Full Commission Meeting  
September 27, 2016  
Newfane Union Hall

**Commissioners Present:** Jodi French (Chair), Tim Arsenault, John Whitman, Stephan Chait, Priscilla Margola, Munson Hicks, Jenepher Burnell, Eric Stevens, Susan Hammond, Rod Francis, Katie Buckley, Guy Tanza, Bill Dunkel, Jack Cunningham, Lew Sorenson, Roger Turner, Carolyn Partridge, Arthur Westing

**Citizen Interest Commissioners Present:** Wendy Harrison

**Guests Present:** Omar Smith, Bronna Zlochiver, Gordon Little, Robert Marechal, John Moran, Bob Deservo, Phil Edelstein

**Staff Present:** Chris Campany

**Introductions:** There was a quorum of 14 towns present.

**Convened:** 7:00PM

**Administrative Items & Reports:**

**Secretary’s Report:** Minutes approved by a unanimous vote on a motion by John Whitman, seconded by Lissa Kissel.

**Financial Report:** Financial report approved by a unanimous vote on a motion by Jack Cunningham, seconded by Tim Goodwin.

**Program:** Guest speaker, James Porter, Director of the Telecommunications and Connectivity Division, Vermont Public Service Department (PSD), was invited to speak about: what federal law allows when it comes to state and local regulation of broadband, as well as cell phone service and broadband; effective roles regional commissions and towns can play in improving broadband and cell phone service; and industry or regulatory changes on the horizon for broadband and cell phone service delivery of which regional commissions and towns should be aware. Mr. Porter noted that broadband and cell phone service are unlike cable and land line phone service. Federal law precludes state and local regulation of the former, while the state has a significant regulatory role in the latter. For this reason the state cannot compel broadband and cell phone service providers to serve unserved areas beyond providing financial incentives for them to do so. States can regulate cell phone tower placement but cannot affect competition among carriers. When it comes to towers that are permitted and not built, or built but not made operational, the PSD can threaten to take the company to the Public Service Board to have its certificate of public good revoked and the tower taken down, but the decision is ultimately left to the Board. When it comes to town influence on cell tower permitting, if it thinks there will be a problem it should call the PSD and ask for assistance. This year legislation
was passed which will strengthen the collocation requirement. States cannot get federal funding to pass along to providers to deliver broadband service. Service providers must compete for that funding themselves. For this reason it is difficult to ensure that service providers are doing what they said they would do per the requirements of the grant they received. That judgment is left to the federal agency that issued the grant. Among the questions and comments was that by Commissioner Whitman, who observed that it is difficult to discuss broadband and cell phone service in the same conversation.

**Executive Director’s Report:** Executive Director Chris Campany provided a brief overview of the current staffing situation and status of the search for a new transportation planner. He also explained that the white paper that summarizes “lessons learned” from the closure of Vermont Yankee that was prepared by the Tri-State Region collaboration would be released on October 14th.

**Meeting adjourned.**
Respectfully submitted,
Chris Campany