

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

CASE NUMBER 18-3231-PET

PETITION OF THE VERMONT DEPARTMENT OF PUBLIC
SERVICE FOR AN INVESTIGATION INTO THE
SERVICE QUALITY PROVIDED BY TELEPHONE OPERATING
COMPANY OF VERMONT, INC., d/b/a CONSOLIDATED
COMMUNICATIONS, INC.

November 26, 2018
6:30 p.m.

301 Phelps Lane
Readsboro, Vermont

Public Hearing held before the Vermont Public
Utility Commission at the Readsboro Central School,
301 Phelps Lane, Readsboro, Vermont on November 26,
2018, beginning at 6:30 p.m.

P R E S E N T

Commissioners: Anthony Z. Roisman, Chairman

Staff: Micah Howe, Staff Attorney

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1 CHAIRMAN ROISMAN: Good evening. Thank you
2 all for braving this weather to come and share your
3 thoughts with us tonight. This is a public hearing in
4 Case No. 18-3231-PET, which is an investigation into
5 the service quality provided by Telephone Operating
6 Company of Vermont doing business as Consolidated
7 Communications, Inc. My name is Anthony Roisman, and I
8 am chair of the Vermont Public Utility Commission.
9 Next to me is Micah Howe. He's one of our hearing
10 officers who will be participating in this case as we
11 move forward.

12 Also present are three representatives of the
13 Department, Vermont Department of Public Service, who
14 petitioned the Public Utility Commission to open this
15 investigation. They are all part of the Consumer
16 Affairs and Public Information or staff of the
17 Department of Public Service: Sarah Aceves, Clay
18 Purvis, and Carol Flint. We're happy to have them
19 here. There are also representatives of Consolidated
20 Communications who are here to hear what you have to
21 say.

22 The purpose of tonight's public hearing is to hear
23 from you, members of the public, about your experiences
24 with Consolidated's service quality. Although public
25 comments do not become part of the formal evidence in

1 this case, your comments can be helpful in raising new
2 issues or perspectives that the Commission should
3 consider, so we look forward to receiving your input.
4 When you raise questions, they give us questions that
5 we may wish to raise during the course of the
6 evidentiary hearing.

7 Today's hearing is not the only opportunity to
8 submit comments. We have a second public hearing
9 scheduled for December 4th in St. Albans, Vermont, for
10 those of you who look forward to a drive, and you can
11 provide written comments using the Commission's
12 electronic document management system called ePUC,
13 which is available online using the links on the
14 Commission's website. You can also participate by
15 direct mail or by email. Please be sure to reference
16 the Case Number, 18-3231-PET, when submitting your
17 comments.

18 You can also subscribe to the case in ePUC, which
19 means you will receive an email notification of any
20 Commission order or filing made by a party in the case.
21 We have a handout here that provides information on
22 filing comments and following the case. In addition to
23 submitting comments, certain people may wish to
24 intervene in the case and participate as a formal
25 party. If you have questions about intervention and

1 becoming a party in this case, please speak with
2 members of the Commission staff. The deadline for
3 intervening in this case is December 11th, and we have
4 copies of the complete schedule for this proceeding
5 here with the other handouts.

6 This hearing is being transcribed by a court
7 reporter who braved this weather to come down here and
8 join us. Thank you. If you wish to speak tonight, we
9 hope that we now have your name on the sign-up sheet
10 that's circulated around the room. This will assist
11 the court reporter with the correct spelling of your
12 name and to help make the process more orderly. The
13 transcript of this proceeding will be posted in the
14 ePUC docket for this case, and a summary of the
15 comments that we hear from you tonight will be posted
16 on our website both within a couple of days after the
17 hearing.

18 So, at this point, we are ready to hear from you,
19 and my Hearing Officer, Micah Howe, will call you, and
20 you may just stand up and speak from the place where
21 you are. Standing helps just so we can all hear you
22 well. And thank you again for being here.

23 MR. HOWE: All right. First up we have
24 Normajean Marchegiani.

25 MS. MARCHEGIANI: I'm just, I just came to

1 listen, so --

2 MR. HOWE: Okay, so no comments? Next up,
3 Teddy Hopkins.

4 MR. HOPKINS: Yeah, I wanted to speak for --
5 well, for those in the audience that may not realize,
6 Readsboro is a village and then steep mountains going
7 up to the rural areas. But I wanted to speak to being
8 a select board member for many years over the last two
9 decades.

10 Green Mountain Power Electric Company has done
11 some major line extensions getting their poles and
12 lines out of the more heavily wooded, tough terrain
13 areas of the outskirts of Readsboro, and some of these
14 extensions are two years old and a year old, but there
15 seem to be no activity on the part of then FairPoint
16 and now Consolidated to taking their telephone lines
17 out of that same rough terrain and putting them
18 alongside some of the highways that are easily
19 accessible with bucket trucks so, when there is a
20 problem, timeliness of it is more efficient.

