

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 18-0491-PET

Joint petition of Champlain Broadband, LLC, City of Burlington d/b/a Burlington Telecom, and Blue Water Holdings LLC for approvals, pursuant to 30 V.S.A. §§ 109, 231, and 504; 47 U.S.C. § 214(e); and Section 438(c)(1) of the City of Burlington Charter	
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Order entered: 05/22/2019

ORDER GRANTING CHAMPLAIN BROADBAND’S MOTION TO MODIFY CONDITION 45 OF ITS SECTION 504 CERTIFICATE OF PUBLIC GOOD

On February 19, 2019, the Vermont Public Utility Commission (“Commission”) issued an order approving the transaction in which Champlain Broadband, LLC (“Champlain”), doing business as Burlington Telecom, would acquire Burlington Telecom assets and granted Champlain certificates of public good (“CPGs”) to own and operate a cable television system and to provide telecommunications services in the State of Vermont. On April 12, 2019, we denied motions filed by Sandra Baird, Esq., Jared Carter, Esq., Dean Corren, Steven Goodkind, Solveig Overby, Esq., and Shay Totten (collectively the “Citizen Intervenors”) for additional findings and to alter or amend our decision.

On May 2, 2019, Champlain filed a motion in this case to modify Condition 45 of its cable television CPG, which requires that Service Quality and Reliability Plans for Burlington Telecom be filed within 90 days of the issuance of the final order in this case (May 20, 2019). Champlain Broadband requested that the CPG be modified to extend the due date to 180 days after the final order was issued in this case (August 18, 2019).

On May 7, 2019, the Citizen Intervenors filed a notice of appeal to the Vermont Supreme Court appealing the final judgment of the Commission in this case.

Also, on May 7, 2019, the Commission issued an order concluding that the Commission lacked jurisdiction to consider Champlain’s motion because of the Citizen Intervenors’ appeal.

On May 17, 2019, Champlain filed a motion with the Vermont Supreme Court requesting a limited remand to the Commission for the purpose of allowing the Commission to rule on the merits of Champlain’s request for modification of Condition 45 of its CPG.

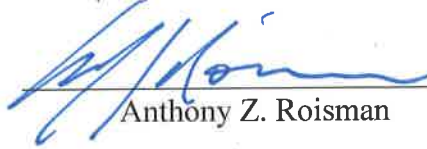
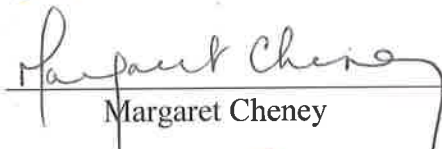

On May 22, 2019, the Vermont Supreme Court granted Champlain's motion for a limited remand.

We find good cause to grant Champlain's request to extend the deadline established in Condition 45 of its cable television CPG. Champlain represents that the additional time is needed to allow the new Burlington Telecom general manager, who began his employment with Burlington Telecom on May 7, 2019, to help shape forward-looking commitments for service quality and reliability, including reporting requirements, in collaboration with the Vermont Department of Public Service's Consumer Affairs and Public Information Division ("CAP").

Based on the foregoing, Champlain shall have until August 18, 2019, to file the cable Service Quality and Reliability Plans required by Condition 45 of its cable television CPG.

SO ORDERED.

Dated at Montpelier, Vermont this 22nd day of May, 2019.

)	
Anthony Z. Roisman)	PUBLIC UTILITY
)	
)	
Margaret Cheney)	COMMISSION
)	
)	
Sarah Hofmann)	OF VERMONT

OFFICE OF THE CLERK

Filed: May 22, 2019

Attest: 
Clerk of the Commission

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: puc.clerk@vermont.gov)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Commission within 30 days. Appeal will not stay the effect of this Order, absent further order by this Commission or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Commission within 28 days of the date of this decision and Order.

PUC Case No. 18-0491-PET - SERVICE LIST

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