

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 6834

Petition of Vermont Department of Public Service for an Investigation into the Universal Service Fund Charge for Fiscal Year 2004)	Hearing at Montpelier, Vermont
)	June 11, 2003

Order entered: 6/18/2003

PRESENT: Thomas S. Lyle, Hearing Officer

APPEARANCES: Sarah Hofmann, Esq.
for Vermont Department of Public Service

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for Shoreham Telephone Company, Topsham Telephone Company, Inc., Waitsfield/Fayston Telephone Company, Inc. d/b/a Waitsfield Telecom, d/b/a Champlain Valley Telecom, Northfield Telephone Company, Perkinsville Telephone Company, Ludlow Telephone Company, Franklin Telephone Company, STE/NE Acquisition Corp., d/b/a Fairpoint New England, and Vermont Telephone Company, Inc. (collectively, "Independent Telephone Companies")

I. INTRODUCTION

In accordance with 30 V.S.A. § 7523, the Vermont Public Service Board ("Board") must establish the Universal Service Fund surcharge rate for fiscal year 2004 (July 1, 2003, through June 30, 2004). The Department of Public Service ("Department" or "DPS"), Verizon-Vermont and the Independent Telephone Companies have recommended that the Board adopt a rate of 1.27% and have entered into a stipulation supporting that rate. I recommend that the Board adopt the terms of the stipulation and set the Universal Service Fund surcharge at the rate of

1.27%; an increase of .07% over fiscal year 2003. Based on the projections submitted as record evidence, the 1.27% rate will generate sufficient funds to meet the financial obligations of the Vermont Universal Service Fund ("VUSF") programs for fiscal year 2004. However, I make this recommendation with reservation because a longer term analysis of program disbursements reveals a tendency to rely upon very conservative projections that have the effect of inflating funding requirements of the VUSF. As will be explained in greater detail below, incorporating assumptions consistent with multi-year trends would produce a fiscal year VUSF surcharge rate of 1.20%, the same rate as last year, and still generate enough funds to meet program requirements.

Procedural History

In accordance with 30 V.S.A. § 7523, the DPS petitioned on March 28, 2003, to set a surcharge rate of 2% for the VUSF for the fiscal year beginning July 1, 2003. On June 5, 2003, the Department submitted testimony and exhibits modifying its recommendation to reflect a surcharge rate of 1.27%. The Board is required to enter an order setting the rate for the coming fiscal year by June 15, unless the Vermont General Assembly does not enact an authorization amount for E-911 by May 15 of that year in which case the Board may defer its decision until 30 days after the E-911 authorization is established. At this time, the appropriations bill has been signed by the General Assembly but has not been signed by the Governor. The bill is expected to become law.

Stipulation of the Parties

By Stipulation of June 11, 2003, the parties have agreed to set the VUSF charge at 1.27%. Joint Exhibit 1. The parties further stipulated that the Link-Up program's eligibility criteria be amended to conform to the Federal Communications Commission's ("FCC") rules. The parties have also stipulated that the Hearing Officer may make findings in this docket that are consistent with the parties' stipulation and the testimony of Department witness, Deena Frankel, and exhibits DPS-DLF-1 through DPS-DLF-4, filed with the Board on June 5, 2003, regarding the USF's carry-over fund balance from the previous fiscal year, the revenue base and disbursement requirements. The parties agree that the stipulation shall not have precedential effect on future proceedings involving the Department or the other parties. They also agree to

other requirements regarding customer notification as described at Finding 22 and in the discussion of customer notification below.

II. FINDINGS

This docket does not present any contested issues of fact between the parties. Based upon the stipulation of the parties and the prefiled testimony of the DPS, the Hearing Officer reports the following findings in accordance with 30 V.S.A. § 8.

Carry-forward Fund Balance

1. After estimated fiscal year 2003 distributions of \$5,439,528, the ending balance of the VUSF carried forward into fiscal year 2004 will be approximately \$1,002,153. Frankel pf. at 2 and exh. Board-1.

2. The ending balance is more than 33% above the amount that had been estimated in 2002 for fiscal year 2003 when the VUSF surcharge rate was set at 1.20%. Exh. Board-1.