21 I personally witnessed three or four hours
22 somebody's down in the woods off of Shippee Road. I
23 was talking to Jeff earlier about this. And, you know,
24 the truck's on the main drag with the lights flashing,
25 and the guy's nowhere to be seen, and people are

1 getting concerned, thinking he's hurt or something down
2 in that terrain, and coupled with an unfamiliar
3 learning curve of the area, fixes are taking a very,
4 very long time up in those areas. So it seems to me,
5 if they spend somebody else's money, if those telephone
6 lines could be brought out to the main corridor roads,
7 you know, it would behoove everybody's best interests
8 to do so. How the pocketbook works on that, I do not
9 know.

10 But another situation that seems to be that those
11 same lines are probably 50, 60 years old, and a lot of
12 them are cracked. One of the individuals that worked
13 for several power companies around here, Bob Smith, was
14 the go-to guy. He had a great wealth of knowledge,
15 and, and it's a, that's what he said, that, you know,
16 they're cracked. Every time it rains, you can't hear
17 anybody on the end of the phone, and, you know,
18 actually, people on the street up there are almost like
19 jokingly take the lottery saying, Who's going to lose
20 their phone now?

21 So I think somewhere from, again, financial side
22 aside, that there's got to be new lines put up there,
23 anyways, and put alongside of the road where it can be
24 easily accessible and fixed quickly so, you know, the
25 fix-it guys can go on to the next person quicker,

1 whoever it might be.

2 But, you know, it's true for the Green Mountain
3 Power guys. They've done their homework, and they've
4 done their work, and they've gotten the rate increases
5 from the Public Service Board to do these projects.
6 Seems so the same thing could follow suit with the
7 telephone company. Thank you.

8 CHAIRMAN ROISMAN: Thank you.

9 MR. HOWE: All right. Next up we have
10 Richard Lemaire.

11 MR. LEMAIRE: No, I just am here.

12 MR. HOWE: Okay. Tiger Waterman?

13 MS. WATERMAN: I would like to, if I were to
14 give Consolidated a grade, I would give them an F.
15 Very unhappy with the service. The electric company
16 brings it out to the last mile, but they keep telling
17 me, "You're too far from the hub", or whatever, and we
18 were given a grant, and they were supposed to fix North
19 Hill in August and then nothing.

20 I called the Consolidated person at customer
21 service, and they just totally didn't mention there was
22 a grant at all. It's like they used the money for
23 something else, and I just want to know why. Why can't
24 we have good service like the electric company gives
25 everybody the same? Why am I told, "You're at the last

1 mile. You can't have it"?

2 I can't even download a one-minute ad when I want
3 to look at the internet. These ads get in the way. If
4 you want to see a program and the ad is there, it won't
5 load, so you can't see the program. And it takes
6 forever to watch the weather. So I think it would be
7 nice if we could have a different company that was
8 better.

9 CHAIRMAN ROISMAN: Thank you.

10 MR. HOWE: Next up, Ronald Waterman.

11 MR. WATERMAN: We were speaking with a
12 representative of VTel, and he thinks that the
13 Consolidated electric company basically just bought out
14 -- they just wanted to make whatever they could on the
15 land lines and so forth and then just close it out and
16 then forget it, just make a profit. So I don't know.
17 We're hoping maybe VTel will stand down and will
18 provide some connection for us. So that's what I'm
19 hoping, and I know they're supposed to be building a
20 tower, and I know not everybody in the Readsboro are
21 going to be able to get it from them because of -- but
22 maybe in our location we might be able to get service.
23 So that's what we're hoping for right now. I'm not
24 with Consolidated.

25 CHAIRMAN ROISMAN: Thank you.

1 MR. HOWE: All right. Next up we have Mary
2 Angus.

3 MS. ANGUS: Um, I live here in the village,
4 and I, I have, and I'm lucky in that way because I do
5 have access to the internet, but it's not always what
6 I'm supposed to be getting. It can be very, very slow,
7 and, at times, it cuts out completely. I have called
8 for help when I've needed to, and, you know, I've been
9 told that somebody, you know, call on Monday, and maybe
10 somebody will be there on a Friday, and that doesn't
11 help when I have to, when I have tickets that I have to
12 print out that night to go to the airport the next day
13 and I can't have access to the internet.

14 I also run a business, and I use the internet a
15 lot in running my business, and I don't understand why
16 I can't have better service. You know, it's, it's
17 slow, and it's, it's difficult to use, and I'm supposed
18 to have high-speed internet, and that doesn't seem like
19 what I have.

