construction grant agreement given changes, which include loss of locations due to incumbent providers encroaching on the service area, as well as other cost variables. The CUD is planning to serve all the locations in the original grant using other funding. The funding proposal will be presented to the Board. Otter Creek will explain to the Board the different options it has evaluated.

Annual Report Discussion

Herryn Herzog will lead this discussion. Act 71 requires the VCBB to submit an annual report by January 15. The draft report is included in the Board packet. Per Act 71, "The report shall include an operating and financial statement covering the Board's operations during the year, including a summary of all grant awards and contracts and agreements entered into by the Board. In

addition, the report shall include a description of the progress each start-up communications union district has made in achieving long-term financial sustainability that is not dependent upon public funding, an update on its efforts to secure additional federal funds for broadband deployment, and progress made towards meeting the State's goal of ensuring every E-911 location has access to broadband capable of delivering a minimum of 100 Mbps symmetrical service..."

BEAD Challenge Process and Next steps

Alissa Matthews will lead this discussion. The Challenge Process is scheduled to start as soon as Vermont's BEAD volume one is signed by Alan Davidson, US Assistant Secretary of Commerce. It is on his desk for signature. The Challenge Process is critically important to meet Vermont's goal of Universal Service. BEAD grant funds can only be used for serviceable locations shown on the FCC map. The location must exist on the map and have service less than 100/20 to be eligible.

Rule 3.7 – Make Ready (Pole Attachment PSC Rule 3.700)

Christine Hallquist will lead this discussion. This will be a quick update following the Board presentation in December. The data presented in December showing \$4 million in credits made available so far is from all Vermont utilities, as opposed to just GMP. Negotiations on make-ready costs are on-going. GMP will provide additional information regarding the negotiations prior to the Board meeting.

Key Performance indicators for Grantees

Christine Hallquist will lead this discussion. VCBB staff work on reporting has been an ongoing effort. Staff met with the CUDs to obtain agreement on the set of indicators that will be presented to the Board. This was an action item on the Parking Lot – "Policy for certification of Grantee compliance to Performance and Operating Standards." While this is not a complete response to the policy, it is a key part of performance compliance.

Budget presentation FY24 Q1 update

Thomas Malinowski, the PSD Finance Manager, will provide the Board with Q1 Budget status based on the budget that the Board approved. The agreement with the Board was to present an update one month after the close of the quarter. The Board has not been able to get to this item in past meetings. It may make sense to wait until the February meeting for Q2 results if the Board is pressed for time in this meeting.

Vermont Community Broadband Board Meeting
Monday, January 8, 2024, 12:00pm – 4:00pm
AGENDA

Meeting is being held virtually.

[Click here to join the meeting](#)

Join by Phone; [+1 802-828-7667, 756358914#](#)

Note: there may be executive sessions as needed.

- 12:00 1) Call Meeting to Order, Roll Call, Approval of Agenda
- 12:05 2) Public Comment
- 12:10 3) Approval of December 11 Meeting Minutes
- 12:15 4) Outreach/ Marketing Video Trailer
- 12:25 5) Digital Equity Plan Review – *Britaney Watson*
- 12:45 6) Legislative Affairs - *Executive Session - Premature general public knowledge would clearly place the public body, or a person involved at a substantial disadvantage (1 V.S.A. § 313(a)1) – Christine Hallquist*
- 1:15 7) Otter Creek Grant Update – *Laura Black*
- 1:40 8) CVFiber Update-*Executive Session, pursuant to 1 V.S.A. s. 313 (a)(6), which protects from public session the discussion of information contained in “records exempt from the access to public records act”, 1 V.S.A. s. 316.*
- 2:10 9) Annual Report discussion – *Herryn Herzog*
- 2:35 10) BEAD Challenge Process Update & Next Steps – *Alissa Matthews*
- 2:45 11) Rule 3.700 (Make Ready) – Including underground challenges.
- 2:55 12) Key performance indicators for grantees – *Christine Hallquist*
- 3:05 13) Budget presentation FY24 Q1 – *Thomas Malinowski*
- 3:20 14) VCUDA Updates – *Rob Vietzke*
- 3:30 15) Public Comment
- 3:45 16) Parking Lot – *Christine Hallquist*
- 3:50 17) Executive Session. Update on Executive Director Review and Board Performance, pursuant to 1 V.S.A. s. 313 (a)(3) *“The appointment or employment or evaluation of a public officer or employee, provided that the public body shall make a final decision to hire or appoint a public officer or employee in an open meeting and shall explain the reasons for its final decision during the open meeting.”*
- 4:00 18) Motion to Adjourn

Press inquiries: please contact Herryn Herzog, herryn.herzog@vermont.gov (802) 522-3396.

Vermont Community Broadband Board Meeting Monday, December 11th, 2023, 12:00pm – 4:00pm

Draft Minutes

I. Meeting Call to Order, Roll Call, & Approval of Agenda

Patty Richards called the meeting to order at 12:04 and completed roll call.

- Patty Richards, Chair (Remote)
- Laura Sibilia (Remote)
- Holly Groschner (Remote)
- Dan Nelson (Remote)
- Brian Otley (Remote) arrived late.
- Christine Hallquist - Staff (Remote)
- Robert Fish – Staff (Remote)
- Toni Clithero – Staff (Remote)
- Herryyn Herzog – Staff (Remote)
- Chance Payette – Staff (Remote)
- Alexei Monsarrat– Staff (Remote)
- Kristin Brynga– Staff (Remote)

Patty Richards made a motion to approve the agenda, seconded by Dan, with the following changes due to time constraints: Items 7, 8, and 9 after item 4. Discussion by the Board of items to include in next month's meeting such as update on financial, programmatic and onsite inspection procedures from staff, also would like to see clarification as to how pole attaching entities cooperate and coordinate under Rule 3.700 *The motion to approve the agenda with changes as follows: moving items 7, 8, and 9 behind item 4, and other items for next month with a clarification on item 11. Unanimously approved by Patty, Laura, Holly, and Dan.*

II. Public Comment

Ellie de Villiers commented on the need for Accountability and looking at responsibility as well to ensure Act 71 requirements for consumer protection. Affordability provides a specific challenge for CUDs but should be thought of as a Vermont problem with ACP in doubt and nearly 30% of Vermonters cannot afford internet.

III. Approval of Minutes (September 11th, November 13th, November 21st Meeting minutes)

Patty made a motion to approve the meeting minutes from September 11th, seconded by Laura. No further discussion. *Unanimously approved by Patty, Holly, Laura and Dan.*

Patty made a motion to approve the meeting minutes from November 13th, seconded by Holly. No further discussion. *Unanimously approved by Patty, Holly, Laura and Dan.*

Patty made a motion to approve the meeting minutes from November 21st, seconded by Holly. No further discussion. *Unanimously approved by Patty, Holly, Laura and Dan.*

IV. Town Match

Rob Fish presented information to the Board on the ARPA Town match Program for Broadband. Discussion on what the motion would need to look like. *Holly made the motion to allocate construction grant funds from our ARPA program to match each of the municipal ARPA allocations for broadband in the amounts as follows, pursuant to conditions placed on the match by each town : Chittenden County CUD (\$50,000), CVFiber (\$863,000), DVFiber (\$217,852), Waitsfield Champlain Valley Telecom (\$243,830), Lamoille FiberNet (\$225,900), Maple Broadband (\$415,000) and NEK*

Broadband (\$816,334), further subject to amendments of each Grantee's Construction Grant agreement that contains the conditions placed on the funding by the municipality in making that ARPA fund allocation. Seconded by Dan. Further discussion included ensuring matching funds would have accountability for the funding. All 57 towns have sent a letter of agreement and the specific details of each letter will be contained in the Construction Grant agreements. *Unanimously approved by Patty, Laura, Holly, and Dan. Brian abstained due to not having been present for the entire conversation.*

V. Digital Equity Plan Review

The item was not discussed and should be moved to the next meeting.

VI. Legislative Priorities including Restoration of Funding include Letters to Committee

This discussion item was moved to after item #10 due to time constraints. *Patty made a motion to enter Executive Session with the Board and all VCBB staff at 3:17, Seconded by Holly, No further discussion. The Board returned from Executive session at 3:44. No action was taken by the Board.*

VII. Contract matters

Patty made a motion to enter Executive Session with the Board, Christine, and Toni at *Seconded by Holly at 12:45, No further discussion. The Board returned from Executive session at 1:36.*

Patty made a motion that the Board is requiring from staff reports from the CUDs on a monthly basis with key parameters and the development of the key parameters that would be sensitive to confidential information, Seconded by Holly. Unanimously approved by Patty, Laura, Holly, Brian, and Dan.

VIII. Otter Creek Update

The item was not discussed and should be moved to the next meeting.

IX. DV Fiber Update

Patty made a motion to enter Executive Session with the Board, staff including Christine, Toni, Alexei and DV Fiber staff at 1:40. No further discussion. The Board returned from Executive session at 3:13. No action was taken by the Board.

X. Board approval of the process for approval of working group policy's drafts

This was discussed after Item 9 due to time constraints. *Patty made a motion to approve this process as submitted in the board packet, seconded by Laura. No further discussion. Unanimously approved by Patty, Laura, Holly, and Brian.*

XI. Rule 3.700 (Make Ready) – Including GMP underground challenges

The item was not discussed and should be moved to the next meeting.

XII. Budget Presentation

The item was not discussed and should be moved to the next meeting.

XIII. VCUDA Updates

This item was moved after item #6.

Rob Vietzke commented on all of the successes for the year around the state. He thanked everyone for their support on the SPICES grant, support of make ready, policy work that has been completed and shared financial services. VCUDAs Legislative agenda looks a lot like the staff shared Priorities in the Board packet with a couple nuances. As we contemplate the timeline

through the holiday season, the challenge process and the pre-application. Hoping for as much time as possible, and having the timeline reflect the application period. Having the application templates out as soon as possible. Have started to review the Digital Equity Plan and will refile public comments on Policy drafts once published and mentioned the current draft for comment is missing the reference.

The board asked to ensure all policy drafts are circulated to the Board and the public. Staff will send links to the Board for the website location containing Board Policy.

XIV. Public Comment

No public comments

XV. Parking Lot.

Christine went over the newly added and completed items. *Laura and Holly will be added to the meeting to review the RFP applications.*

XVI. Executive Session. Update on Executive Director Review and Board Performance

The item was not discussed and should be moved to the next meeting.

