Broadband Advisory Council

Regular Meeting

September 3, 2015

**TIME AND PLACE:** The Broadband Advisory Council met September 3, 2015 from 1pm to 3pm at the General Assembly Building, House Room C 915 East Broad Street. Richmond, VA.

**MEMBERS PRESENT:** Delegate Byron, Chairperson

Senator Carrico   
 Senator Ruff

Secretary Jackson

Hayes Framme (representing Secretary Jones)  
 Delegate Surovell

Duront Walton  
 Jimmy Carr  
 Jane Dittmar

Ray LaMura

Delegate Minchew

Christy Morton (called in from: 108 Sandpebble Ct.

Nags Head, NC)

**STAFF PRESENT:** Sandie Terry  
 Jean Plymale   
 Lisa Wallmeyer

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

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

**APPROVAL OF MINUTES:** The council approved the July 13, 2015 meeting minutes.

**ANNUAL BROADBAND REPORT OUTLINE (CIT) -** Sandie Terry summarized the 2015 Broadband Activities in the Commonwealth Annual Report to the Governor Outline and asked for comments, changes etc., by October 1, 2015. For a copy of this outline please contact [caroline.luxhoj@cit.org](mailto:caroline.luxhoj@cit.org).

**CONNECT AMERICA FUND PRESS RELEASE -** Rich Schollmann (CenturyLink) talked about the Connect America Fund press release that will be released soon.

Schollmann said the FCC wants to repurpose the Universal Service Fund. Late last week CenturyLink accepted money to expand their services in un/underserved areas in the country. In Virginia, CenturyLink will spend $15.7 million to connect ~50K homes.

The new connections will support 10Mbsp down, 1Mbps up over the next 6 years. CenturyLink will be producing updates and reports to the FCC each year. CenturyLink anticipates that 60% of the eligible areas in their Virginia territory will be served through this expansion. CenturyLink is in the process of network planning, network buildout will be starting in January, 2016.

**HB 2325 DISCUSSION -** Delegate Minchew reminded the council that he filed and struck a house bill last legislative session to expand broadband. Said that his district has some of the fastest and slowest Internet connections in the state. Asked that the council be more involved in promoting broadband expansion. Delegate Minchew said the main issues were pole attachment and make ready fees, they are the biggest impediment. The bill stipulated just and reasonable costs. Electrical utilities are governed by federal code but co-ops are not. Delegate Minchew is working with Jimmy Carr to find a resolution.

**RAILROAD CROSSING FEES DISCUSSION-** Senator Carrico said this discussion is about theexorbitant cost of running conduit under the railroads. We have challenged this in the past via SCC and things got better for a bit, but now it has reverted back. We may need to readdress that problem. Senator Carrico introduced Bill Franklin from Scott County Telephone Cooperative to discuss this issue.

Bill Franklin said that Senator Carrico summed his comments up nicely, the railroad crossing fees are inhibitive.

* Bill Franklin saysthey had averbal agreement of $2500, which worked for years. $100-150 for a copper drop annual fee, then $1000 for crossing the tracks. They spent $150K in railroad crossing fees in the last 5-6 years. Tobacco, RUS, Stimulus has helped them to deploy, but the last crossing fee was $12600 for crossing plus $1250 to apply for permit, and money for the permit itself. They would like to engage in discussion to bring these fees back down to a reasonable rate. Other states have legislation that sets the fee for around $500.

**HB 2352 DISCUSSION-** Lisa Wallmeyer discussed JCOTs review and study of HB 2352 and issued their report which was adopted at the JCOTs meeting. The conclusion recommended not going forward – the bill presented too many unresolved safety concerns. However the underlying purpose was to facilitate the expansion of broadband in underserved areas. JCOTs recommended that the BAC take up this agenda item. JCOTS asked the BAC to keep this on the radar for future discussion.

Concerns were safety related - the bill only referenced pipeline, but was not specific. Big issues related to rights of ways. Because installing conduit is a proactive process this is a problem. Biggest concern was the bill was not location specific. Could be redundant, or not near any infrastructure, so it is not a productive cost. Cost recovery was another big concern. Sympatric to the underlying purpose of the bill but had too many issues in promoting efficiencies.

**CABLE INVESTMENTS AND BARRIERS DISCUSSION-** Ray LaMura provided a summary and handout to the council members. Summary: Broadband speed Virginia is rated 5th in the world. For a copy of the handout please contact [caroline.stolle@cit.org](mailto:caroline.stolle@cit.org).

**OTHER STATES' BROADBAND ACTIVITIES-** Sandie Terry presented on what other states are doing to accelerate broadband deployment. For a copy of the presentation please contact [caroline.stolle@cit.org](mailto:caroline.stolle@cit.org).

**NO COMMENTS FROM THE PUBLIC**

**FUTURE AGENDA ITEMS**

* Jane Dittmar said she would like a representative from VDOT address the council on easement issues.
* Secretary Jackson said Secretary Layne will have a VDOT rep look into the situation, and attend the next meeting.
* Jimmy Carr said that a wireless presentation would also be good.
* Delegate Minchew asks Jane to ask VDOT how they determine the easement type.

**ADJOURN:** The meeting was adjourned at 2:35 PM.