20 My brother works for a phone company in
21 Connecticut. He's, he has been working in the
22 Adirondacks for the past six weeks putting in fiber
23 optic cable in the Adirondacks in the middle of nowhere
24 in an extremely rural area, and everyone who lives
25 there, very much more rural than it is here, has much

1 better service than what we have available to us here,
2 and a lot of that work was being done with, with grants
3 that the State of New York got, and I'm, and, and their
4 phone company, which is Frontier, which we have had
5 here in Readsboro before. They were one of our, the
6 previous companies that provided service in Vermont,
7 but they're doing a better job at providing service in
8 a rural area than what we're getting now, and this is,
9 this isn't what we were promised.

10 And I feel like I'm lucky because I actually do
11 have access to the internet and I can download things
12 and I can -- you know, it's, it's slow at times, but,
13 basically, I have that service, but I know a lot of
14 people don't right here in town who live just a few
15 miles from me, and they have literally no access to it
16 at all, and that just doesn't seem right.

17 So I would like to see much better service than
18 what we've got, and I think it's absolutely necessary
19 that we have better service, and, and that includes,
20 you know, regular phone service as well as, as internet
21 access. So that's -- thank you.

22 And cell service, too, yes. That, I don't even
23 own a cell phone because I can't count on cell service
24 here in Readsboro. I carry a tracfone which I use when
25 I'm outside of this area, and but I don't, I don't have

1 a smartphone. I don't -- it's not worth spending my
2 money on one because I, I cannot use it on a regular
3 basis.

4 CHAIRMAN ROISMAN: Thank you.

5 MR. HOWE: Next up we have Carole Fossbender.

6 MS. FOSSBENDER: Yes. All I can say is I
7 agree with what every single person has said tonight.
8 I have experienced all of these issues, and I am one
9 house from the last house on the hill. You know, I can
10 have all the satellite TV, everything, all smart this,
11 smart that, and nothing works in the house on a regular
12 basis. So I agree with what everyone has said. Oh,
13 and my phone crackles. Today in the snow people say,
14 "Hang up, Carole, and call me back", and, also, the
15 internet drops off.

16 AUDIENCE MEMBER: I got to be the other half
17 to tell her.

18 CHAIRMAN ROISMAN: Thank you.

19 MR. HOWE: All right. Next up we have Omar
20 Smith.

21 MR. SMITH: Yeah, I live up on the outskirts
22 of town, not in the village here. We're kind of at the
23 end. To carry on what Teddy was talking about earlier
24 on the lines, the condition of the lines, we put our
25 home in in Readsboro 17 years ago, and I remember, when

1 we asked for service -- and, of course, this wasn't
2 Consolidated. It wasn't even FairPoint. It was
3 Verizon age back then. It took weeks to actually get a
4 workable landline to our house back then because they
5 had to repair, you know, lots of cable just to get on a
6 usable circuit.

7 Since then, there's been many times where we have
8 to have repairs done because, you know, the service
9 either was so noisy or just completely went out, and if
10 you look along the lines, as Teddy mentioned, they go,
11 whether they go through the woods or along the road,
12 there's many areas where you'll see these bags, these
13 pouches on the line where they've done all these
14 repairs, and, like I said, every time it rains, there's
15 a good chance you're going to lose your phone again.

16 So not even talking about, you know, internet or
17 any of these other nice-to-have services, but just
18 basic needs of a telephone. Very, very often it goes
19 out in these outlying areas. I'm not sure about here
20 in the village. I know there's issues here in the
21 village too. Recently, we had issues where our phone
22 was so noisy you couldn't carry on a conversation.
23 People couldn't even hear me if I called. They
24 couldn't tell what I was saying.

25 I had to call and report the problem. They came

1 out, tried to fix it. They improved it a little bit.
2 It still wasn't right. Had to call again. You know,
3 they came back. Eventually, eventually, the service
4 was repaired, but, again, it took several days each
5 time that we called. And, you know, like I said, it
6 took, like, three tries before they actually were able
7 to fix it so it was a usable service.

8 And, again, I don't know who's made all the
9 decisions on who got to purchase these, you know, the
10 rights to all these cables. It used to be Verizon
11 years ago. You know, then it was given to FairPoint to
12 take that over, you know, now Consolidated. But I
13 don't know what you folks at the PUC know about the
14 condition of this infrastructure, but it's very poor
15 everywhere.

16 I mean, this goes, this, like I said, this goes
17 back 17 years ago when I built my home, and most of
18 that cable has not been replaced, and it's still the
19 same old cable that was there 17 years ago. They might
20 have replaced sections of it here and there just to get
21 something going, but, you know, it's been very, very
22 spotty, and, you know, just recently, again, same
23 situation. You know, it took days. They had to get up
24 here, you know, hike out through the woods like Ted
25 said, try to find the bad spot.