XVII. Confirm Meeting 1/8/2024 & Motion to Adjourn

The next scheduled VCBB Board meeting is Monday, January 8th from 12:00 pm to 4:00 pm. *Items that were not discussed and the added agenda items will be moved to the 8th meeting. Patty made a motion to adjourn at 4:01, seconded by Holly. Motion was approved unanimously by Patty, Holly, Laura, and Brian.*

Outreach/Marketing Documentary Video Trailer

Here is a link to watch the trailer/teaser for our new outreach/marketing documentary video about the grassroots efforts across the state to get Vermonters connected:

[CONNECTED Documentary Teaser \(youtube.com\)](#)

Digital Equity Timeline

Nov.	Dec.	Jan.	Feb.	Mar.
✓ <u>11/21</u> – D.E. Plan overview presentation to get Board comments and ideas	✓ <u>12/1</u> – Public comment period opens (30 days) ✓ <u>12/11</u> – D.E. Plan update presentation to get Board comments and ideas	✓ <u>1/8</u> – D.E. Plan update presentation (after comment period closed) to get Board comments and feedback	✓ <u>2/6</u> – Board packet with D.E. Plan – please read and give us any changes ASAP to be included before Board meeting ✓ <u>2/12</u> – Final Board review and submission to NTIA (same day)	✓ <u>3/28</u> – End of period of performance (after 45 days curing)

Compensation Plan

Engagement Type	Number of People	Compensation
Focus Groups	Max of 10	\$50 for up to 1.5 hours
Interviews	Max of 3 per CP	\$75 for up to one hour
Listening Sessions	No Min or Max	No Compensation

Focus Groups

Veterans	Covered Household	Vermonters with Disabilities	Aging Population	Vermonters in a Rural Area	Racial or Ethnic Minority	Language Barrier	Incarcerated Population
12/13/2023	1/03/2024	1/04/2024	1/06/2024	1/03/2024 & 1/06/2024	1/08/2024	1/10/2024	1/16/2024 & 1/17/2024

Request For Input

- 25 Responses
- Cost of Internet
- Speed and Reliability of Internet

Thank you

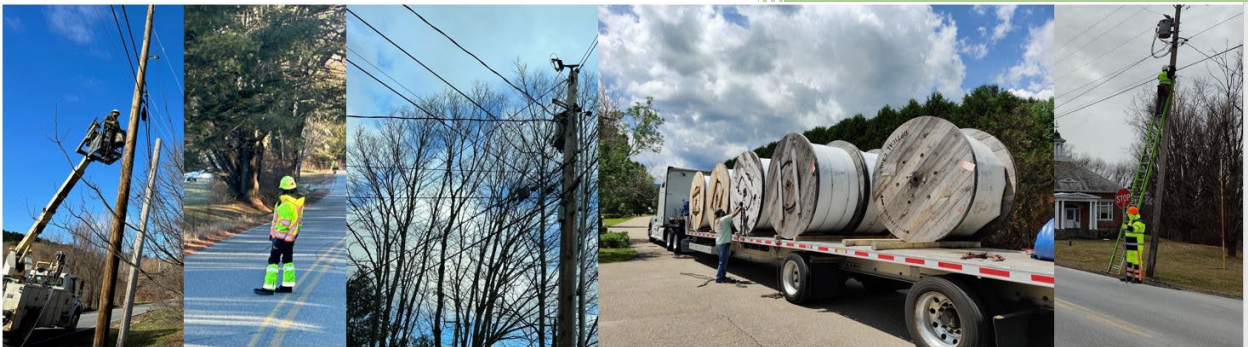
Proposed Legislative priorities for 2024 session

	Subject Matter	Proposal	Recommendation
1.	Reinstatement of \$20M borrowed for flood relief	Consider broadening the language of the appropriation to include all potential BEAD requirements including letters of credit and potentially performance bonds	Prepare proposed language and share with Board at December meeting
2.	Affordability	<p>Create an affordability fund to complement the federal Affordable Connectivity Program (ACP) with the following potential funding streams</p> <ul style="list-style-type: none"> • The USF (based on fees charged to all phone numbers (mobile and VOIP in addition to traditional Plain Old Telephone Service (POTS) lines • Savings from implementing an exemption from the Rule 3.700 pole attachment tariff for publicly owned broadband infrastructure or infrastructure located in un/underserved areas • Fees paid by nonpublic broadband providers to VTrans for use of the Right of Way for broadband infrastructure • Require landlords of multiple dwelling units to include the cost of broadband in rent and nonexclusive access to conduit to allow competition from other broadband providers and promote fiber broadband deployment • Require owners of mobile home communities to include the cost of broadband in lease payments and nonexclusive access to conduit to allow competition from other broadband providers and promote fiber broadband deployment 	Complete research and outreach to identify potential litigation and other risks and prepare any appropriate recommended language
3.	H-0419, Consumer Protection/Privacy Bill	Staff is proposing that we add a review and discussion of this important proposed legislation to our December meeting. It appears that this legislation would provide a statewide baseline of	Add to agenda for December meeting

		consumer protections similar to what the Board is requiring in its Consumer Protection provisions in its grant agreements involving CCI and WCVT.	
4.	Technical Corrections	<ul style="list-style-type: none"> • Updating the definitions in Act 71 to align with BEAD to allow the use of a single state map of served/underserved/unserved locations (e.g., 25/3 is underserved in Act 71 and unserved in BEAD) • VCUDA will address the following: <ul style="list-style-type: none"> ○ Changing the date of the annual CUD reporting; and ○ Providing a process for the merger of CUDs 	VCBB will address in December meeting; VCUDA will include in its comments

2023

VCBB Annual Report



1/15/2024

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Vermont Community Broadband Board

Annual Legislative Report

January 15, 2024

Submitted to: Senate Committees on Finance and on Natural Resources and Energy, the House Committee on Energy and Technology, and the Joint Information Technology Oversight Committee

30 VSA § 8089. ANNUAL REPORT (a) Notwithstanding 2 V.S.A. § 20(d), on or before January 15 of each year, the Board shall submit a report of its activities pursuant to this chapter for the preceding year to the Senate Committees on Finance and on Natural Resources and Energy, the House Committee on Energy and Technology, and the Joint Information Technology Oversight Committee. The report shall include an operating and financial statement covering the Board’s operations during the year, including a summary of all grant awards and contracts and agreements entered into by the Board. In addition, the report shall include a description of the progress each start-up communications union district has made in achieving long-term financial sustainability that is not dependent upon public funding, an update on its efforts to secure additional federal funds for broadband deployment, and progress made towards meeting the State’s goal of ensuring every E-911 location has access to broadband capable of delivering a minimum of 100 Mbps symmetrical service as required in subdivision 202c(b)(10) of this title.

About the Vermont Community Broadband Board (VCBB)

Mission Statement

It is the purpose of the VCBB and Vermont Community Broadband Fund to support policies and programs designed to accelerate community efforts that advance the State's goal of achieving universal access to reliable, high-quality, affordable, and fixed broadband. The VCBB was created to coordinate, facilitate, support, and accelerate the development and implementation of universal community broadband solutions.

Board Members

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Britaney Watson, Digital Equity Officer – Britaney.Watson@Vermont.gov

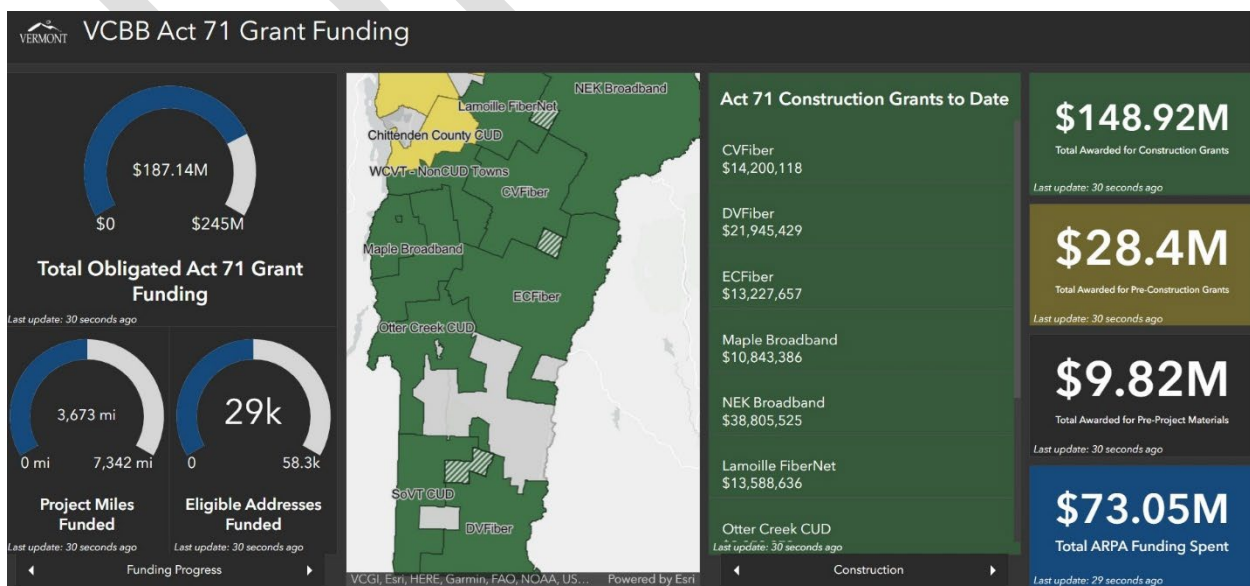
Steven Zubkoff, Broadband Project Developer – Steven.Zubkoff@Vermont.gov

Alexei Monsarrat, Rural Broadband Technical Assistance Specialist – Alexei.Monsarrat@Vermont.gov

Executive Summary

2023 was a year full of accomplishments. This report will show a snapshot of the progress VCBB made in fiscal year 2023, as well as where we are at the end of calendar year 2023, and our goals and next steps as we start 2024.

