

**STATE OF VERMONT
ENHANCED 9-1-1 BOARD
Outage Notification Rule Sub-Committee
Special Meeting #3
23 July 2020**

FINAL
approved as written
approval date: 11/5/20

Location: Meeting held via Microsoft Teams due to the pandemic.

8:03 AM – Call to Order

Chair Marcoux brought the meeting to order. The following were in attendance via Microsoft Teams:

Sub-Committee Members Present

Sheriff Roger Marcoux, Chair
Chief Steven Locke, Vice-Chair
Captain Lance Burnham
Jerome Pettinga

Others Present

Jeff Austin
Cecile Betit
Jonathan Gibson
Stephen Whitaker
Dylan Zwicky
Matt DeTura
David Borsykowsky
Tiffany Smink
Stacey Parker
Lexi Herman
Jeff Sakowski (last name not clear in recording)

Staff Members Present

Barbara Neal, Executive Director
Soni Johnson, Board Clerk
Jared Lamere, E911 IT Manager

Public Comment – Using the attendance list, the Board Clerk called on each member of the public/stakeholder for comments:

- Some stakeholders advised that the latest draft rule released by the Board is still under review. They expressed intent to submit comments when that review is complete.
- Board members and E911 staff were thanked for their work and for continuing to include members of the public and stakeholders in this process.
- “Presumed Confidential” in respect to call-back numbers (CBNs) provided on outage report is an issue.
- Are CLECs included under the definition for Originating Carriers as defined in the draft rule (section 3.4)?
- The draft rule should be amended to change the outage notification threshold from two hours to one hour; the shorter notification threshold is not unreasonable.
- The rule references zip codes. Do carriers have the capability to determine subscribers and cell phone users connected to the network by zip code?
- The Board should validate zip code coverage by geo-location and community location.
- Confidentiality of information contained in the required outage notification report continues to be an issue. Transparency & accountability of the carriers is the point of the rule and only very specific information should be considered as confidential.
- ILECs should be held to the same standard as other facilities-based fixed voice service originating carriers (sections 4.1 & 4.2).
- Carriers should not be able to determine what constitutes a “significant degradation of service”.
- Equipment location should not be considered exempt from disclosure.

Note: Some stakeholders submitted written public comment prior to the meeting. Those documents are available from the E911 Board Office by request.

Draft Outage Notification Rule

- Executive Director Neal advised the sub-committee that it has been determined that the Board will have to start the formal rulemaking process again with the latest version of the Outage Notification Rule.

- It was asked how it was determined that the rulemaking process would have to start over. Executive Director Neal replied that it was determined, after conversations with David Borsykowsky and LCAR’s legal counsel, that the language of Act 125 requires it.
- Executive Director Neal provided an overview of written comments received from members of the public/stakeholders. These comments (*Outage Reporting Rule – Comments and Responses by Rule Section* and *Outage Reporting Rule – Comments and Responses by Commenter*) are available from the E911 Board Office by request.
- Sub-committee members discussed:
 - One-hour v. two-hour notification threshold requirement.
 - Are determining outage thresholds by zip code going to be a problem? Could cell sector information be used instead?
 - Confidentiality of information asked for in the outage notification report.
 - Should the words “substantial” or “significant” be added to the definition of originating carrier outage.
- The sub-committee directed Executive Director Neal to provide pros/cons of possible amendments to the rule concerning the notification threshold and originating carrier outage definition to Board members in advance of the special meeting scheduled for 7/28/20.

Adjournment

Motion: There being no further business, Jerome Pettinga made a motion to adjourn; 2nd by Chief Locke. There was no discussion and the motion passed unanimously by voice vote. The meeting adjourned at 9:19 AM.

Respectfully submitted:

Soni Johnson
Soni Johnson, Board Clerk

8/3/20
Date