1 And half the time that the folks come out
2 recently, they're not even Consolidated employees.
3 They're, they're contractors. The last guy that came
4 to the house when I was there was from somewhere in
5 Eastern Mass, so he didn't even have a clue. He was
6 trying to go by maps, and, of course, no cell service.
7 So he's trying to find his way around going by road
8 signs and stuff, trying to find where the problems were
9 and stuff. So very poor situation.

10 And, again, this is, this is just basic telephone
11 service. I'm not even getting into the whole internet
12 thing where, I mean, as these other folks have said,
13 anything outside of the village, it's nonexistent. In
14 the village, you know, it's working, but there's a lot
15 of issues as Mary mentioned. You know, it's just
16 something that's been ongoing for a number of years.

17 I was glad to hear that the DPS, you know, had
18 taken some action on this. I'm just kind of curious
19 where this could go, you know, and how much the PUC
20 really understands about the condition of stuff in
21 Vermont, because it's pretty poor.

22 CHAIRMAN ROISMAN: Thank you.

23 MR. HOWE: Next up we have Rhonda Smith.

24 MS. SMITH: Yeah. I kind of, I'm going to
25 say what he said, but I'm just having a problem. We're

1 all tackling Consolidated Communications, but DPS gave
2 them the right to buy the lines. How did you know that
3 they had enough money to take these crappy lines what
4 we've had years ago to try to improve them? Because
5 there's, nothing's improving here.

6 I own a business here in the village, and I'm
7 really concerned about phone service. I'm hearing
8 people talking. I can hear whole conversations, people
9 talking. Are they listening to me while I'm doing my
10 business? We live up on the hill, and just, I had
11 somebody hacked my credit card, so the credit card
12 company called me, and I couldn't hear them. They had
13 to keep calling me back. It was just we're going
14 backwards. We're not going forwards. So I'm just --
15 that's my --

16 CHAIRMAN ROISMAN: Thank you.

17 MR. HOWE: I'm going to have trouble with
18 this one. Looks like Raymond Eilers. Is that right?

19 MR. EILERS: Yeah. I had a, back in the
20 first part of October, I had an internet issue, so I
21 had to wait a week for them to come work on my line,
22 and a guy finally come out, like, on a Sunday, and he
23 said he was working, he worked for Consolidated. He
24 was out of New Hampshire, and he volunteered to come
25 over to help on weekends reduce the backlog of problems

1 in Vermont, and without going on too long, basically,
2 what he said, the Vermont workforce has, for
3 Consolidated, has dwindled to a point where they can't
4 keep up with all the repair work.

5 So he don't know why. He didn't get into the
6 specifics of where all the help went, if they were laid
7 off, they were retired, or what, but their workforce in
8 Vermont has dwindled to a point where they don't have
9 enough people to fix the lines.

10 CHAIRMAN ROISMAN: Thank you.

11 MR. HOWE: Next looks like Priscilla Margola.

12 MS. MARGOLA: Priscilla Margola, I live up on
13 West Hill Drive, and, when a storm knocked down the
14 power lines and things, the electric company said they
15 would be by in four days, but the telephone was there
16 in two days. We had to wait from Thursday to the
17 following Saturday for the electric lines to be
18 reconnected. It shouldn't take that long.

19 And then a young man that I happened to see a
20 truck, and I went up and hollered to him, and he said,
21 "Well, I only have a work order for Marechal", and
22 that's across the way from me. I said, "Well, my
23 phone's been out for four days. Why can't you come
24 across the road and, you know, hook me back up?" He
25 said, "Well, I don't have a work order for you". So I

1 said, "Well, how long do I have to wait for a freaking
2 work order to come through?" He said, "Well, we used
3 to have 25 technicians. They laid off 20 of them.
4 There's only 5 for all of Southern Vermont and wherever
5 Consolidated is practicing in". So it doesn't seem
6 right that we should have to wait that long.

7 CHAIRMAN ROISMAN: Thank you.

8 MR. HOWE: And then the last name that we
9 have on the list is Robert Marechal.

10 MR. MARECHAL: When I moved here, I quickly
11 realized that there was no police department. They
12 utilized a state trooper five hours a week, and that
13 was it. When I moved here, the state trooper was
14 working that afternoon, and I introduced myself. I
15 said, "What happens when I dial 911?" He says, "The
16 good thing is you get us. The bad thing is there's 3
17 of us, and we could be 45 minutes away". Okay, 911, 45
18 minutes away.