- Vermont is the only state committed to get fiber to every on-grid address. Fiber is future-proof and provides the greatest bandwidth, highest reliability, and the lowest latency. Other states are falling back on wireless solutions. The topography and the extensive tree cover in Vermont does not allow for effective wireless solutions.
- Six out of ten CUDs are actively connecting previously underserved homes. Two CUDs held well-attended press events announcing their first customer connections, and several CUDs have significant numbers of customers requesting service. One CUD earned a bond rating based solely on the CUD's revenue from Standard and Poor's, a significant milestone in accessing capital markets.
- 800 miles have been built as of the end of the 2023 calendar year. That is approximately 15% of the total. Before construction started, detailed high-level design, budgeting, and make ready were completed.
- \$229 million federal allocation for BEAD. This is at least \$100 million more than was expected. The extra funds are due to the many challenges to the FCC National Broadband Map filed by Vermonters and VCBB staff.
- Submitted BEAD plans for approval. Vermont's BEAD Five-Year Action Plan was accepted by the NTIA. We are awaiting approval on the Initial Proposals Volume 1 and 2.
- Draft Digital Equity Plan out for public comment until January 8. More revisions of the plan will follow. It will be submitted to the NTIA for approval in March.
- Below is a summary of grant funding through the end of the 2023 calendar year:



Fiscal year 2023 started in July 2022 with the announcement of \$48.8 million in broadband construction grant awards to four of Vermont's Communications Union Districts (CUDs). \$26.5 million in additional grants were announced in October 2022 to two more CUDs and WCVT to serve underserved addresses that are not part of a CUD.

Also in October 2022, VCBB announced the expansion of the town match grant, in which VCBB matched town ARPA contributions to CUDs or eligible providers in towns not a part of a CUD up to \$100,000 for the buildout of broadband.

In November 2022, Chittenden County communities voted to form Vermont's tenth CUD. It started with five towns and has grown to include eight towns.

In December of 2022, VCBB issued a call to action, asking Vermonters to check the [FCC National Broadband Map](#) and challenge any incorrect data. This was of utmost importance because Vermont's allocation for the Broadband Equity, Access, and Deployment (BEAD) Program depended on how many underserved locations are on the map. The map showed many more addresses as served than they actually were. Vermonters filed individual challenges, and VCBB staff filed bulk challenges.

In June of 2023, the White House announced the amount of BEAD funding for each state and territory. Vermont has been allocated \$229 million, which is up to \$100 million more than we were expecting, thanks to the thousands of addresses that were challenged.

During the summer of 2023, VCBB awarded \$58.9 million in construction grants to five CUDs to bring broadband to at least 13,000 previously underserved homes and businesses.

In May 2023, VCBB began working on Vermont's BEAD and Digital Equity Plans. We did extensive public outreach and engagement throughout the state and incorporated the feedback into the [BEAD Five-Year Action Plan](#), [Initial Proposal Volume 1](#), and [Initial Proposal Volume 2](#).

The BEAD Five-Year Action Plan was submitted to the NTIA in August 2023 and was accepted. The Initial Proposal Volume 1 was submitted to the NTIA in September 2023. We are awaiting final approval, at which time the state-led BEAD challenge process will start. Initial Proposal Volume 2 was submitted to the NTIA in November 2023. We are awaiting approval.

We currently have a [draft copy of Vermont's Digital Equity Plan](#) that was posted for public comment from December 1 through January 8. It will be submitted to the NTIA in February 2024 for approval. Implementation of the plan will follow approval.

Workforce development efforts continued through the fiscal and calendar year 2023. As of the end of 2023, we have trained trainers for our Broadband Installer Apprenticeship Program and are scheduling dates to start training participants. We have partnered with

the Vermont Department of Labor, IBEW, Vermont Works for Women, and Vermont employers to ensure our program is successful.

One notable point of 2023 was a report from the State Auditor's office, [Universal Broadband in Vermont: Managing Risks](#), which identified risks that could compromise the success of the buildout of broadband in Vermont. VCBB addressed each of the findings of the report and took action to ensure the continued success of our work.

Accountability

In response to that report, the VCBB developed accountability policies. The Board decided on what policies were needed and divided into subcommittees to write them. They include affordability, annual report, construction standards, consumer standards certification, grantee agreement, liens, sunset provision, and untimely documents and agenda item changes.

Affordability and Low-Income Inclusivity

The VCBB recognizes that the affordability of broadband service is as essential as physical access to broadband infrastructure to achieve universal broadband service and to meet the public purpose of the Act. The VCBB seeks to implement both universal service and affordable broadband service as required by the Act or as required by federal funding programs distributed by the VCBB. VCBB awards grants for the construction of broadband networks and provisioning of broadband service to all Vermont locations regardless of resident income or property value. The affordability of broadband service is dependent on the circumstances of each consumer and the deployment and service costs of each grantee. The legislature has directed the VCBB to balance the sustainability of the grant-funded network and the affordability of each grantee's service. Approved and funded network designs should therefore achieve universal service that provides broadband access to unserved and underserved locations, without regard to consumers' ability to afford service. In addition, the policy of the VCBB is to ensure grantees provide broadband service to locations that are the subject of the grant, with a range of business practices and service options that make broadband service financially available to as many Vermonters as reasonably possible without making operation of the network unsustainable.

Annual Report

Within the scope of broadband funding available to and distributed by the VCBB, the VCBB is accountable for the delivery of universal broadband service in the State of Vermont and to otherwise meet the public purposes of the Act, by setting policy standards and issuing an annual report to the legislature. 30 VSA 8086(c); 8089(a). The VCBB seeks to ensure that the grants it awards are used to implement universal and reliable broadband service that is affordable as required by the Act, and to do so consistent with requirements of federal funding programs distributed by the VCBB.

The Annual Report policy of the VCBB seeks to set standards for accountability for itself and its grantees, including designating metrics that are periodically evaluated and analyzed to measure the success of funded efforts to meet the goals of the Act and the federal programs. The VCBB shares the obligation for accountability with the Communications Union Districts, which are also accountable for performance by law. VCBB's accountability for the appropriate use of grant funds to deliver the required broadband service and operations extends also to non-municipal grantees, and to grant subrecipients and operators of grant-funded broadband infrastructure.

Transparency in the process and the purpose of the data is essential. Nevertheless, grantees are allowed to consider the route of proposed construction plans to be proprietary (with confidential disclosure to the VCBB) and individual customer addresses are confidential. The obligations of the VCBB must be clearly reflected in the metrics it reports. The terms of the grants under which the VCBB provides funding must clearly state grantees' obligations for data collection consistent with these metrics and timely reporting. Interim reporting may be required of grantees at the discretion of VCBB staff if required to protect the objectives of the program or the grant program from noncompliance.

This policy focuses on the metrics for each standard, the source and format of data, the period of reporting, and the party responsible for reporting.

Consumer Standards Certification

The policy of the VCBB, to meet the public interest in consumer protection and service standards, is to require certification of each grantee annually that it meets the service conditions described in Subsection 348(b). The grantee receiving Community Broadband Funds, and any owner of assets paid for in part by such funds, shall certify to the Secretary of Administration, with copy to the VCBB or its designee, the terms and conditions of 3 VSA 348(b) for a period of 20 years from the date of the grant award.

Grantee Agreements

To fulfill the VCBB's statutory obligation to establish policies, grant terms and grant conditions that establish a process for reviewing and developing remediation commitments when a grantee either fails to comply with grant conditions or gives an indication that it might not be able to comply with a grant condition soon based on normal grant review processes performed by the VCBB and its staff. The remediation process precedes, and attempts to avoid, progressing a grantee that has failed to meet grant conditions to be assessed under the Recoupment and Transfer of Ownership Policy.

Liens

VCBB is created by statute to distribute funding and coordinate support to Vermont's CUDs and other internet service providers for the purpose of building and operating fiber networks for the distribution of broadband internet services in areas of Vermont

where high-speed broadband is not otherwise available. The VCBB is authorized to, among other things, provide construction standards, set operating standards, and administer grants. The VCBB is charged to ensure accountability in distributing grants to broadband providers, and whether the accountability and public broadband interest is served by requiring a lien (UCC 1) in favor of the VCBB.

Most of the funding distributed by the VCBB is used to pay for goods and services (not real estate) and derives from federal programs. Those federal programs carry an obligation for the grant recipient to hold title to the assets paid for with the federal funds, and to execute a lien in favor of the federal government if the assets are encumbered. The form of lien is not yet available for review but is anticipated to be in the form of a UCC 1, and to require that the federal government “share” any first position with a third-party lender. The lien is intended to provide notice to the public of the federal government’s public interest, the obligations of the grant, and the method of calculating the value of the federal interest in the assets if they are liquidated. The lien is narrowly ascribed to the funded assets. The VCBB is discussing the scope of the public interest in broadband that the Vermont legislature has entrusted to the VCBB to administer, and whether the scope of that interest overlaps with the federal interest.

Sunset Provision

The VCBB is scheduled to sunset in 2029. This policy will recommend to the legislature how to continue to serve the purpose of Act 71 beyond this date. This will include the language needed in contracts to ensure on-going performance from grantees. Transfer of obligations to other state entities should first look to CUDs which are special purpose entities created by the state which will live on past Act 71 and to the courts for investments in regions not covered by a CUD. By 2029 all construction will be complete. The policy will address management of the assets that were created by the grant funds.

Construction Standards Policy

The VCBB is to implement Universal Service as required by Act 71 by establishing policies and construction standards that adopt industry-accepted engineering standards, which promotes network reliability, resiliency, and interoperability. The intent of this policy is to provide Grantees construction and design guidance while supporting flexibility to meet network goals, business objectives, and in compliance with industry standards.

The objective, as outlined in the Act and summarized here, is to ensure at a minimum that:

- Any alternative operator can reasonably assume operation of the facilities and network without interruption, substantial cost, or effort. (8086 C.4)
- Ensures design and installation promotes network reliability, resiliency, and interoperability (8086 C.2)
- All performance measures meet the purchased service level and can deliver a minimum 100MB/100MB for subscribed customers (8086 F.1)

- Demonstrates utilization of available partnerships for cost effective broadband deployments (8086 B.1; 8086 B.6)
- Demonstrates sustainable usability and scalability for life of the installed asset for shared provider access and other public purposes (8086 B.7)

To meet these goals, VCBB intends to build fiber optic networks. While the definition of fixed broadband under the Act, as amended, includes retail service by wire or radio that delivers service at speeds of at least 100/100 Mbps, it is the policy of the VCBB to prioritize the funding of fiber networks that deliver 1/1 Gbps, use existing infrastructure, including the use of utility poles and power, in the public right of way, even though the cost of construction may be higher than other methods, in order to meet the Act's objective of providing the highest standard of connectivity speed, reliability, resilience and interoperability of broadband service. Nevertheless, radio fixed wireless, where it meets the VCBB's standards for accountability for the public interest, and including but not limited to affordability, reliability, resiliency, and interoperability, is an acceptable means of delivering broadband service as defined in the Act.