3. After estimated fiscal year 2002 distributions of \$5,665,528, the ending balance of the VUSF carried forward into fiscal year 2003 was \$1,472,338. Exh. Board-1, Docket 6697, Order of 7/10/02.

4. The fiscal year 2002 ending balance of \$1,472,338 was more than 27% above the projected ending balance. Docket 6499, Order of 6/27/01.

5. For two consecutive years, the actual ending balance of the VUSF has exceeded projections by nearly one-third due to a combination of projected expenses being below budgeted amounts and total telecommunication revenues exceeding expectations. Exh. Board-1, exh. DPS-DLF-1, Docket 6697, Order of 7/10/02.

6. The projected fiscal year 2004 ending balance that will be carried forward into fiscal year 2005 will be approximately \$746,986. Exh. DPS-DLF -1.

Disbursements

Fiscal Agent

7. The estimated cost for compensation of the fiscal agent from July 1, 2003, through June 30, 2004, is \$138,000. Also, there is included in the distributions, an additional amount of \$25,000 for the annual audit of the VUSF. Frankel pf. at 3; exh. DPS-DLF-1.

Telecommunications Relay Service

8. Funds to support the Vermont Telecommunications Relay Service ("VTRS") are distributed to the state treasurer, in an amount determined by the Commissioner of Public Service to be reasonable. 30 V.S.A. § 7512.

9. The DPS has estimated that funding of \$436,002 is needed for VTRS for fiscal year 2004. This number is based on an analysis of current calling trends. The projected expenditure includes \$30,000 for outreach expenses, which will be included in a separate contract that has not yet been issued. Frankel pf. at 4; exhs. DPS-DLF-1 and 3.

10. In addition, the DPS has included \$75,000 for a Vermont adaptive equipment distribution program associated with VTRS that is authorized by 30 V.S.A. § 218a(e). This program is administered through a Board-approved contract between the Department and a private vendor. Frankel pf. at 4; exh. DPS-DLF-1.

Lifeline

11. Funds to support the Vermont Telephone Lifeline Program are distributed to telecommunications service providers that issue Lifeline credits to end-users. 30 V.S.A. § 7513.

12. The DPS projects the distribution of Lifeline credits to be \$1,318,355. Frankel pf. at 3; exh. DPS-DLF-2.

13. This Lifeline credit distribution amount was derived by projecting enrollment trends in the Lifeline program. The amount also takes into account Lifeline credits reimbursed by the state fund, as well as the benefit of providing non-published numbers to Lifeline-eligible persons who have final court-granted relief from abuse orders. Frankel pf. at 3-4; exh. DPS-DLF-2.

14. The estimated Lifeline administrative cost reimbursement amount was set at \$150,000. The amount is based on trends year-to-date and the final results of fiscal year 2003. Frankel pf. at 4; exh. DPS-DLF-1.

Enhanced 911

15. Funds to support Enhanced-911 ("E-911") services will be paid by the fiscal agent to the state treasurer for deposit into the E-911 special fund. 30 V.S.A. § 7514.

16. The DPS estimates distributions to the E-911 program in the amount of \$3,241,031. This amount was derived from the Appropriations Act (H. 464), as passed by both houses of the 2003 General Assembly¹ that sets the amount to be transferred from the VUSF to E-911. Frankel pf. at 4; exh. DPS-DLF-1.

Total Program Disbursements

17. Total program disbursements for VUSF program obligations during fiscal year 2004 are projected to be \$5,383,388. Frankel pf. at 4; exh. DPS-DLF-1.

Revenues and Fund Balance

18. A revenue projection is provided by the National Exchange Carrier Association ("NECA") annually based upon the current fiscal year's telecommunications revenues for all Vermont companies. The DPS indicates that, on the basis of the fiscal agent's annualized projections, estimated fiscal year 2003 telecommunications revenues (based on collections through February 2003) will approximate \$405,826,136, an increase of 1.58% over fiscal year 2002. The DPS has adopted a rate of change in telecommunications revenue of negative 0.5%, a more conservative projection, than that proposed by NECA, for purposes of ensuring the integrity of the VUSF. This conservative figure is warranted, according to the DPS, in light of a continuing sluggish economy. A 0.5% reduction in revenue will produce a projected fiscal year 2004 telecommunication revenue base of \$403,797,005. Employing the VUSF surcharge recommended in this testimony of 1.27% results in VUSF revenue of \$5,128,222. Frankel pf. at 5; exh. DPS-DLF-1.