19 My tree, I'll confess, my tree fell and knocked
20 over the electric line and the phone line about three
21 weeks ago. Called up. I had to go to Branch Hill
22 where there's a hotspot for a cell phone. So I drove
23 three miles, got on top of Branch Hill, phoned the
24 electric company, told them where the outage was.
25 Phoned the telephone company, told them where the

1 outage was. Within one minute of each other, both
2 companies were notified. That day, 11 hours after
3 notification, the electricity was restored. The phone
4 company took 76 hours to restore phone service to
5 myself and Priscilla.

6 The infrastructure here is different than most
7 places in that it is very, very thin, as has been
8 mentioned. The telephone serves the function of
9 telephone service, 911, and, in my case, dial-up
10 service, because the DSL doesn't go that far down.
11 It's not that far away. So, when my phone is out, I've
12 lost a lot, and it wasn't that way with FairPoint.

13 The moment that Consolidated Communications
14 announced that it had purchased FairPoint or was in
15 charge or had the monopoly in Vermont, I called them up
16 and I said, "Will there be any changes in regard to the
17 exposure for the rest of us that are in the nooks and
18 the crannies to get high-speed internet?" And the
19 person that I spoke to said, "No, no changes".

20 It's not feasible economically to serve a sparsely
21 populated area. You know, you're not going to have
22 many customers. But I'm hoping against hope that there
23 will be a technological leap where very inexpensive
24 improvements can be made and that would make it
25 affordable for the company that has the monopoly for

1 DSL and phone service to make an improvement to the
2 area in those small areas right now that don't have
3 service, and, when I say small areas, I mean I'm at the
4 end of the line on a state line. No one's going to go
5 by me to service other customers.

6 And there are places where VTel was supposed to
7 set up towers. We were supposed to get internet
8 through them. That never materialized. I've been
9 hearing stories since I moved into this area in 2011,
10 high-speed internet is coming. You know, I have a
11 biological clock, you know, and I don't know which is
12 going to happen first, me passing or them creating
13 service.

14 Now, one of the things is the service has not
15 improved, but my bill has not been diminished. And one
16 of the things that I hear is, "Good grief, the fire
17 chief can't use his phone because, when he uses his
18 phone, it knocks off his DSL". And my situation wasn't
19 that bad. I've been without service for 76 hours, but
20 compared to what I've heard other people complain
21 about, it's much worse.

22 For me, it's a monopoly, and, and, you know, it's
23 a level playing field. We want service, and the
24 company wants money. It's a level playing field,
25 energy exchange, money for service, service for money.

1 Really easy. But it seems as if, on the Consolidated
2 side, they're not holding up their part of the bargain.

3 I looked on their website. Nationwide provider,
4 100 years in business, 23 states, 54 consecutive
5 quarters of a dividend for their customers, and people
6 here don't have service. That does not indicate to me
7 a level playing field. Hopefully, the regulatory
8 commission for these utilities will make sure that that
9 level playing field is indeed intact.

10 Oh, and, if you want to look at their website,
11 they have a focused intention on providing dividends
12 for their stockholders, and they, according to their
13 website, you know, they're focused on improvement,
14 focused on maintaining a status quo, and it seems to me
15 that is just the opposite of what's happening. They're
16 not maintaining the status quo. They're certainly not
17 improving things. Thank you.

18 CHAIRMAN ROISMAN: Thank you. Is there
19 anybody else? Yes.

20 MR. HOPKINS: I spoke earlier, but I just
21 wanted to throw something out there. When Readsboro
22 ourselves had our own electrical distribution here, we
23 had to go through the processes to sell that,
24 ultimately to Central Vermont and then to Green
25 Mountain Power, but in that process we had to do a

1 detailed analysis of all of our lines' age, health,
2 depreciation and everything for both parties to come
3 together and the Department and the Public Service
4 Board, at the time, would approve it.

5 So it, it befuddles me how, when either Verizon's
6 selling to FairPoint and FairPoint's selling to
7 Consolidated, if those same measures on a large scale
8 are being done completely. So, when the new buyer
9 comes in, Consolidated, maybe the price should go down
10 knowing that they've got to put the money into the
11 upgrades. You can't have it both ways. You can't
12 top-dollar as if everything is brand, spanking new and
13 then turn around and have to put in millions of dollars
14 into upgrades.

15 So, for the next time around -- I know probably no
16 bearing on tonight's case, but if there's more scrutiny
17 done by both the Board and the Department about what is
18 the value of the assets, knowing that this is a lot of
19 repairs have got to be done, basic repairs, as Omar
20 said, just to have basic service, then the asking price
21 should go down so the company, Consolidated, would have
22 the funds to put into it. So that's what I wanted to
23 say about that, and maybe not specific to this,
24 tonight's, but in generality.

