

# **EXHIBIT 3**

PHILIP B. SCOTT  
Governor



State of Vermont  
OFFICE OF THE GOVERNOR

May 22, 2018

Vermont General Assembly  
115 State Street  
Montpelier, VT 05633

RE: S. 289 – An act relating to protecting consumers and promoting an open Internet in Vermont

Dear Legislators:

Today, I signed S. 289. Thank you for your work on this legislation, which solidifies the State's policy interest, as previously addressed in the Executive Order I issued in February, in preserving and promoting a free and open internet in Vermont, while minimizing the risk of costly litigation.

As you know, in January the Office of the Attorney General joined a coalition of states led by New York to block the Federal Communications Commission's (FCC) rollback of net neutrality; this case also challenges the provisions in the FCC's new rule which include sweeping preemption of state and local laws. My Executive Order directed the Secretary of Administration to amend, no later than April 1, 2018, the State's contracting procedures to ensure net neutrality protections in contracts entered into by State government. The Administration has implemented these new procedures and updated its contracting Bulletin 3.5.

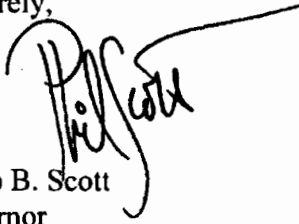
S. 289 has an effective date of April 15, 2019 for implementation of the bill's provisions, which provides time during the next Legislative session to determine whether continued State involvement is needed. There may be additional action in Washington, D.C. or some positive development in the context of the current multi-state proceeding. We may also have some clarity on the nature and extent of federal preemption of state laws in this area and if necessary, this legislation may have to be modified to mitigate the risk of expensive litigation. This bill gives us the time we need to assess what additional options the State may have to ensure

Vermont General Assembly  
May 22, 2018  
Page Two

Vermonters can continue to rely on open and unrestricted access to the value and economic opportunity the Internet offers.

Thank you again for your work on S. 289.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip B. Scott", with a long horizontal stroke extending to the right.

Philip B. Scott  
Governor

PBS/kp

c: The Honorable Mitzi Johnson, Speaker of the House  
The Honorable Tim Ashe, President Pro Tempore  
The Honorable David Zuckerman, Lt. Governor  
The Honorable William MaGill, Clerk of the Vermont House of Representatives  
The Honorable John Bloomer, Secretary of the Vermont Senate