

From: [Judith Dillon](#)
To: carl.etnier.net
Cc: [Gina Jenkins](#); [Seth Gardner](#); [Jon Jewett](#); [Amy Willis](#)
Subject: Re: CVFiber contract progress report
Date: Wednesday, September 14, 2022 10:56:32 AM

Carl,

A few typos,

fourth paragraph, after "communication plant" remove ""and as" (remnant from previous version)

fifth paragraph, "the Town" (we defined the Town of East Montpelier as "the Town" above, we can delete, "of East Montpelier")

the use of the term 'town" in paragraph later should be capitalized. "Town"

Page 2, first full paragraph, same issue the Town, not the Town of East Montpelier.

Third paragraph, we do not know and cannot assert how CV Fiber will fund, I suggest we delete the last phrase (what is italicized here) We should not include a representation supporting or representing whether or how CV Fiber will increase rates. This italicized phrase should be deleted.

Whereas, the investment in fiber infrastructure throughout the ~~CVFiber-district~~District will cost many times the amount of [ARPA](#) grant funding that is available from the Federal and State government grants, *and therefore CVFiber will issue municipal revenue bonds, which are covered by subscriber fees for service and will therefore increase ~~our~~the minimum rates for services; and*

Commitment paragraphs,

I believe I deleted the italicized section in paragraph 2 in my changes to you. I recommend deleting it.

1) CVFiber Agreement. In anticipation of and in reliance upon receipt of Town Broadband Investment, as and when stated herein, CVFiber agrees to begin CVFiber Community Network construction activities and to deploy broadband services in accordance with the business plan as funding, materials, contractors, and weather permits. Construction activities also include the necessary pole inventory, detailed design, and pole and conduit make ready work. *While it is CVFiber's intent to offer service within three to four years to all unserved and underserved addresses in its member towns, it reserves the right to change specific deployment schedules to accommodate changes in design, engineering updates, or availability of labor or materials.* CVFiber agrees to ensure compliance with all grant award terms and conditions (~~See~~ Attachment 1) including all applicable laws and regulations. CVFiber shall expend the Town Broadband Investment solely for lawful and appropriate purposes as a subrecipient of such funding, in compliance with 31 CFR 35 and such other statutes, rules and regulations as may be applicable.

Paragraph 5, I think we should keep "the Town" where it was. Use of the lower case "town" does not have any meaning, it does not refer to the Town of East Montpelier.

Paragraph 6, delete "brief" synopsis means a brief summary.

Please contact me 802-595-4060 if you have questions

On Tue, Sep 13, 2022 at 12:25 PM carl etnier.net <carl@etnier.net> wrote:

OK, here's the contract for your review. This works off the base of the draft agreement sent to us by CVFiber, and it incorporates suggestions from Judith, me, Jim Barlow, and Bonnie Waninger. I'm including both a Word version, so you can hide the changes and just read the final version, if you wish, and a PDF with the changes tracked.

As discussed, please let us know by noon tomorrow, Wednesday, if you think there's something in here that needs to be modified, so we can call an emergency SB meeting ASAP.

I will be sending this to Jennille Smith of CVFiber for their review after sending it to you.

Cheers,
Carl

Carl Etnier
Selectboard member
Town of East Montpelier

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From: carl etnier.net
Sent: Tuesday, September 13, 2022 11:52 AM
To: Bruce Johnson <manager@eastmontpeliervt.org>; Seth Gardner <sethbgardner@hotmail.com>; Jon Jewett <jjewett@gmail.com>; Judith Dillon <jlildillon25@gmail.com>; Amy Willis <awillis01@gmail.com>
Subject: CVFiber contract progress report

Hi folks,
I'm working to get the formatting right on the contract and to double-check the use of terms like Town, District, etc. I expect to send it out soon.

--Carl

Carl Etnier
Selectboard member
Town of East Montpelier

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Montpelier, Vermont 05602 USA
Tel +1 802-552-4343

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