25 CHAIRMAN ROISMAN: Thank you. Yes.

1 REPRESENTATIVE SIBILIA: State Representative
2 Laura Sibilialia. I want to thank you all for making the
3 trip down here tonight and for scheduling this hearing
4 here. Readsboro has had many, many challenges, like
5 many of our rural communities in Vermont. These folks,
6 many of these folks have been out for many meetings.
7 Clay has been here multiple times. Jeff Austin with
8 Consolidated has been here multiple times.

9 There is, there is a serious issue that is
10 happening in rural Vermont, and Readsboro is a good
11 face for that issue. I represent this town, as I said,
12 and six other rural towns in the legislature, and I
13 think Mother Nature has taken the opportunity to
14 highlight for us tonight the critical nature of the
15 landline telephone system in rural Vermont.

16 Many of you rightly noted that you did not have
17 cell phone service, nor did I, and you're concerned
18 about the best route out of Readsboro, which is a hill
19 in either direction and then a hill on Route 9 and no
20 cell service on those hills, and those hills are, good
21 chance -- in fact, we know Route 9 is chains only going
22 to Bennington right now, and I will tell you what's
23 happening on Route 9 going to Brattleboro before we
24 leave.

25 If you or any of us have the misfortune of going

1 off the road, which would not be unusual given the
2 conditions, hopefully, we will be lucky enough to do so
3 close to a home that has a working landline telephone
4 system that can help call, that could call for help for
5 us. If things are going well, on a dry road day, if we
6 call for help from Readsboro, it's 45 minutes for the
7 state police to get here and 30 minutes for rescue.

8 This summer one of my constituents that lives in
9 this town came to this building to call me at 8:00 in
10 the morning, and I was on my way to work, and, because
11 of the weather this evening, I think she's been unable
12 to join us tonight. She's disabled and elderly and a
13 public servant. Like many folks in Vermont, she serves
14 on a local board. She's the chair of the select board
15 here. And she called to tell me that her phone line
16 had gone out the day before and that they had told her
17 it would be ten minutes or ten days before service was
18 restored.

19 And, you know, we've had this situation in the
20 past and have a good relationship with Mr. Austin, and,
21 you know, I've got a good system, and, you know, I will
22 say to my folks, "As soon as you can, send me an email,
23 because then you can send me the correct information
24 and have your address, your phone number, what the
25 person on the other end of the line told you, and I'll

1 send that off to Consolidated and, usually, that will
2 help speed things up".

3 I asked her to do that, and she said, "Well, I've
4 just had stomach surgery, and I need to be in touch
5 with my doctor, and I had no choice but to drive down
6 here, but it's going to be hard for me to send you an
7 email. I'll have to find someone to help me with
8 that". She was pretty calm, but she's disabled, and
9 her hands don't work, and so she could not send me an
10 email. She had to locate someone.

11 So this woman who serves on the select board in
12 this town who had had stomach surgery and needed to be
13 in touch with her doctor had to drive here to call her
14 state representative to try and get some help for her
15 phone line just in case she needed an ambulance or
16 someone to help her. It's not okay, guys. It's not
17 okay.

18 You know, and, when I finally did get through to
19 Jeff and to Clay -- I was a little heated -- you know,
20 folks said to me, you know, it was a mistake, no one
21 elevated. No one said this was a medical emergency.
22 You know what, guys? My 43-year-old brother-in-law,
23 perfectly healthy, had a heart attack in Whitingham,
24 another town that does not have great service, you
25 know, and died. They brought him back, thank God, but,

1 you know, people can have a health emergency at any
2 time, okay?

3 So I think we have a really big problem here. You
4 know, I've had other phone calls in Wardsboro, another
5 town that is very similar to Readsboro, with the
6 exception of they bought up to two ski mountains so
7 they're slightly less in trouble than this town, but
8 their phone lines are bad. They're not good. They're
9 old. The quality of their service is not great.

10 This summer, this fall, this, this spring and
11 summer, I should say, you know, I was receiving
12 multiple calls and emails from, from folks telling me
13 months, months for new service, phone service, internet
14 service to be installed. This is, this is pretty
15 tough, considering there's no cell service. There's
16 very limited internet service. This is the only
17 communication in rural Vermont.

18 You know, I really would like to ask the
19 Commission to make sure you're evaluating what the
20 current service quality requirements that we have for
21 Consolidated are incentivizing them, okay? Are we
22 requiring Consolidated to repair much more densely
23 populated communities before these much more sparsely
24 populated communities? And I think we may want to take
25 into consideration if the market that is competing with

1 Consolidated for telephone service in the profitable,
2 densely populated areas is actually making the
3 situation in rural Vermont worse, not static, but if
4 it's making it worse.