19. The VUSF will begin fiscal year 2004 with a fund balance of \$1,002,153 based on mid-year analysis of revenue and expenditures in relation to the budget. Frankel pf. at 5; exh. DPS-DLF-1.

¹ At the time this Proposed Order for Decision was drafted, the appropriations bill had been passed by the General Assembly but had not yet been signed by the Governor. The bill is expected to become law.

20. The surcharge for fiscal year 2004 of 1.27% will leave an estimated fund balance at fiscal year end 2004 of \$746,986, assuming the total number of lifeline recipients and VTRS billable minutes of use increase, as projected, by 3% and 5%, respectively. Frankel pf. at 5, exhs. DPS- DLF 2 and DPS-DLF 3.

21. The fund balance recommended by the Department equals 167% of the average monthly disbursement for the VUSF. A fund balance of this amount achieves two purposes. First, it ensures that fluctuations in cash flow in the fund will not require borrowing by the fiscal agent in order to make authorized disbursements as they are requested. Second, a fund balance at this level provides a cushion for small deviations that must be assumed between projected and actual revenues and expenses. The only certainties in the fund are the amounts that are capped by statute, such as the E-911 appropriation and the Equipment Distribution allocation. Other expenses and revenues are estimated based on known factors. Maintaining a fund balance at the recommended level ensures that a larger than projected increase in Lifeline enrollment or VTRS usage can occur without requiring borrowing or a mid-year adjustment of the VUSF rate to cover the required disbursements. Although a disbursement level for these programs is set by the Board in this docket, both VTRS and Lifeline are statutorily required services that cannot be cut off if the projected service level were to be exceeded. With an appropriate cushion in the fund balance, the DPS could petition the Board for a mid-year increase in the spending levels of these two programs without requiring a change in the VUSF rate. Frankel pf. at 5-6.

Customer Notification Requirements

22. The DPS recommends the following customer notification requirements:
- a. Each telecommunications service provider shall provide a notice, describing the VUSF and the rates in the first bill that includes the new USF charge for fiscal year 2004. If, because of timing difficulties, a telecommunications provider is unable to send the notice with its first bill implementing the new rate, then the provider shall send it with its bills as soon as is feasible following the rate change;
 - b. The VUSF notice will include information concerning the Vermont Telecommunications Relay Service and the Lifeline Telephone Program;

- c. The LECs will provide notification to consumers of the Lifeline Telephone Program eligibility criteria and application process during either of the first two months of calendar year 2004²; and
- d. The notices shall be in the form prescribed by the DPS as laid out in the Stipulation.

Frankel pf. at 6; exh DPS-DLF-4; Stipulation at ¶ 3.

Link-Up Program

23. In 1989, the Board approved a stipulation that established Vermont's Link-Up program. The program provides a reduction in the applicable service and equipment charge for the installation of a primary residential telephone line. The reduction is recovered by carriers from a federally regulated fund. Frankel pf. at 7.

24. The eligibility criteria set in that stipulation no longer conform to the FCC rules that govern the program. Specifically, 47 C.F.R. § 54.415 requires that states that have Lifeline programs use the same criteria for Link-Up eligibility that they use for Lifeline. Frankel pf. at 7.

25. The current eligibility criteria for Link-Up needs to be amended to add that any person who applies and is found eligible for Lifeline, is also eligible for Link-Up. Frankel pf. at 8.

III. DISCUSSION

Disbursements

There is no dispute among the parties concerning the funding of the fiscal agent. The cost estimates for fiscal agent services total \$138,000, plus \$25,000 for audit fees.

The DPS' estimate of Telecommunications Relay Service costs and associated equipment distribution program is \$511,002.

The DPS requests \$1,468,355 to cover the costs associated with the distribution of Lifeline credits and Lifeline administrative cost reimbursement to local exchange companies.

The Department has asked the Board to set a VUSF rate that includes the \$3,241,031 appropriated for E-911.

². Notification during these months will be particularly important, in order to inform persons who may apply through the Tax Department's tax package issued early in January.

30 V.S.A. § 7511 specifies the types of expenditures and manner of disbursements by the fiscal agent. It is estimated that a total of \$5,383,388 will be distributed as described below.