Untimely Documents and Agenda Item Changes Policy

The VCBB shall avoid adding agenda items unless it is necessary and is consistent with the recommendations of the Vermont Secretary of State's Office (SOSO). The SASO cautions that "last-minute agenda items, especially those requiring Board action, be added at a meeting only in an emergency," and that the better practice is "to handle items that were not included on the posted agenda at the next regular meeting or, if necessary, to call a special meeting so that the public gets notice of the item and has an opportunity to attend and participate." The Open Meeting Law allows public notice "as soon as possible before the meeting" where an emergency meeting is necessary to respond to an "unforeseen occurrence or condition". 1 V.S.A. § 312(c)(3). Thus, a practice to limit the addition of agenda items to circumstances where it is necessary.

Affordability

VCBB is researching and analyzing a variety of programs to ensure that all Vermonters will have access to broadband internet service regardless of income. This will be achieved by utilizing as much grant funding from BEAD and other sources combined with a comprehensive Digital Equity Plan to ensure the needs of all Vermonters are identified and addressed. Through the outreach and engagement, we did in preparing our BEAD and Digital Equity Plans, we've have received extensive feedback on affordability and access, and we're working to address both issues with various approaches.

The FCC's Affordable Connectivity Program (ACP) provides \$30 per month to households at or below 200% of the federal poverty level. Currently we estimate there are 65,000 to 75,000 households in Vermont who qualify for ACP, but only 20,000 have

enrolled in the ACP program to date. VCBB suggests that we utilize the Medicaid program or other social service agencies to register eligible households and manage the distribution of vouchers and additional subsidies. PEW Foundation and the Brookings Institute are currently developing such a program at the federal level utilizing the Medicaid system to manage broadband registration and subsidy programs.

For very low-income households the VCBB recommends the state of Vermont consider a USF (Universal Service Fee) for all telecommunication subscriptions to subsidize the cost of broadband. Based on research conducted by the Benton Foundation, it is recommended that internet service fees be at or below 1% of gross monthly household income.

VCBB is also exploring additional funding sources and programs such as revenues generated by the new on-line gambling and Vermont Lottery to reduce and subsidize the cost of installation and equipment.

Operating and Financial Statement

Below is the operating and financial statement for the VCBB for the State Fiscal Year 2023. *Please note that while the remainder of this document reports on achievements from calendar year 2023, the fiscal report represents the state fiscal year.*

The report outlines the fiscal expenditures made to achieve the policies, goals, and investment priorities for broadband infrastructure for the state fiscal year July 1, 2022 – June 30, 2023. The funds came from the \$150 million appropriation that was committed by the legislature through Act 71 of 2021 (and appropriated through Act 74 of 2021, the FY23 state budget), and additional funds from Act 9 of 2021, the Covid-19 relief bill. Also included is the portion of the Universal Service Fund that has been committed to the VCBB. We also received new grants (BEAD Planning Grant, Digital Equity Planning Grant, and NBRC) which became effective during state fiscal year 2023.

VCBB Fiscal Year 2023 Revenues and Expenditures		
Revenues		
Funding Source	Total Awarded	SFY 2023 Expended
Universal Services Fund	827,945.16	1,952,882.12
BEAD Planning Grant	5,000,000	301,073.93
Digital Equity Planning Grant	518,154.20	48,737.82
NBRC	1,250,000	17,909.00
ARPA-SFR (Act 74)	150,000,000.00	45,120,214.87
H.315 (Act 9)	1,800,000.00	161,305.31
Total		\$ 47,602,123.05
Expenditures		
Personnel		876011.24
Board Costs		11000
Grants		45785065.90
Contracts		834165.12
Internal Service Fees		52928.29
Travel and Training		25275.68
Equipment and Software		11487.65
Supplies		1406.25
Misc Costs		4782.92
Total		\$ 47,602,123.05

Grants

Securing the Public Interest Through Shared Expertise and Services (SPISES) Program

As Vermont has accelerated the build-out phase of its community-owned broadband infrastructure, the VCBB recognized that there was a growing need for shared services across the Communications Union Districts (CUDs) for experienced experts who can guide implementation, transition to operations, compliance, and sustainability/growth. In an effort to provide for these needs, the Securing the Public Interest Through Shared Expertise and Services (SPISES) Program was created through funding provided by a grant from the Northern Borders Regional Commission (NBRC). This grant funding to the VCBB allowed a sub-grant to be executed with the Vermont Communications Union District Association (VCUDA) in the amount of \$1,219,763.17.

This SPISES grant award will provide seed funding to VCUDA to support functions that will increase its ability to support the CUDs. Eligible expenditures under this grant award include the funding of a shared financial expert, the costs of hiring a program coordinator, and additional capacity needs as approved by the VCBB. These specific

deliverables enjoy strong support from most CUDs, represent urgent and immediate needs, and are functions that are appropriately to be provided by VCUDA.

Act71 Preconstruction Grant Program

As provided by Sec. § 8085 of Act 71, which became law on June 8, 2021, the purpose of the [Broadband Preconstruction Grant Program](#) is to provide grants to CUDs for preconstruction costs related to broadband projects that are a part of a universal service plan and meet other criteria as specified in Act 71. As provided by Sec. 2 § 8085 of Act 71, eligible costs include expenses for feasibility studies, business planning, pole data surveys, engineering and design, and make-ready work associated with the construction of broadband networks, including consultant, legal, and administrative expenses, and any other costs deemed appropriate by the Board.

Additional funds were added to the program for Implementation and Materials Costs. Each CUD has an allocation available to them for pre-purchase of materials under the Pre-Construction program, and additional funds beyond this allocation must be transferred into their Materials Supplement fund from their Construction Grant allocation.

Act71 Construction Grant Program

As provided by § 8086 of Act 71, which became law on June 8, 2021, the purpose of the [Act 71 Broadband Construction Grant Program](#) is to provide grants to eligible entities to finance the broadband projects of eligible providers that are part of a Universal Service Plan. Service providers must achieve speeds of at least 100/100 Mbps symmetrical at all on-grid underserved and unserved locations within their Universal Service Plan.

Eligible applicants are (A) a Communications Union District (CUD), (B) a small communications carrier, or (C) an Internet service provider working in conjunction with a Communications Union District to expand broadband service to unserved and underserved locations as part of a plan to achieve universal broadband coverage in the District.

Town ARPA Match Program

The VCBB agreed to match Town ARPA contributions Communications Union Districts and other small provider solicited from towns. The [Town ARPA Match Program](#) resulted

in the leveraging of over \$2.8M dollars in additions funds toward the construction of broadband networks.

Broadband Financing Program

In 2020 the General Assembly appropriated \$1.5 million in general funds for the purpose of supporting the efforts of the CUDs to secure financing necessary to advance broadband projects. In fiscal year 2021 funds were appropriated from the general fund as follows: \$1.5 million to the Department of Public Service to be awarded as grants to CUDs. These grants were to be used to provide cash equity to secure loans to finance broadband projects including the ten percent of project costs required to secure financing through the Broadband Loan Expansion Program administered by the Vermont Economic Development Authority. A CUD could not receive more than \$400,000 in awards under this appropriation via this [Broadband Financing Program](#).

The chart below summarizes the Act 71 Preconstruction and Act 71 Construction grants that the VCBB has issued from its founding until December 31, 2023. Funding for both programs was provided by \$150 million in Coronavirus State and Local Fiscal Recovery Funds as part of the federal American Rescue Plan Act (ARPA) in 2021 and an additional \$95 million from the ARPA Capital Funds Program appropriated to the VCBB by the General Assembly in 2022.

	Original Total Allocation	Pre-C Implementation Costs (Materials)	Shift to Construction	Match Program Allocation Shifts	TOTAL Allocation	Total Awarded as of 12/31/23	Remaining
Act 71 Pre-Construction Project List							
Maple Broadband	4,202,083	418,806	362,478		4,983,367	4,983,367.00	-
CVFiber	2,804,667	410,186	5,589,814		8,804,667	8,804,667.00	-
DVFiber	4,122,703	468,141	640,659		5,231,503	5,220,118.00	11,385.00
ECFiber	3,218,067	274,170			3,492,237	2,841,130.00	651,107.00
Lamoille Fibernet	2,563,363	281,652	-		2,845,015	2,563,362.53	281,652.47
NEK Broadband	6,670,000	1,353,915	-		8,023,915	8,023,915.00	-
NwFiberWorX	3,558,933	399,674	323,949		4,282,556	3,987,106.00	295,450.00
Otter Creek	1,705,442	203,605			1,909,047	1,349,936.17	559,110.83
Southern Vermont	854,742	189,851			1,044,593	-	1,044,593.00
Chittenden County	300,000	-			300,000	300,000.00	-
TOTAL	30,000,000	4,000,000	6,916,900		40,916,900	38,073,602	2,843,298.30
Act 71 Construction Project List							
Maple Broadband	11,205,864		(362,478)	415,000	11,258,386	10,843,386	415,000
CVFiber	19,789,932		(5,589,814)	863,000	15,063,118	14,200,118	863,000
DVFiber	22,586,088		(640,659)	217,852	22,163,281	21,945,429	217,852
ECFiber	13,227,657				13,227,657	13,227,657	-
Lamoille Fibernet	13,588,636		-	225,900	13,814,536	13,588,636	225,900
NEK Broadband	65,321,385			816,334	66,137,719	38,805,525	27,332,194
NwFiberWorX	20,219,979		(323,949)		19,896,030	-	19,896,030
Otter Creek	9,971,393				9,971,393	9,952,273	19,120
Southern Vermont	9,159,571				9,159,571	9,009,085	150,486
Chittenden	1,635,369			50,000	1,685,369	-	1,685,369
Other Towns	6,343,700			(2,831,916)	3,511,784	-	3,511,784
wCVT	17,950,426			243,830	18,194,256	17,348,243	846,013
TOTAL	211,000,000	-	(6,916,900)	-	204,083,100	148,920,352	55,162,748
Total ARPA Grants	241,000,000	4,000,000	-	-	245,000,000	186,993,954	58,006,046

The chart below summarizes the increase in grants under both the Act 71 Preconstruction and Act 71 Construction grants that the VCBB has issued from 6/30/23 to 12/31/23. Over \$59 million in new grant awards were approved by the Board during this time period.

