UNAPPROVED

Broadband Advisory Council

Regular Meeting

August 24, 2017

**TIME AND PLACE:** The Broadband Advisory Council met August 24, 2017 at the Center for Energy Research and Education in Forest, Virginia.

**MEMBERS PRESENT:** Delegate Byron, Chair

Senator Carrico

Senator Ruff

Delegate Boysko

Delegate Minchew

Delegate Leftwich  
 Hayes Framme (representing Secretary Haymore)

Megan Seibel (representing Secretary Gooden)  
 Ray LaMura

Duront Walton  
 Jimmy Carr  
 Jane Dittmar

**STAFF PRESENT:** Chuck Kirby

Caroline Luxhoj

Jeff Sharp

**ESTABLISHMENT OF A QUORUM:** With twelve members of the council present, a quorum was established.

**CALL TO ORDER:** The meeting was called to order at 1:10 PM.

**APPROVAL OF THE MINUTES:** Jimmy Carr motioned to approve the minutes from the September 22, 2016 meeting. Delegate Boysko seconded. All agreed. Minutes were approved.

**OVERVIEW AND DISCUSSION OF THE BROADBAND ADVISORY COUNCIL**: Delegate Byron led a brief discussion of the statutory role and scope of responsibilities for the BAC.

**IDENTIFYING PRIORITIES, BARRIERS, GOALS, AND POLICY FOR BROADBAND IN THE COMMONWEALTH**:

Led by facilitator Chuck Kirby, the BAC engaged in a lengthy and wide-ranging discussion of the priorities, barriers, and potential action items for the BAC. Other areas of discussion included accuracy of coverage estimates, an overview of CIT's broadband program, additional discussion of DHCD's broadband program, and an inventory of the various types of broadband service.

There was general agreement that local coverage estimates are inaccurate or misleading but that better estimates are not currently available. Delegate Byron suggested that localities might be in the best position to make such estimates on a locality by locality basis.

Staff gave a brief review of CIT's existing broadband program noting that they are currently working with a number of localities that lack capital and the necessary expertise to obtain capital. Staff noted that their program is complimentary to the DHCD program and that they help localities be better positioned to receive funding. Later, Senator Ruff suggested that CIT reach out to those localities that have the least coverage to inform them of available assistance and staff noted that this would be done.

The Council discussed barriers to broadband service including geography, affordability, zoning, permitting and other administrative hurdles including attachment fees and make-ready fees. There was a related discussion of the potential benefits of a "dig once" practice and the means by which the state could encourage or enforce such a policy.

There was discussion regarding how other states are dealing with broadband accessibility and Jane Dittmar noted that other states have a plan in place and have made large financial commitments to broadband. She asked whether the state would put more money into the DHCD program and whether other programs also have money to appropriate for this purpose and if so what are the priorities of those program.

Regarding federal programs, James Carr noted that the primary federal program for connecting the unserved is the Connect America fund but further noted that the state may not have a role to play in how this money is distributed. Jane Dittmar stated that there is a sense that the Commonwealth is leaving federal money on the table.

The BAC devoted considerable time to discussing the adoption of Council priorities including the distinction between unserved and underserved areas. Ultimately, the Council decided that the one top priority of the Council should be the provision of services to unserved areas.

Delegate Byron stated that she believes that successfully addressing the unserved must start locally. She stated that localities must assess pockets that lack accessibility and be encouraged to utilize the tool kit to partner with local providers. She emphasized that different areas would require different solutions. She further stated that the Commonwealth could help by reducing regulatory burdens and by providing funding assistance to help fill service gaps.

Council members proposed a variety of potential action items including (i) recommending that the Governor's office keep an eye out for federal programs and monitor federal opportunities, (ii) requiring VDOT to allow use of bridges for incorporation of broadband as well as the use of trenching when dealing with utility easements, possibly by requiring VDOT to include such provisions in its next highway design manual update (iii) requesting that broadband issues be included on the agenda for upcoming VML and VACO conferences as well as the rural summit, (iv) taking action to ensure that broadband resources are devoted to the unserved, (iv) conducting regional meetings, (v) encouraging public-private partnership funding opportunities, (vi) seeking to reduce regulatory burdens, and (vii) better education of localities and citizens regarding broadband issues. There was also considerable discussion regarding the proper emphasis of cost-effectiveness when determining distribution of broadband money, but there was no Council consensus on this issue.

**discussion of next meeting:** Delegate Byron suggested that the BAC may want to schedule its next meeting before the end of September and perhaps hold two meetings prior to the 2018 Session.

**PUBLIC COMMENT:** Public speakers included Robert Huff with Lingo Networks, Michael McEvoy with the Western Virginia Water Authority, and Alex Phillips with High Speed Link.

**ADJOURN:** The meeting was adjourned at 4:15 PM.