



Otter Creek
communications
union district



Purpose: This memorandum between Otter Creek Communications Union District (OCCUD) and Southern Vermont Communications Union District (SoVT CUD) establishes a framework for cooperation as both CUDs develop their business plans, find partners to build and operate their networks, raise money, and serve their communities.

This MOU is created under the shared understanding that there are many advantages to CUDs working together and coordinating their broadband plans and deployment, whether they merge formally or not. Bigger networks can achieve greater efficiency, can better attract operators, and are more attractive to entities issuing funding like municipal bonds.

This MOU outlines many, but not necessarily all, of the ways that the CUDs intend to cooperate as they develop their broadband networks.

Activities and Deliverables:

OCCUD and SoVT CUD shall endeavor to:

- Share results from feasibility study work done on behalf of the CUDs
- Maintain close communication on progress and direction so each CUD is aware of the other's development
- Share findings and research on potential operators and vendors
- Align on a set of core principles and needs to allow coordinated RFP responses (e.g., so that an operator could operate both networks under the same conditions)
- At the appropriate time, issue an RFP that asks respondents to provide a response to operating a network that covers both CUD territories. (Note: this does not prevent the RFP for requesting a quote for operating one or the other CUDs independently as well).
- Design networks to be interoperable to provide economies of scale and enable joint operation (e.g., using the same equipment and specifications, providing each other egress to the internet backbone)
- Coordinate to achieve economies of scale on pre-construction needs if appropriate (e.g., pole data collection, high level design)
- Pursue joint fundraising efforts when appropriate (some sources will prefer larger projects)

Duration:

This MOU is recognized for the duration of 2021, or until superseded by a successor agreement. It is likely that, should the CUDs choose a shared operator this year, the contractual agreement between CUDs and the operator will codify each entity's responsibilities and obviate the need for this agreement.

If either CUD decides to withdraw from this agreement due to unforeseen circumstances that result in changing needs or priorities, both CUDs agree to act in good faith and be open and communicative about their needs.

For the OCCUD

For the SoVT CUD

Signature

Signature

Title: _____

Title: _____

Date: _____

Date: _____