	Total Awarded as of 6/30/23	Total Awarded as of 12/31/23	Change
Act 71 Pre-Construction Project List			
Maple Broadband	4,983,367.00	4,983,367.00	-
CVFiber	8,804,667.00	8,804,667.00	-
DVFiber	5,220,118.00	5,220,118.00	-
ECFiber	2,841,130.00	2,841,130.00	-
Lamoille Fibernet	1,622,057.53	2,563,362.53	941,305.00
NEK Broadband	8,023,915.00	8,023,915.00	-
NWFiberWorX	3,558,933.00	3,987,106.00	428,173.00
Otter Creek	441,000.00	1,349,936.17	908,936.17
Southern Vermont		-	-
Chittenden County	300,000.00	300,000.00	-
TOTAL	35,795,188	38,073,602	2,278,414.17
Act 71 Construction Project List			
Maple Broadband (includes Maple WCVT)	8,686,000	10,843,386	2,157,386.00
CVFiber	14,200,118	14,200,118	-
DVFiber	21,945,429	21,945,429	-
ECFiber	-	13,227,657	13,227,657.00
Lamoille Fibernet	-	13,588,636	13,588,636.00
NEK Broadband	20,865,889	38,805,525	17,939,636.00
NWFiberWorX	-	-	-
Otter Creek	-	9,952,273	9,952,273.00
Southern Vermont	9,009,085	9,009,085	-
Chittenden		-	-
Other Towns		-	-
WCVT-Non-CUD Towns	17,348,243	17,348,243	-
TOTAL	92,054,764	148,920,352	56,865,588.00

Contracts/Agreements Entered into by the Board

GIS Services – Stone Environmental

Amount of Contract Amendment: \$200,000

Purpose: The purpose of this contract amendment is to continue updating Vermont's Broadband Atlas and develop the necessary interactive GIS web applications to provide ongoing information status and capability to track progress updates for Act 71 Funding Programs. Turnover in staffing at the Public Service department required additional support from Stone for Vermont's Broadband Availability Map, and Stone Environmental

completed the aggregation, processing, and analysis of Internet Service Provider data to identify availability of Internet service level across the state.

The scope of work was amended to prepare and submit modifications to reflect data that is not present in the National Broadband Map by working with state leaders to refine methodology for aligning Vermont's Broadband Map and the FCC Location Fabric to ensure all E-911 addresses are accurately included. Additionally, Stone prepared data for Vermont's BEAD Initial Proposal Eligible Location Classifications, including data compilation and aggregation to identify unserved locations, underserved locations, and Eligible CAIs using the most recently published National Broadband Map and developing the methodology, processing, and analysis of broadband service eligibility data to assist with Vermont's State-Led BEAD Challenge Process, creating a portal for challenge submissions, reviews, and final adjudication to finalize the BEAD eligibility dataset. This work is planned to continue through June, 30 2024.

Fiber Optics Engineer Services – CTC Energy and Technology

Amount of Contract Amendment: \$200,000

Purpose: CTC Energy and Technology was the vendor selected in 2022 to review and evaluate Act 71 Construction Grant Applications including applicants' business plans, universal service plans, reports, drawings, and calculations. CTC provides expert advice to the VCBB Governing Board that identifies key questions to ask applicants, confirms compliance with Outside Plant Design Standards and best practices for resilient and redundant networks, and provides recommendations for improvement. This contractor provides resources to support the application process, monitoring, and reporting to ensure accountability and efficient technical assistance to grantees pursuing the phased approach plans outlined in the Act 71 Broadband Construction Grant Program RFP. This Contract and the review and suggestions provided ensure the effective use of existing state assets and compliance with Outside Plant Design Standards set by the VCBB, among other goals established by Act 71. The contractor also examines plans collectively to ensure the resulting statewide network follows good design practices and provides an assessment of notable issues and/or concerns to the Board.

BEAD & Digital Equity Plans & NTIA Proposals – Vernonburg

Amount of Contract: \$895,720

The subject matter of this contract is to assist the VCBB in the development of Vermont's Internet for All Plans and proposals for federal funding from the National Telecommunications and Information Administration (NTIA). The Contractor works at the direction of the VCBB to provide strategic program development services, research and data analysis, community outreach and engagement, and writing services to facilitate the development of Vermont's 5-Year BEAD and State Digital Equity Plans and Vermont's Initial Proposal for funding under the BEAD Program that meet the requirements set forth by the NTIA Internet for All Programs.

Rural Innovations/RISI

RISI provided the VCBB with an analysis of rules and requirements detailed in the Broadband Equity Access and Deployment (BEAD) Notice of Funding. The analysis examined whether there were any conflicts between Vermont's broadband expansion strategy and the BEAD program, outstanding questions that required clarification from the NTIA, and strategies to explore when crafting Vermont's program.

Amount: \$15,000

IceMiller/Qualified Ventures

Ice Miller and Qualified Ventures provides strategic advice to the VCBB regarding funding and financing. This included drafting a proposal to the Treasurer's Local Investment Program to fund a Letter of Credit to enable public entities to participate in the BEAD program. The proposal was not considered due to the July flooding disaster. IceMiller also provided introductions to other potential funding sources for the Communications Union Districts and affordability efforts.

Amount: \$17,909

Well Told Films – 7/24/23

Amount: \$35,000

Purpose: This contract is to shoot, produce, and edit high-quality videos for outreach and marketing purposes. This included working with VCBB staff on pre-production to develop the creative concept and script, shooting interviews and B-roll at various locations across the state, and producing and editing into a final 30-minute documentary and a shorter form outreach video. The contract also includes shooting, producing, and editing a shorter video for marketing for the Workforce Development Plan Apprenticeship Program, which will include shooting at locations where the job training program is taking place.

Alternative, Creative Financing

VCBB defines alternative financing as mechanisms that adapt, increase, and blend traditional financial products and concepts to unlock public and private capital, also referred to as "blended financing," and thus, exponentially increase the prospect to deliver high-quality outcomes on an equitable and sustainable basis.

VCBB has held extensive discussions with private banks, impact investors, foundations, and non-profits all committed to creative solutions to help Vermont reach its goal of universal service. It is our goal to utilize as much grant funding as possible while structuring debt at substantially reduced rates by using loan loss reserves to buy down interest rates and pass all savings on to the end user.

Currently all CUDs are updating their business plans and determining short term bridge financing requirements until the BEAD grant funding is available. We have received a non-binding term sheet from JD Merrit and INBE bank for \$120,000,000 at 6% interest. These funds can be used for bridge funding as well as match requirements for BEAD. This line of credit will provide tremendous flexibility for the CUDs to negotiate best possible terms with all potential lenders including the issue of revenue or private activity bonds.

VCBB is researching best practices in other states and hopes to replicate a program called “All Families Connected” that provides free internet to households with students attending Los Angeles Unified School District (LAUSD). Additionally, Vermont needs to facilitate with social service agencies and internet service providers that all eligible households sign up and register for existing subsidy programs like the American Connectivity Plan (ACP) and the Universal Lifeline program that provides funding for eligible households.

CUD Update

CVFiber

CVFiber put out an RFP for private funding and received four interested responses. Full responses are due January 9, 2024. It is our expectation that CVFiber will receive up to \$13 million in private funding to work through the 2024 construction season in advance of the allocation of BEAD funding. CVFiber retained NRTC to develop a business plan in June of 2022 and is in the process of updating the plan and business model based on what was learned during its first construction season in 2023. CVFiber based its ARPU and long-term business plan on the anticipated take rates and construction pace, as well as materials costs and market conditions.

CVFiber has investigated and continues to investigate Reconnect and other federal funding opportunities with its retained financial analysis partner NRTC.

CVFiber built 202 miles of fiber during its first construction season in 2023, which reflects 1,563 passings. CVFiber connected 56 customers in 2023. It continues to press forward with an aggressive winter installation schedule in partnership with Waitsfield and Champlain Valley Telecom and continues constructing in five of its twenty member towns.

Northwest FiberworX

Northwest FiberworX has secured its partnership with GWI for network operations and ISP services. Under the agreement Northwest has a guaranteed revenue share, creating long-term financial sustainability. Northwest is seeking to apply in early 2024 for Act 71 Construction and BEAD funding.

ECFiber

During 2023 EC fiber completed its original mission of bringing broadband to all locations in its original 23 town footprint and began work on building out in three of the eight new towns that added in 2020.

This year our \$7.5 million bond received a BB rating from Standard & Poor's Global Credit arm. This represents the first time any CUD has secured a municipal revenue bond backed only by revenues of the system (rather than by the taxing power of the entity, guarantee of exclusivity, etc.) The rating demonstrates that our model of bringing broadband to rural Vermont is recognized, not only by our customers, but also by financial markets.

Otter Creek

OCCUD has recently been awarded and has signed a pre-construction grant agreement which provides funding to work on development of financial sustainability and operational plans for the future of OCCUD. OCCUD has just posted a Request for Proposals for an executive director to carry out this task.

A significant area of the OCCUD territory, consisting of ~1420 unserved addresses, will now be served by an ISP with E-ACAM federal funding. This recently approved plan allows OCCUD to build the rest of its territory with the currently awarded VCBB construction grant and even reduces and amends the grant request by a significant amount (close to \$1.5 million).

OCCUD is planning for high-speed broadband service to be available to all of its underserved addresses in 2024. (Some outliers may have service available in early 2025).

OCCUD now has two established ILEC providers offering high-speed broadband services to previously unserved addresses in our CUD area. The ILEC provider funded through the VCBB grant is scheduled to begin construction in June 2024, with plans to release the system for sales in November 2024 Surveys. Detailed engineering and procurement activities are slated to take place January to May 2024. Meanwhile, the ILEC not funded by the VCBB grant is currently in the process of building their network and will continue construction throughout 2024, aiming to serve most, if not all, addresses by the end of the year.

Southern Vermont CUD

The Southern Vermont CUD (SoVT CUD) Board is currently working on identifying the ongoing organizational requirements and funding model for sustainability. The SoVT CUD is not currently seeking additional federal funds for broadband deployment.

The SoVT CUD has completed its planned construction program (Stages 1 and 2), making fiber broadband service up to 2Gb symmetrical available to over 99% of eligible locations. The CUD has identified 17 remaining eligible, unserved locations and is

currently working on identifying viable strategies for service at these locations. This Stage 3 effort will be a focus of work for the SoVT CUD Board in 2024.

Chittenden County CUD

The CCCUD is looking to form a public/private partnership with one or more ISPs to deliver high speed internet service to the unserved and underserved sites in its district and ensure compliance with the public funding it is awarded for this purpose.

The CCCUD is still considering whether additional federal funding will be necessary and if it will be in line with its business plan. The CCCUD finalized an RFP for internet service providers, which was released on December 8, 2023.