- a. \$138,000 to pay costs payable to the fiscal agent under its contract with the Board and \$25,000 to pay the annual audit fee. Finding 7.
- b. \$436,002 to support the Vermont Telecommunications Relay Service in the manner provided by section 7512 of Title 30. And, an additional \$75,000 for the Vermont adaptive equipment distribution program associated with VTRS. Findings 8-10.
- c. \$1,468,355 to support the Vermont Lifeline program in the manner provided by section 7513 of Title 30. Findings 11-14.
- d. \$3,241,031 to support enhanced-911 services in the manner provided by section 7514 of Title 30. Findings 15-16.

Revenue

The fiscal year 2003 VUSF charge of 1.20% has resulted in revenues sufficient to cover all program costs and yield a substantial year-end fund balance of \$1,002,153. The Department monitors the monthly revenue, disbursements, and the fund balance of the VUSF and can petition the Board to reopen the docket if expected revenue levels are at variance with funding requirements. It is anticipated by the parties that this rate will raise sufficient funds to meet the funding obligations of the program identified by the General Assembly in 30 V.S.A. § 7511(a).

This finding is based upon:

- a. An anticipated Fund balance on June 30, 2002, of \$1,002,153. Finding 19.
- b. Anticipated total disbursements during the year of \$5,383,388. Finding 17.

Customer Notification Requirements

There is no dispute among the parties concerning the customer notification requirements. Informing customers of service opportunities ensures broad opportunity for program participation by all qualifying ratepayers. I recommend that the Board adopt and order these notification requirements.

Link-Up

In 1989, the Board approved a stipulation that established Vermont's Link-Up program. The program provides a reduction in the applicable service and equipment charge for the installation of a primary residential telephone line. The reduction is recovered by carriers from a federally regulated fund. At the time the program was established, the hearing officer found that the criteria for Link-Up eligibility in the stipulation establishing the program "parallels requirements for participation in current telephone assistance programs [the original Lifeline program]." Docket 5028, Order of 12/21/89 at 4. Based on that stipulation, consumers are eligible for Lifeline if they participated in one of the following assistance programs: Medicaid; Fuel Assistance; Women Infants and Children; Weatherization; Subsidized Housing; Food Stamps; Aid to Needy Families with Children (now Reach Up); Commodities; Food Shelf; and Supplemental Security Income.

The statute governing Vermont's Lifeline program has been changed several times since 1989. Today, those eligible for Lifeline include: (1) people who meet the Department of Social Welfare's means test of eligibility "which shall include all persons participating in public assistance programs administered by the department of social welfare" (30 V.S.A. § 218 c)(2)); (2) people 65 or older who apply through the Tax Department and whose modified adjusted gross income is less than 175% of the federal poverty standard; and (3) people younger than 65 who apply through the Tax Department and whose modified adjusted gross income is less than 150% of the federal poverty standard.

As a result of changes in the statutory criteria for Lifeline without any concomitant change in Link-Up eligibility, the two programs are now out of synch. The program enrollment criteria of the Link-Up program are all means-tested programs (of which some of the names have been changed). This portion of the eligibility scheme remains as valid today as it was at the time the stipulation was adopted. The defect in the criteria is the lack of eligibility for Link-Up based solely on income as demonstrated through an application to the Tax Department.

If the current eligibility criteria are retained with an addition to the current criteria, stating that any person who applies and is found eligible for Lifeline also is eligible for Link-Up, then the Link-Up eligibility criteria will once again conform to the governing federal regulation. I recommend that this amendment to the eligibility criteria for the Link-Up program be made.

Conclusions

I make my recommendation to increase the VUSF surcharge with reservation. A longer term analysis of lifeline and VTRS disbursements unveils a tendency to rely on overly conservative assumptions which have the effect of inflating funding needs. For two consecutive years, the ending balance of the VUSF fund has exceeded \$1 million, more than double the average monthly disbursements of approximately \$450,000 in each year. Because of this tendency, I would have preferred recommending this year's rate be kept at 1.20%. The VUSF has simply been raising more money than needed to cover declining program disbursements and has not been reducing ending fund balances fast enough.