5 I wonder personally what obligation we have to
6 ensure Vermonters can call for help. I think we have
7 an obligation to ensure Vermonters can call for help,
8 and I'm not sure how we plan to deal with more frequent
9 outages from stronger and more frequent storms, which
10 is something that I certainly have heard from the
11 company and from the electric utilities, you know, that
12 we are seeing more frequent storms. So how are we
13 going to deal with that in a way that allows Vermonters
14 to call for help?

15 I think we have long-term problems, and we're
16 going to need some short-term solutions while we figure
17 out those long-term problems. I want to thank you all
18 again for coming today and thank all of you for coming
19 out to testify today.

20 CHAIRMAN ROISMAN: Thank you. Are there any
21 additional comments? Thank you all very much. This
22 has been very useful. Your words have not been lost on
23 us. They raise a number of issues which we will make
24 sure are pursued in our proceeding. We urge you, if
25 you don't wish to become a full party, to at least

1 follow the proceedings. You'll see the next steps in
2 the proceedings will be parties will file what's called
3 prefiled testimony. These will be people filing
4 comments under oath to be received as evidence.
5 They'll attach exhibits.

6 If you look at those, you may see new issues that
7 you want to raise. Please make sure you let us know
8 what those issues are. You don't have to become a
9 party to make an impact. You can file your comments at
10 any time. This isn't the end of your opportunity to be
11 a commenter, and we take this all extremely seriously
12 and are very appreciative of you all coming here
13 tonight. Even though the weather is just a typical
14 evening in Vermont, it's, it's one of those tough
15 nights, and I thank you all for coming, and we're
16 adjourned.

17 MS. WATERMAN: I have a question.

18 CHAIRMAN ROISMAN: Yes. Then we're not
19 adjourned.

20 MS. WATERMAN: Basically, how is this meeting
21 going to translate into action? When are we going to
22 see any improvement?

23 CHAIRMAN ROISMAN: Well, that, what will
24 happen is the comments that you've given to us tonight
25 will be factored into questions that we, as

1 commissioners, and Micah Howe, as a hearing officer,
2 will be putting to the parties in the case,
3 Consolidated, the Department of Public Service, and any
4 other party that may come into the case, to give us
5 more evidence so that we have a basis for making a
6 decision that is responsive to the petition that was
7 filed with us by the Department.

8 The petition asked us to investigate the quality
9 of service and to come up with some answers, and so
10 that's, that's what we'll do. What you've done is
11 you've helped start that process for us by giving us
12 honest opinions and ideas about concerns that you have.

13 MS. WATERMAN: Will that mean we get a new
14 company, a different company?

15 CHAIRMAN ROISMAN: I can't -- at this point,
16 we are not making decisions; we're gathering
17 information. So, obviously, I can't tell you what the
18 outcome of the process will be, but there will be a
19 full, open public process, and all the evidence that we
20 get will help us decide how to respond to the petition
21 that the Department has filed.

22 AUDIENCE MEMBER: Can I ask you, what is the
23 timeline for this to take place, I mean, the final
24 decision making?

25 MR. HOWE: So we have a schedule for this

1 case. There's a handout in the back. I don't have it
2 right in front of me. I can't remember when the final
3 hearing is.

4 AUDIENCE MEMBER: But, I mean, you have
5 another meeting with the public, you have another
6 meeting with the public. After that, what's the
7 timeline of how long before decisions are made?

8 MR. HOWE: I can grab it.

9 CHAIRMAN ROISMAN: As I said, we have the
10 schedule, but we don't have it up here.

11 (Gesturing to forehead.)

12 AUDIENCE MEMBER: Okay, all right.

13 MS. WATERMAN: Well, is Consolidated going to
14 have anything to say tonight?

15 CHAIRMAN ROISMAN: Tonight --

16 MS. WATERMAN: Or are they just listening?

17 CHAIRMAN ROISMAN: Tonight they're here to
18 listen. Ultimately, they will have to put in testimony
19 in this case that addresses concerns, and the
20 Department will put in comments that addresses
21 concerns, and the Commission may have questions, and
22 those will have to be answered. So this is, this is
23 step one in the information-gathering process. What do
24 you show as our schedule?

25 MR. HOWE: So we have a status conference

1 after all of the discovery, which is fact-gathering,
2 and the parties will file testimony in that status
3 conference on March 29th, and then after that there
4 will probably be some additional time and then
5 potentially an evidentiary hearing or something along
6 those lines, but that portion of the schedule will
7 remain to be seen.

8 AUDIENCE MEMBER: So when you see March 29th
9 you've had all the discoveries, everything has come
10 together, then you make a decision?

