



CVFiber Policy Committee Meeting Minutes Draft

**Thursday, May 26, 2022 5:00 PM - 6:00 PM
Virtual meeting**

Present: Committee members Phil Cechinni (Barre), Allen Gilbert (Worcester), John Morris (Marshfield) and Siobhan Perricone (Orange); and Jennille Smith, executive director. **Absent:** Linda Gravell (Waterbury), Alexis Julian (public member), and Ray Pelletier (Northfield).

A quorum being present, the meeting was called to order at 5 p.m. by Gilbert, chair.

Changes to the agenda. There were none.

Election of chair. Gilbert noted current chairs remain in place unless voted out of the position, or the chair becomes incapacitated or resigns. It has been CVFiber's tradition, however, that committee chair positions be up for election at the first meeting following the Governance Board's reorganization meeting in May. Gilbert asked Perricone to assume the role of temporary chair to conduct the election. Perricone opened the floor for nominations. Morris nominated Gilbert. Hearing no other nominations, Perricone closed nominations and, hearing no objection to Gilbert's election as chair, declared him chair. Gilbert resumed the chair. He said there are no requirements in state statutes, or in CVFiber's Rules of Procedure, for the election of committee vice-chairs, or their annual re-election, so he suggested foregoing a vice-chair election. He said Linda Gravell, the current vice-chair, had told him she was willing to continue serving in the position. Gilbert said he assumed no one else was interested in the position, waited for a reply, heard none, and said it was clear everyone was happy Gravell had taken on this role and we are pleased that she is willing to serve another year. Hearing no objection, we wished Gravell well as committee vice-chair.

Public comment. There was none.

Approval of minutes. The draft minutes of the March 24, 2022 Policy Committee meeting were approved unanimously on a motion by Perricone.

Development of policies needed before CVFiber network goes live. Gilbert recapped for Smith the genesis of developing policies that will be needed when the CVFiber network goes live. He listed the seven policies the committee had identified for research and drafting. Five seemed general in nature, while two were directly related to construction specifics and provisions of hook-ups. The committee had taken on the five general ones: Subscriber Agreement, Privacy, Acceptable Use, Net Neutrality, and Copyright Infringement. Smith first became acquainted with the committee's work when Gravell, working on a draft Subscriber Agreement, contacted her for assistance. Smith felt that we'll have people from among our contractors, or other partners, who can help us write subscriber agreements. Waitsfield Telecom is one, and Crowd Fiber another. Smith thinks we may need a variety of agreements because of different circumstances among customers – one customer may have a long driveway, for example, and require a longer connection drop than other customers. Cechinni wondered if this might become an administrative nightmare. Perricone wanted to know more about Crowd Fiber – who are they, what services do they provide, and will they be gathering customer data? She said she has become increasingly concerned about data that we or our contractors collect, and what is done with it. She mentioned a recent presentation at a VCUDA (Vermont Communications Union District Association) meeting from someone at the Electronic Frontier Foundation who spoke to the need for protecting individual privacy rights when operating a digital services network. She said the EFF presenter described how subsidiary companies can scrape data and use it to their own advantage. “We are a public service and a municipal entity, not a for-profit company that's looking to commodify whatever so they can make more money,” she said. Smith said that we'll need nondisclosure agreements to make sure that doesn't happen. Gilbert suggested that maybe we need to develop some broad statements and commitments about privacy. Cechinni thought we need to identify some “core values” that will provide the background as to how we develop our policies. Morris said he wanted to circle back to Smith's earlier comment about our perhaps needing multiple versions of a customer agreement policy; he'd rather see one policy that treats all subscribers equally. Gilbert suggested we need general policies that apply to everyone, but then specific agreements that apply to specific situations not shared by everyone. Cechinni offered that some policy documents need to be people-centered, and focus on how people are treated. Other policies are operational; focus on how the business operates in providing services to subscribers. Perricone observed that “privacy stuff” is more technical than she realized it would be. Cechinni then wondered if some of what will be happening, as

we move forward, depends on what our operator, Waitsfield Telecom, already does, according to policies and procedures they have in place for their current operations as a provider of internet services. Smith said it will be a combination of our setting terms and conditions for certain things, and Waitsfield Telecom setting other terms inherent to how the network will run. She said we will have to work together, developing specific agreements and procedures when needed. Smith said she likes the idea of CVFiber establishing core values that drive our policies, and that our policies should reflect our respect for our subscribers, as well as complying with federal or state laws.

Gilbert said he wanted to report on the two policies he had been working on: a Copyright Infringement Policy and a Net Neutrality Policy. The Copyright Infringement Policy is based on language in the 1998 Digital Millennium Copyright Act (DMCA) that states the responsibilities digital service providers have in complying with the law if a user of their services violates copyright laws. A provider faces serious liability unless provisions are in place to provide protections against lawsuits. The key question for CVFiber is whether our website allows users to post material or store material within our system. If it does, then we need a Copyright Infringement Policy that includes designation of an agent to handle notifications from individuals or corporations claiming infringement; designation of an agent provides “safe harbor” protections, spelled out in the DMCA, for the provider. No one was sure if we allow users to post information on our website. Gilbert said he will check with Chuck Burt (chair of the CVFiber Communications Committee) on that question. It was pointed out that CVFiber also has a Facebook page; Gilbert said we’ll have to check about our possible liability there, as well. Ultimately, it’s likely a lawyer will have to handle developing any necessary policies. It was also pointed out that Waitsfield Telecom has probably dealt with this issue and can perhaps provide some guidance.

The second policy Gilbert has been working on is Net Neutrality. There had been Federal Communications Commission requirements on digital equal-access issues, but they were repealed during the Trump administration. However, Vermont developed its own Net Neutrality standards law, which largely includes the former federal requirements as well as a few other enhancements. The Vermont legislation takes the interesting approach of providing a carrot instead of wielding a stick to provide net neutrality. If a provider agrees to abide by the standards established in the law, the provider can be awarded a certificate of net neutrality compliance – a sort of stamp of approval like ISO designations. Gilbert recommended that we follow the approach NEK Broadband has taken, which is to base our policy around the Vermont standards law. Such a policy would enable us to apply for net neutrality certification, which would be a positive step. The committee agreed.

Tracking volunteer hours spent on CVFiber work. Gilbert said he wanted to know more about something Cechinni had brought up at our March meeting – tracking volunteer hours. Is that something we should be encouraging all board members, and others volunteering their time to CVFiber, to do – track the hours they spend on CVFiber work? Cechinni said, definitely, we should be doing this. Foundations sometimes require evidence of volunteer support before awarding grants, and tracking hours is one way to show support. He said CVFiber likely has “massive” amounts of hours being put in by volunteers who receive no pay. The “value-added” benefit of this when describing our organization to funders, and others, would be significant, he said. Per-hour compensation rates for the work our volunteers are doing are likely high, he said, since we must deal with “high-level,” complicated issues that demand significant skills and expertise. We should definitely be tracking hours, he said; the numbers would be impressive. There are online trackers where you can log your hours and figure a comparable per-hour rate for the value of the work were it to be billed. Perricone sent around the URL of an online service she’s familiar with, “Clockify.” The URL is <https://clockify.me/> . Gilbert said we should look into this and perhaps develop a proposal to bring before the Governance Board.

Broadband equity issues – continuation of discussion. Tabled for lack of time.

Other business. None

Adjourn. The meeting adjourned at 6:10 p.m.

-- Allen Gilbert

Approved June 30, 2022