Overly conservative projections occur at three levels, each compound upon one another to generate excessive funds at year end. First, the parties assume Vermont's telecommunications carriers will generate 0.5% less in total revenue in fiscal year 2004. The VUSF rate is applied to the total revenue base, therefore, lower projected revenues result in lower estimated fund balances at year end. To offset a perceived softening of revenues, the parties chose to increase the rate as a means to provide an additional "cushion". The parties assumed a revenue decrease for fiscal year 2004 despite NECA's projections that Vermont's carriers will increase total revenue by 1.58%. Frankel pf. at 4. Moreover, rather than decrease 2%, as projected in last year's investigation,³ the telecommunications revenue base increased from \$401,209,254 to \$405,826,136, an increase of approximately 1.15%. Holding all other conservative assumptions constant, but increasing the estimated revenue base a modest 1% to \$409,884,397 would result in an estimated ending balance of \$537,378 using the current fiscal year 2003 rate of 1.20%. With an ending balance of \$537,378, the VUSF would have \$87,000 more than the conservatively estimated average monthly disbursements, enough funds in my opinion to adequately cover unexpected contingencies.

Second, the parties have estimated a 3% increase in the number of lifeline recipients for fiscal year 2004 on the assumption that the soft economy will again drive up demand for lifeline assistance. Exh. DPS-DLF - 2. At face value, this assumption appears logical. Unemployment, after all, has been on the rise for well over a year. However, the assumption does not square well with the actual number of Vermonter's receiving lifeline assistance. A four-year analysis of the data indicates that rather than increasing, the number of recipients has recently been trending

3. Docket 6697, Order of 7/10/02.

downwards. After a significant increase of 53,535 in fiscal year 2001 to 376,857, the total number of recipients on an annual basis decreased to 370,147 in fiscal year 2002 and then decreased again to 363,348 in fiscal year 2003. Adding to my level of circumspection about the assumptions used to calculate the level of lifeline disbursements is the fact that the parties' projections of the total number of recipients on a monthly basis have been consistently wrong. Inaccurate monthly projections of lifeline recipients in 2002 for fiscal year 2003 ranged from 4.7% to as much as 22% more than the actual number of Vermonters actually receiving assistance. On average, the 2002 projections were off more than 10% for the year. Exh. Board-1 and DPS-DLF exh. 2.

Third, the parties have estimated VTRS disbursements based on an overly conservative increase of 5% in the billable minutes of use (MOU).⁴ The projected number of billable MOU is important because when the contract rate for TRS, currently at \$1.43 per MOU, is applied against actual MOU, the total amount of billings to the VUSF is calculated. When projected MOU do not materialize, the fund over-collects, and vice-versa. While an MOU trend is less discernable than the decline in lifeline recipients, there is nonetheless a plausible basis for curtailing projections and assuming 0% growth or even a decline. As in the case of the lifeline projections, a longer term analysis suggests a modest declining trend. The total billable MOU amounted to 310,994, 264,569 and 270,398 for fiscal years 2001, 2002 and 2003, respectively. And, once again, monthly projections of billable MOU made in 2002 for fiscal year 2003 were consistently wrong. Comparisons of projected MOU to actual MOU ranged substantially, from a negative 5.5% (meaning, projections underestimated the actual billable MOU by 5.5% in the month) to 32% (meaning, projections overestimated the actual billable MOU by 32% in the month). On average, the 2002 projections for billable MOU in fiscal year 2003 exceeded actual billable MOU by 6.9% on an annual basis. Exhs. Board-1 and DPS-DLF exh. 3. However, because the amount of estimated TRS disbursements is small (8%) relative to total estimated VUSF disbursements, an adjustment in either direction would have a marginal impact. For example, holding all other conservative estimates constant and assuming a 0% growth in billable MOU's would have reduced the total funds needed by approximately \$50,000 annually.

4. For a fair year-over-year comparison of VTRS disbursements, the \$50,000 and \$30,000 estimated for outreach programs must be omitted from projections.