Maple

Maple Broadband launched active service in February, 2023. Our revenue from services was just over \$70,000 through the end of November, and our projected revenues for 2024 are over \$500,000. Take rate in the first areas to launch was over 27% in under one year of service, exceeding business plan projections. The first step in financial sustainability is to show customer demand and demonstrate traction.

At present there are nearly 150 active customers and another 250+ in the installation pipeline across the Phase 1 build area, which is projected to be completed in early 2024.

Maple Broadband conducted exploratory calls with multiple financial institutions in 2023 either individually or through VCUDA, including VEDA, Municipal Capital Markets, Key Bank, PFM, Connect Humanity, Mayfair Capital, and Post Road. We are currently refining our financial modeling in order to determine the exact amount of private funding that we anticipate will be necessary, presuming that we are successful in our BEAD application, and our 2024 budget calls for obtaining \$3 million of private funding in Q4 2024.

At the end of 2023, Maple Broadband had active service across 103.7 miles and 1,259 passings. 1,041 of those passings had service speeds less than 100/20 when construction began in late 2022.

Lamoille FiberNet

In 2023, Lamoille FiberNet assigned a task force to develop a Sustainability Plan, which will include governance, compliance oversight, budgeting, and strategic planning. Because LFCUD's CCI partnership does not include revenue sharing, the task force will explore alternative funding opportunities. The committee's first progress report is expected at the February 2024 Governing Board meeting, with a final report and recommendations in Q4 2024.

LFCUD's 2024 Plan includes designing and securing funding for Phase 2. In addition to maximizing available ARPA funding, LFCUD is exploring BEAD grants and USDA

funding. Although not deployment per se, LFCUD also anticipates participating in digital equity and adoption programs, whether state, federal, or privately funded.

LFCUD secured VCBB grant and private funding to fully-fund and construct Phase 1 (86%- 4,170 of unserved and underserved addresses). Our construction schedule anticipates completing Phase 1 by December 2024.

LFCUD's 2024 Plan includes designing and securing funding for Phase 2 during 2024, with construction completion by December 2025. Phase 2 is equal to or less than 633 addresses or 80 miles, and when finished will achieve our universal service plan for on-grid addresses in LFCUD's footprint. Based on investments by other providers and updated serviceability information, LFCUD is confident its Phase 2 will be smaller in scope and cost than currently anticipated.

DVFiber

Over the past year, DVFiber has successfully initiated the construction of its network and has begun connecting customers. We have constructed and lit more than 60 miles of our network which passes more than 500 locations. The receipt of customer revenue and ongoing construction to expand our network are milestone steps towards long-term financial viability and independence from public funds.

DVFiber has applied for other federal funds, namely the Northern Border Regional Commission Catalyst Program. We continue to research and actively pursue additional federal programs, such as BEAD and USDA, that may be applicable to this project.

DVFiber's currently constructed network, which is capable of providing at least 100/100 Mbps service, passes more than 370 un/underserved locations in Readsboro and Stamford.

NEK Broadband

Next Steps

- Returning the \$20 million
- Funding Nontraditional Drops
 - *Long Driveways (greater than 400 ft)*
 - *Underground utilities*
 - *Manufactured Home Communities*
- Bridge Funding – Keeping the Crews Working
 - *Keeps costs down and revenue coming into the CUDs*
 - *Abates labor shortages*

- Affordability Program
 - Affordable Connectivity Program (ACP) funding in doubt
 - Vermonters need more help!

DRAFT



VERMONT

VERMONT COMMUNITY BROADBAND BOARD

Draft VCBB Annual Report Review
January 8, 2024

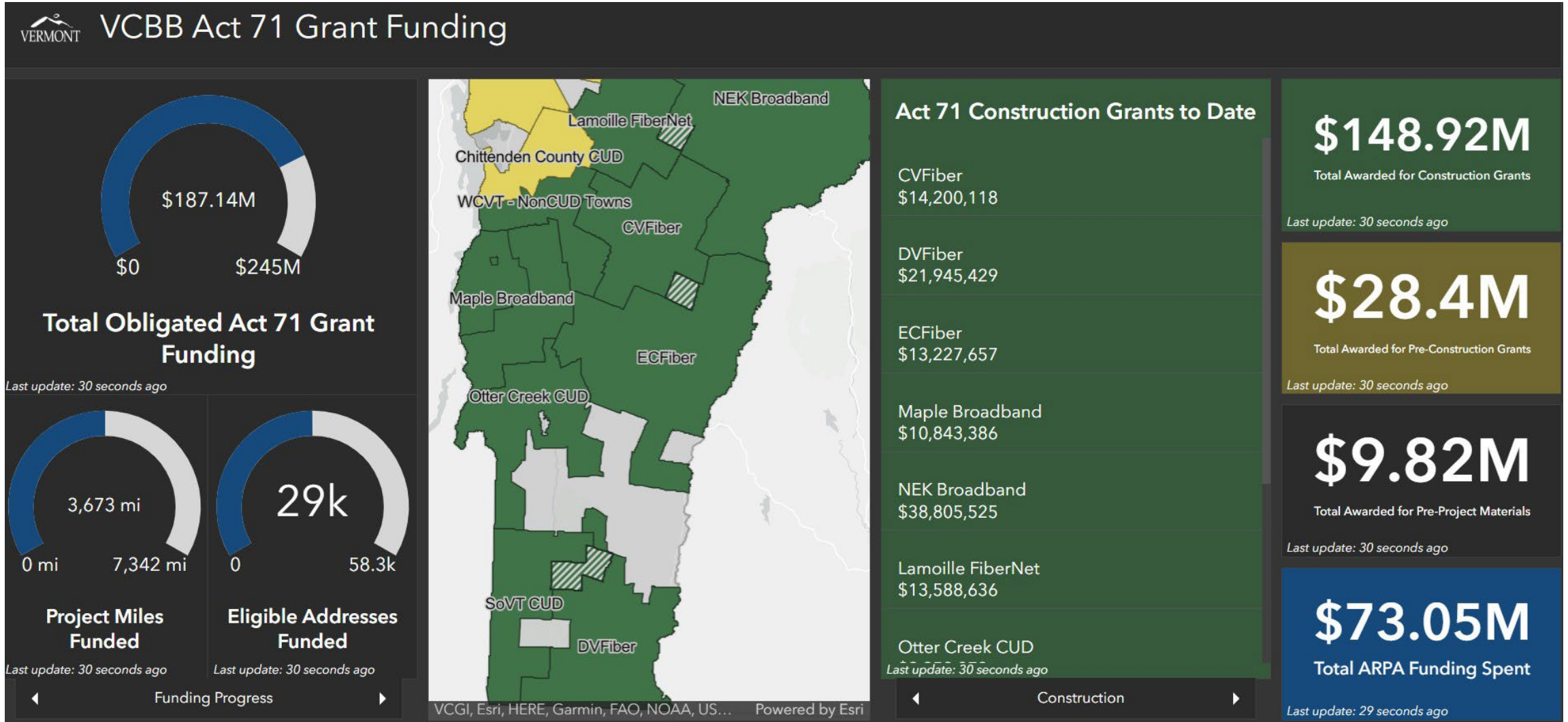
Herryn Herzog, Communications and Outreach Manager

[HTTPS://PUBLICSERVICE.VERMONT.GOV/VCBB](https://publicservice.vermont.gov/vcbb)

Executive Summary

- Only state committed to get fiber to every on-grid address
- 6 out of 10 CUDs currently connecting previously underserved homes
- 800 miles built (approximately 15% of total)
- \$229 million federal allocation for BEAD (about \$100 million more than expected)
- Submitted BEAD plans for approval
- Draft Digital Equity Plan out for public comment

Grant Funding Update



Other Calendar and FY 2023 Highlights

- Construction grant awards
- Town Match Program
- Formation of Chittenden County CUD
- Challenges to FCC National Broadband Map
- \$229 million BEAD allocation
- BEAD Plans submitted for approval (top 5 states)
- DE Plan out for public comment

Accountability (Board Policies)

- Affordability
- Annual Report
- Construction Standards
- Consumer Standards Certification
- Grantee Agreements
- Liens
- Sunset Provision
- Untimely Documents and Agenda Item Changes Policy

Affordability

- BEAD
- DE
- ACP
- Possible additional programs and funding sources

Operating and Financial Statement

VCBB Fiscal Year 2023 Revenues and Expenditures		
Revenues		
Funding Source	Total Awarded	SFY 2023 Expended
Universal Services Fund	827,945.16	1,952,882.12
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Travel and Training		25275.68
Equipment and Software		11487.65
Supplies		1406.25
Misc Costs		4782.92
Total		\$ 47,602,123.05

Grants

- SPISES (NBRC Grant to assist CUDs)
- Act 71 Preconstruction Grant Program
- Act 71 Construction Grant Program
- Town ARPA Match Program
- Broadband Financing Program

Contracts

- Stone Environmental – GIS Services
- CTC Energy and Technology – Fiber Optics Engineer Services
- Vernonburg- BEAD and DE Plans and NTIA Proposals
- Rural Innovations/RISI – analysis of BEAD requirements
- IceMiller/Qualified Ventures – funding and financing advice
- Well Told Films – Outreach/Marketing Video

Alternative, Creative Financing

- Investment from private banks, impact investors, foundations, and non-profits
- Possibly replicating programs from other states

CUD Update

- *a description of the progress each start-up communications union district has made in achieving long-term financial sustainability that is not dependent upon public funding*
- *an update on its efforts to secure additional federal funds for broadband deployment and progress made toward meeting the State's goal of ensuring every E-911 location has access to broadband capable of delivering a minimum of 100 Mbps symmetrical service*

Next Steps

- Return of \$20 million (legislative priority)
- Funding Nontraditional Drops
 - Long Driveways (greater than 400 ft)
 - Underground utilities
 - Manufactured Home Communities
- Bridge Funding – Keeping the Crews Working
 - Keeps costs down and revenue coming into the CUDs
 - Abates labor shortages
- Affordability Program
 - Affordable Connectivity Program (ACP) funding in doubt
 - Vermonters need more help!