11 MR. HOWE: After that.

12 AUDIENCE MEMBER: After that?

13 MR. HOWE: Right. The status conference,
14 will probably discuss --

15 AUDIENCE MEMBER: So you figure by June there
16 should be a decision making?

17 MR. HOWE: I can't guarantee when a decision
18 will actually come out, but, in terms of the wrap-up of
19 proceedings, it will probably be in the June timeframe,
20 I would guess.

21 AUDIENCE MEMBER: Let me ask you this: What
22 powers do you have to implement to make the telephone
23 company come into compliance? How much power do you
24 have to make them come into compliance?

25 CHAIRMAN ROISMAN: The, the telephone company

1 has what's called a certificate of public good from the
2 Commission, and that certificate has conditions built
3 into it, and we have the power to add conditions to
4 that if we think there's evidence that supports that,
5 and we can, we can fine them. We can take away their
6 certificate of public good. We can lay out a plan by
7 which they must come into compliance with what we think
8 are the obligations that they have as a holder of the
9 certificate of public good, and we can say, "Hey,
10 you're doing fine". Everything's on the table, and
11 but, ultimately, that certificate is their ticket to
12 operate a business in Vermont providing telephone
13 service.

14 AUDIENCE MEMBER: Now, if you find them that
15 they don't make compliance, if you find that that
16 happens, then can you seek out another company?

17 CHAIRMAN ROISMAN: I don't know that we can
18 seek one out. We can certainly -- in other words,
19 we're not in the telephone-providing business.
20 Consolidated showed up in this state and said, "We want
21 to buy FairPoint", and they had to come to us to get
22 permission to do that, and somebody else could come to
23 us and say, "We want to buy Consolidated". Obviously,
24 Consolidated has to sell. If Consolidated didn't have
25 a certificate of public good, that is, if they couldn't

1 operate a telephone business in this state, then they
2 wouldn't have to sell anything. Then somebody else
3 could come in and say, "We want to take over those
4 lines. We want to run a business".

5 So but, in reality, what happens is that one
6 company, just as Consolidated, comes along and buys a
7 company that they feel they can make a living with,
8 that they can, that they can do a good business. So
9 that's, that's a long way down the line from where we
10 are at this point.

11 AUDIENCE MEMBER: That's not what bothers me.
12 What bothers me is a company coming in and taking the
13 resources and then using the resources until they die
14 and then getting out, in other words, not making any
15 improvements at all, internet anything. Like, internet
16 today is like it's almost a necessity. People around
17 here don't have it, and, if they do have it, it's
18 dropping out. Very seldomly have it where it's lasting
19 more than a few hours. It drops out. You lose it.
20 Phone lines crackling, not being able to hear, and,
21 like these other poor people have, we're not in that
22 situation, but those that have a 911, have to call
23 emergency can't get out. This is wrong.

24 If they're making the, these fat cats are making
25 the money here, they ought to disperse some of it to

1 the people that need it. That's all I'm saying.

2 CHAIRMAN ROISMAN: And we hear that message.
3 We've heard that message from you. We understand that
4 point. Thank you.

5 MS. WATERMAN: What happened to that grant we
6 were supposed to have?

7 CHAIRMAN ROISMAN: I don't know the answer to
8 that question.

9 MR. PURVIS: Yeah, that's a Department issue,
10 and, Jeff, if you want to speak first.

11 MR. AUSTIN: Sure. Is that okay?

12 CHAIRMAN ROISMAN: Yes. I don't want this to
13 turn into a debate, though.

14 MR. AUSTIN: Well, I think it's a simple
15 answer.

16 CHAIRMAN ROISMAN: All right.

17 MR. AUSTIN: The grant was part of the
18 High-Cost Fund in the State of Vermont. We have the
19 grant. We've ordered the equipment. It's a work in
20 progress. We've got a lot of work to do, and we just
21 haven't been able to finish it at this point. We have
22 a commitment to complete it within three years from
23 when the fall was of 2018. So that is the first.

24 We have 12 projects to do under that grant. Yours
25 is the first one that's getting done. Like I said,

1 we've already ordered the equipment. We have to run
2 the fiber, put the electronics in. So it's a work in
3 progress, but the grant is still completely active, and
4 this will be the first one that gets done out of the 12
5 that have been designated in Vermont to get done with
6 that grant.

7 CHAIRMAN ROISMAN: Okay.

8 MS. WATERMAN: Three years?

9 MR. AUSTIN: It won't be three years, but,
10 like I said, we have three years to complete the
11 entirety of the projects.

12 CHAIRMAN ROISMAN: Well, thank you all again
13 very much, and I'll say again we're adjourned. Thank
14 you. Drive safely.

15

16 (Whereupon at 7:32 p.m. the hearing was adjourned.)

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