Despite my reservations, I am nevertheless recommending a VUSF surcharge rate of 1.27% for fiscal year 2004. I make this recommendation, not because I agree with the underlying analysis, in fact, I disagree with much of it, but solely because the cost of under-collecting outweighs the benefits. The .07% increase over the fiscal year 2003 surcharge rate means the typical residential customer will pay roughly 2 cents more per month.⁵ If, however, the current 1.20% remains in effect for another year and the economy continues to deteriorate, causing the VUSF to under-collect, the parties will need to submit a petition for a mid-year adjustment. Such an adjustment would cause unnecessary additional expenses for all the parties involved and potentially cause even greater hardship for Vermont consumers in need of a vital service. Therefore, it is because of these potential costs and risks that I make my recommendation for what amounts to a rate increase for all customers. At the end of fiscal year 2004, it is conceivable that another year's worth of actual experience in lifeline enrollment and TRS usage will point to a positive trend in the economy and provide better information about the trend in VUSF disbursements. If the economy improves over the next 12-month period, I anticipate the ending balance, one year hence, will again exceed \$1,000,000 as a result of low lifeline enrollment. In such a scenario, I would also expect projections for lifeline recipients and TRS MOU be cut back for fiscal year 2005 and the surcharge rate reduced considerably for the benefit of all consumers.

Opportunity to File Exceptions and Present Arguments

The parties have waived their opportunity to file exceptions and present arguments pursuant to 3 V.S.A. § 811.

Dated at Montpelier, Vermont, this 18 day of June, 2003.

s/Thomas S. Lyle

Thomas S. Lyle
Hearing Officer

5. Assumes the typical residential consumer pays \$30.00 per month for telephone service.

IV. ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that:

1. The findings and recommendations of the Hearing Officer are adopted.
2. The Vermont Universal Service Fund charge shall be 1.27%. This rate shall go into effect July 1, 2003, and remain in effect through June 30, 2004, unless revised in the manner provided by law.
3. Each telecommunications service provider required to collect the USF charge shall include a notice providing relevant information about the VUSF charge when it sends customers their first bill that includes the revised VUSF Charge, or if, because of timing difficulties, telecommunications providers are unable to send such notice with the first bill, they shall send it with their bills as soon as is feasible following the revised VUSF charge. Local exchange carriers shall also include in the VUSF notice information concerning the Vermont Telecommunications Relay Service and the Vermont Telephone Lifeline Program. In addition, local exchange carriers shall provide notification of the Lifeline eligibility criteria and application process during either of the first two months of calendar year 2004. All notices shall conform to the language contained in Attachment A to the Stipulation. If, after negotiation, a telecommunications service provider and the DPS cannot agree on the form of the notice, then the parties can petition the Board for resolution of the conflict.
4. The fiscal agent shall pay the following amounts for fiscal year 2004, and according to the following priority:
 - a. The fiscal agent shall transfer to its own account no more than the sum permitted under contract between the Board and the fiscal agent. The amount under contract is not expected to exceed \$163,000 for the fiscal year.
 - b. The fiscal agent shall transfer to the State Treasurer, in monthly payments, funds necessary to adequately support the Vermont Telecommunications Relay Service and an additional \$75,000 for the VT-EDP adaptive equipment program associated with VTRS and carried out by an independent contractor. In no event shall the sums transferred exceed \$436,002 during Fiscal year 2004, unless otherwise approved by the Board.

- c. The fiscal agent shall recognize legitimate claims from local exchange carriers for credits and reimbursable expenses under the Vermont Lifeline program. It is anticipated that the annual total of all such claims will amount to \$1,468,355.
- d. The fiscal agent is authorized to make monthly transfers to the State Treasurer to support enhanced-911 services at an annual rate of \$3,241,031.

5. The Link-Up eligibility criteria established in Docket 5028 by Order of December 21, 1989, shall be amended to state that any person who applies and is found eligible for Lifeline, is also eligible for the Link-Up program.

6. The Board shall retain jurisdiction over this docket to make any further orders that may be required to administer the Vermont Universal Service Fund. Thomas Lyle is designated as Hearing Officer to consider and report upon any further proceedings that may be appropriate in this docket.

DATED at Montpelier, Vermont, this 18th day of June, 2003.

s/Michael H. Dworkin _____)	PUBLIC SERVICE BOARD OF VERMONT
_____)	
s/David C. Coen _____)	
_____)	
s/John D. Burke _____)	
_____)	

OFFICE OF THE CLERK

FILED: June 18, 2003

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail: Clerk@psb.state.vt.us)

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