Estimated BEAD Timeline as of January 3, 2023

(Digital Equity Timeline is included in light gray ARPA timeline highlighted in dark grey)

Start Date	End Date	Activity	Notes
<i>Est. early-Jan (TBD by NTIA)</i>		NTIA Approves BEAD Initial Proposal Volume 1	Required before challenge process can begin
1 Dec 23	8 Jan 24	Digital Equity Public Comment Period	
8 Jan 24		VCBB Board provides comments and ideas on Digital Equity public comment draft	
8 Jan 24	12 Feb 24	VCBB Board receives Act 71 Grant proposals and amendment requests	Necessary to finalize the funding deduplication for eligible BEAD locations
<i>Est. 15 Jan 24</i>	28 Feb 24	BEAD challenge and rebuttal process	A preliminary list of BEAD eligible locations will be published prior to start
<i>31 Jan 24</i>		ARPA Quarterly Reporting Due	
<i>12 Feb 24 (TBD by NTIA)</i>		NTIA Approves BEAD Initial Proposal Volume 2	Required before pre-proposal window opens
12 Feb 23		VCBB Board votes on Digital Equity plan; Digital Equity plan submitted to NTIA	Required submission date to ensure 45 day curing before end of Digital Equity period of performance
29 Feb 24	26 April 24	VCBB adjudicates challenges and conducts final de-duplication and data modifications	
28 Mar 23		End of Digital Equity Planning period of performance	
26 April 24		VCBB publishes final list of all BEAD eligible locations and submits to NTIA for approval.	
26 April 24		VCBB posts RFP and specific date of the filing window pre-proposal	
<i>31 April 24</i>		ARPA Quarterly Reporting Due	
6 May 24	6 June 24	Pre-proposal window open for prospective subgrantees	
10 June 24	3 July 24	VCBB pre-proposal review	Ensure all unserved locations will be included within a full proposal
8 July 24	8 Aug 24	Full proposal window open	
<i>31 July 24</i>		ARPA Quarterly Reporting Due	
13 Aug 24	20 Sept 24	VCBB subgrantee initial selection and negotiation process	
23 Sept 24		Present scoring and negotiation result and selection recommendations to the VCBB Board for approval or revisions.	
23 Sept 24		Notify all applicants of the results of the evaluation process	Those eligible for initial 20 percent of funding may begin deployment activities.
4 Oct 24		VCBB submits final proposal to NTIA	Due 365 days after approval of Initial Proposal by NTIA
<i>31 Oct 24 (TBD by NTIA)</i>		Final Proposal approved by NTIA	Remaining subgrantees may begin deployment activities
<i>31 Oct 24</i>		ARPA Quarterly Reporting Due	
<i>31 Dec 24</i>		ARPA funding needs to be 100% obligated	

14	Planned	
15	Planned Expenditures	Quarterly
16	Planned 'Construction Miles Built' is completed construction for fiber routes that are ready to be tested and lit for	Monthly
17	Planned 'Construction Miles Lit' is total route miles where fiber is lit and service is available to customers	Monthly
18	Planned Total Number of Eligible Addresses With Access to Service	Monthly
19	Planned Total Number of Passings - Addresses With Access to Service	Monthly
20	Planned Passings Lit - cumulative total customers	Monthly
21	Actual	
22	Actual Expenditures	Monthly
23	Actual 'Construction Miles Built' is completed construction for fiber routes that are ready to be tested and lit for se	Monthly
24	Actual 'Construction Miles Lit' is total route miles where fiber is lit and service is available to customers	Monthly
25	Actual Total Number of Eligible Addresses With Access to Service	Monthly
26	Actual Number of Passings - Addresses With Access to Service	Monthly
27	Actual Passings Lit - cumulative total customers	Monthly

Reported to the Board Monthly -
Expenditures planned Quarterly

Reported to the Board Monthly

Proposed Key Performance Measures for monitoring Grantees – VCBB Board Meeting – 01/08/24

VCBB Board Budget
FY24 QTR 1 Update

Budgets by State Fiscal Year

Operating

Category	FY24	Total
<input type="checkbox"/> Board Costs	28,000.00	28,000.00
<input type="checkbox"/> Equipment & Software	10,000.00	10,000.00
<input type="checkbox"/> Internal Service Fees	162,035.36	162,035.36
<input type="checkbox"/> Misc Costs	5,000.00	5,000.00
<input type="checkbox"/> Non-state Contractual	2,531,039.40	2,531,039.40
<input type="checkbox"/> Other Personnel Costs	5,286.60	5,286.60
<input type="checkbox"/> Personnel	1,463,466.63	1,463,466.63
<input type="checkbox"/> State Contractual	1,896,258.84	1,896,258.84
<input type="checkbox"/> Supplies	2,000.00	2,000.00
<input type="checkbox"/> Travel & Training	42,500.85	42,500.85
Total	6,145,587.68	6,145,587.68

Capital (Grants)

Category	FY24	Total
<input type="checkbox"/> Capital Grants	129,100,000.00	129,100,000.00
ARPA Capital	90,500,000.00	90,500,000.00
ARPA SFR (Act 74)	37,500,000.00	37,500,000.00
One-time General Fund	1,100,000.00	1,100,000.00
Total	129,100,000.00	129,100,000.00

Fiscal Year Category	FY24			Total		
	Sum of Budget	Sum of Expenses	Budget Used	Sum of Budget	Sum of Expenses	Budget Used
Capital Grants	129,100,000.00	8,476,226.40	6.57%	129,100,000.00	8,476,226.40	6.57%
ARPA Capital	90,500,000.00			90,500,000.00		
ARPA SFR (Act 74)	37,500,000.00	8,476,226.40	22.60%	37,500,000.00	8,476,226.40	22.60%
One-time General Fund	1,100,000.00			1,100,000.00		
Non-state Contractual	2,531,039.40			2,531,039.40		
State Contractual	1,896,258.84	419,139.16	22.10%	1,896,258.84	419,139.16	22.10%
Federal	1,457,718.84	372,074.13	25.52%	1,457,718.84	372,074.13	25.52%
USF	438,540.00	47,065.03	10.73%	438,540.00	47,065.03	10.73%
Personnel	1,463,466.63	283,433.41	19.37%	1,463,466.63	283,433.41	19.37%
USF	725,407.80	156,318.93	21.55%	725,407.80	156,318.93	21.55%
Federal	589,656.06	117,807.57	19.98%	589,656.06	117,807.57	19.98%
AoA One-time ARPA	148,402.77	9,306.91	6.27%	148,402.77	9,306.91	6.27%
Internal Service Fees	162,035.36	14,316.90	8.84%	162,035.36	14,316.90	8.84%
Federal	109,035.36			109,035.36		
USF	53,000.00	14,316.90	27.01%	53,000.00	14,316.90	27.01%
Travel & Training	42,500.85	3,951.05	9.30%	42,500.85	3,951.05	9.30%
Board Costs	28,000.00	5,250.00	18.75%	28,000.00	5,250.00	18.75%
Equipment & Software	10,000.00	1,397.00	13.97%	10,000.00	1,397.00	13.97%
Other Personnel Costs	5,286.60	476.52	9.01%	5,286.60	476.52	9.01%
Misc Costs	5,000.00	1,824.91	36.50%	5,000.00	1,824.91	36.50%
Supplies	2,000.00	184.69	9.23%	2,000.00	184.69	9.23%
Total	135,245,587.68	9,206,200.04	6.81%	135,245,587.68	9,206,200.04	6.81%

Operating

Information is FY23 thru
9/30/23

% budget spent: 6.81%

% Remaining: 93.19%

FEDERAL:
includes BEAD, NBRC
Digital Equity

does not include
H.315 & Grants to
CUDs

**Information is
7/1/21 thru 9/30/23**

Operating #2

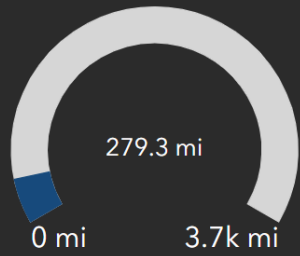
Year to Date Totals

does not include
H.315
Grants to CUDs

FEDERAL:
includes BEAD
Digital Equity
NBRC

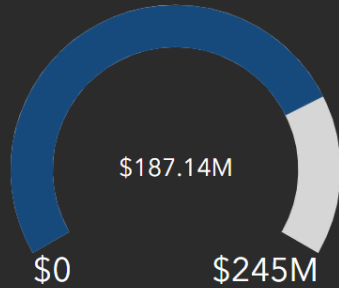
Category	Sum of Budget	Sum of Expenses	Budget Remaining	Expenses % of Total	Remaining % of Total
Capital Grants	242,000,000.00	73,048,744.18	116,691,264.51	95.91%	88.69%
Personnel	11,067,375.48	1,592,147.81	9,475,227.67	2.09%	7.20%
State Contractual	2,634,260.00	1,277,451.41	602,927.59	1.68%	0.46%
Internal Service Fees	906,352.08	118,372.87	787,979.21	0.16%	0.60%
Travel & Training	202,620.25	45,108.44	157,511.81	0.06%	0.12%
Board Costs	140,000.00	35,290.94	104,709.06	0.05%	0.08%
Equipment & Software	50,000.00	26,878.65	23,121.35	0.04%	0.02%
Misc Costs	25,000.00	10,102.09	14,897.91	0.01%	0.01%
Other Personnel Costs	10,573.20	2,753.75	7,819.45	0.00%	0.01%
Supplies	10,000.00	1,586.54	8,413.46	0.00%	0.01%
Non-state Contractual	3,707,111.21		3,707,111.21		2.82%
Total	260,753,292.22	76,158,436.68	131,580,983.23	100.00%	100.00%

Funding	Sum of Budget	Sum of Expenses	Budget Remaining	Expenses % of Total	Remaining % of Total
☐ ARPA SFR (Act 74)	150,000,000.00	75,005,803.26	22,734,205.43	98.48%	17.28%
☐ Federal	9,018,154.03	859,247.43	7,405,025.60	1.13%	5.63%
☐ USF	4,942,655.06	228,749.42	4,713,905.64	0.30%	3.58%
☐ AoA One-time ARPA	292,483.13	43,365.13	249,118.00	0.06%	0.19%
☐ ARPA Capital	95,000,000.00		95,000,000.00		72.20%
☐ One-time General Fund	1,500,000.00		1,500,000.00		1.14%
Total	260,753,292.22	76,137,165.24	131,602,254.67	99.97%	100.02%



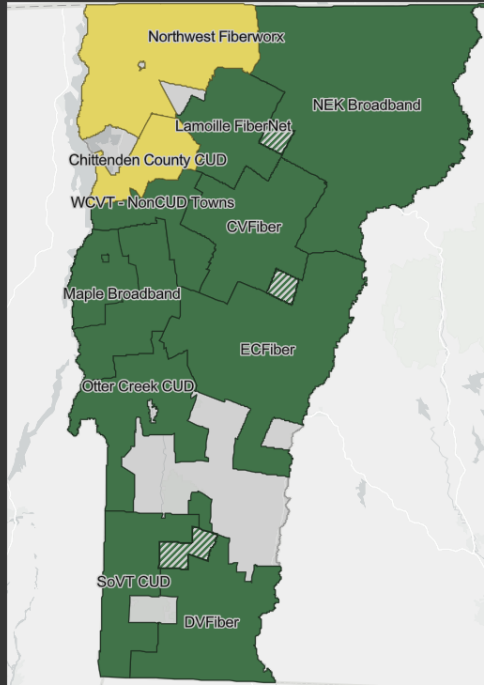
Miles Completed

Last update: 2 minutes ago



Total Obligated Act 71 Grant Funding

Last update: 1 minute ago



VCGI, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS Powered by Esri

Act 71 Construction Grants to Date

CVFiber
\$14,200,118

DVFiber
\$21,945,429

ECFiber
\$13,227,657

Maple Broadband
\$10,843,386

NEK Broadband
\$38,805,525

Lamoille FiberNet
\$13,588,636

Otter Creek CUD
\$9,952,273

SoVT CUD
\$9,009,085

WCVT - Maple Broadband
\$9,000,000

Last update: 1 minute ago

\$148.92M

Total Awarded for Construction Grants

Last update: 1 minute ago

\$28.4M

Total Awarded for Pre-Construction Grants

Last update: 1 minute ago

\$9.82M

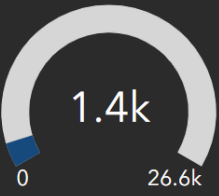
Total Awarded for Pre-Project Materials

Last update: 1 minute ago

\$73.05M

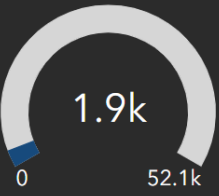
Total ARPA Funding Spent

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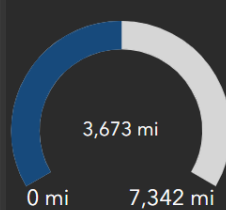
Eligible Addresses Completed

Last update: 2 minutes ago



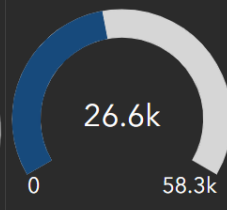
Total Addresses Passed

Last update: 2 minutes ago



Project Miles Funded

Last update: 1 minute ago



Eligible Addresses Funded

Last update: 1 minute ago

486

New Fiber Customers

Last update: 2 minutes ago

Funding Progress

Funded Project Progress

Funding Progress

Funded Project Progress

WCVT - NonCUD Towns
\$8,348,243

Act 71 Pre-Project Materials Funding

CVFiber
\$6,000,000

DVFiber
\$1,108,800

Maple Broadband
\$781,284

NEK Broadband
\$1,353,915

Lamoille FiberNet
\$281,652

Northwest Fiberworx
\$295,450

Act 71 Pre-Construction Grants to Date

CVFiber
\$2,804,667

DVFiber
\$4,111,318

ECFiber
\$2,841,130

Maple Broadband
\$4,202,083

NEK Broadband
\$6,670,000

Lamoille FiberNet
\$2,563,363

Northwest Fiberworx
\$3,558,933

Otter Creek CUD
\$1,349,936

Chittenden County CUD
\$300,000

#	Priority	Item	Date entered	Assigned to	Resolution and date
51		Application scoring criteria policy	11/13/23	Staff	
48		Policy development Timeline, if needed	11/13/23	Patty	
47		Process for Approval of Working Group Policy drafts	11/13/23	Rob V/ Patty	Schedule December meeting
44		Letters/memos to House and Senate Appropriations Committees		Christine Hallquist	
42	1	Produce an overlay of the BEAD and ARPA timelines and the grant request timelines in the upcoming work of the Board.	09/11/23	Board	
35	1	Patty Richards to lead the Board in a response to the auditor's report	04/10/23	Dan Nelson/Christine Hallquist	Completed response, currently developing Policy to finish
37	1	Develop Construction Standards ¹	07/18/23	Holly Groschner/Christine Hallquist	
38	1	Annual Report Submission List ²	07/18/23	Christine Hallquist	
39	1	Develop Grantee agreement that VCBB will operate the system in the event of failure to comply	07/18/23	Christine Hallquist	

¹ Include open architecture policy, safety, reporting process on compliance and detailed description for each attribute. Staff process required for compliance to Board policy.

² Identify all criteria, including how to address affordability, geographic diversity, Universal Service, operating standards, and reliability. Staff process required for compliance to Board policy.

40	1	Develop Lien for the VCBB funded network and components ³	07/18/23	Patty Richards/Christine Hallquist	
41	1	Policy for certification of Grantee compliance to Performance and Operating Standards	07/18/23	Christine Hallquist	Key Performance Indicators to be presented to the Board for approval on 01/08/24 meeting
50		Ensure BEAD submittal has adequate acronym boxes	11/13/23	Staff	Completed
49		Develop an RFP for Government Affairs to bring on someone prior to January 01, 2024 and determine funding source	11/13/23	Staff	Completed
43	1	Propose strategy for Government Affairs	09/11/23	Christine	Completed- Government Affairs contractor hired – will tailor strategy suited for individual committees
45		Revise September 11 meeting minutes	11/13/23	Staff/	December meeting
46		Create folder on VCBB website for Board Policies, starting with Ex parte Communications	11/13/23	Patty Richards	Patty sent memo to Board members
36	1	Determine what restrictions exist for ex parte communications	07/18/23	CH	Passed policy at 09/11/23 meeting
26	1	Establish policy to address issue of enforceability with any of the partners and the CUDs.	8/22/22	CH	Policy discussion to be held at 4/10/23 meeting. This is now part of the Board Policy discussions related to the Auditor's report.
29		Include placeholder for budget update, dashboards, and policy	11/03/22	CH	Budget and Dashboards addressed at January and February Board Meetings

³ Include sunset provision for the Lien

		and goals discussion to all Board Meeting Agendas			Christine will confirm with Patty what Board expectations are for the policy and goals discussion
24	1	Invite to the Federal Delegation to future Board Meeting	8/8/22	CH	Delegation will be invited to the January Board meeting
22	3	VCBB's approach to mapping and strategy for challenging the FCC.	6/14/22		Presented initial strategy 12/12/22. A Federal Program Officer at the NTIA will be needed to work on this with and that has finally been announced as Clay Purvis from the Public Service Department. He will be invited to January meeting.
28		Finalize subsequent overbuild policy and data policy.	10/31/22		This is addressed in the VCBB Data and Overbuild Policy submitted to the Board for continued discussion at the 12/12/22 meeting.
32		Alignment of VCBB Mission Statement based on Act 71	11/14/22	CH	Patty Richards to lead this 12/12/22.
25	2	Host workshop for the CUDs on Uniform Guidance	8/8/22		Completed December 7th
30		Adjust timing of Board Packet to at least 5 business days before the Board Meeting	11/03/22		Plan to start new schedule in January
33		Create a Communication Procedure Plan for Board notifications of updates from Staff (press releases, legislative presentations,	11/14/22		Completed in the November 28 Board meeting.
34		Discussion regarding development of a separate website			Staff recommends we continue with the current website which follows state protocols.

27		Board requested that a grant agreement template be shared	10/31/22	CH	Item closed – agreement was shared
23	1	Define audit criteria and post award grant reporting and review process for grantees/CUDs	8/8/22	CH	Item Closed - Compliance Recommendation Memo presented October 31 st . Additional reporting requirements will be shared once the new form is updated and staff will create a dashboard for tracking.
18	1	Signature Authority of Executive Director	03/28/22	CH	Closed. Approved in July.
19	1	Policy around hiring staff	03/28/22	CH	Closed. Approved in July.
21	1	Invite to Doug Farnum to future Board Meeting	6/14/22	CH	Attended August 8 th meeting.
20	3	Recommendation for designation of an entity for Digital Equity & Affordability Office	03/28/22	board	Closed. This is being addressed by the Governor's office per a directive from the NTIA. This falls into the responsibility of the VCBB as a subset of the IJA program.
8	2	Policy on "Material Default" see §8086(c)(2)	11/1/21	CH	Closed. Issue has been resolved through legislation.
5	3	VCBB Dashboard – to be shared monthly to show progress. What are the milestones?	11/1/21	CH	Closed. Stone Environmental has presented its proposal and the software platform meets the needs.
16	1	Provide Board with impact of Commitment letter	02/14/22	CH	Closed with material pre-purchasing proposal.
17	2	Statewide marketing collaboration with VCUDA	02/14/22	CH	Closed. VCUDA is not interested.
15	2	Provide Benchmarks for what telecom companies spend on Marketing	02/14/22	CH	Will research and present back on 3/14/22 Board meeting
1	1	Budget	10/18/21	CH	Completed. 2021 budget approved. 2022 will be presented in March.

2	1	Overbuild – what is the standard (20% of total served?)	11/1/21	CH	Completed. See Construction RFP Definition
3	2	Business Plans – what is the scope? Will they be updated before construction grants?	11/1/21	CH	Completed. The updated business plans will be included in the Construction RFP responses.
6	3	Fiber purchase – VCBB involvement? authorization? Status?	11/1/21	board	Completed
7	1	Make Ready Construction – policy: part of §8085 grants or not?	11/1/21	RF	Policy established. Make ready construction will be part of the construction grant program.
9	2	Revisiting timeline for VCBB – construction RFP & reporting timelines	11/22/21	CH	Completed. Part of the construction RFP. RFP approved by the Board on 01/03/22
10	2	Sequence assumptions for preconstruction and construction & reporting timelines	11/22/21	CH& board (LS)	Completed. Part of the Construction RFP. RFP approved by the Board on 01/03/22
11	2	DPS 2021 Map – Unserved	11/1/21	CH/Legal	Completed
12	1	Confidentiality. Grant Agreement Art 5 (state standard). Is the product of a grant a “public document” – e.g. will we post construction plans?	11/1/21	Board LS/HG	The RFP and construction schedules will be public.
13	2	USP & contiguous CUD construction- policy	11/22/21		Completed. Addressed in the Construction RFP.
14		Legislative Consideration – Purchase of consolidated services/goods	11/29/21		Not needed.