



Connecticut Broadband Internet Coordinating Council

Quarterly Meeting (DRAFT) Minutes, Sept. 13, 2010, 9:00-11:00 a.m. — LOB, 1B

Call To Order

Manziona introduced new member Matt Miller, a Senate President Pro Tem appointee. Miller was involved in General Instruments in the 1980s and the early development of cable modems.

CBICC MEMBERS PRESENT

Mike Chowanec, Cablevision

Burt Cohen, Murtha Cullina LLP

Rob Earley, Comcast

John Emra, AT&T (*not present for first .5 hour of meeting*)

Lou Manziona, *Council Chairman*, Univ. of Hartford

Jack McCoy, Town of Manchester

Matt Miller, *New Member*, Consultant

Robert Mundy, *Ex-officio*, Dept. of Public Utility Control (DPUC)

Pat O'Brien, *Ex-officio*, Office of Policy and Management (OPM)

Anthony Santino, Independent Businesses

William Vallée, Office of Consumer Counsel (OCC)

Rob Vietzke, *Council Vice Chairman*, Internet 2

Also present: CBICC Administrators of the CT Academy of Science and Engineering (CASE) Rick Strauss and Ann Bertini. Guest speakers Steve Anderson, Vice President and John Roache, Senior Project Manager, both of Applied Geographics. Various members of the public.

Manziona called for approval of June 2010 minutes. Vietzke made a motion to approve and Santino seconded. All were in favor. None opposed. No abstentions. There was no discussion.

BACKGROUND ON CONNECTICUT BROADBAND STRATEGIC PLANNING PROJECT -- Bill Vallée

(See related presentation at http://www.ct.gov/cbicc/lib/cbicc/Vallee_Broadband_Stimulus_Project.pdf)

Vallée restated that the federal American Recovery and Reinvestment Act (ARRA) mapping funds have gone to every state and that CT did not receive any other broadband funding. However, Vietzke mentioned a state announcement pending later this morning (9/13) which will provide significant additional federal ARRA funding for Connecticut.

Broadband mapping is being done by Applied Geographics-AppGeo (*presentation following*). Maps will show where broadband is available and what bandwidth is available. To protect from Freedom of Information Act (FOIA) laws -- a concern of broadband providers submitting these data -- the state does not receive any data. Only AppGeo receives data and as a private entity there is no potential for FOIA filing.

State Broadband Data Program -- CT has received \$1.8 M but is looking for a total of \$4M in government funding, not related to Broadband Technology Opportunities Program (BTOP) money.

Goals: 1) Mapping, **2)** Strategic Planning, **3)** Single Point of Contact – Establishing an Office of Broadband Policy. Vallée has been named as Coordinator of the office. (He noted that other states are ahead of Connecticut, for example, North Carolina has had a broadband office for 7 years.)



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- \$500K is allocated to develop a strategic plan to identify public policy goals that the state needs to support for universal service
- \$370K will fund the Office of Broadband Policy.

Planning Aspect — Some of the planning is focused around leveraging the state’s own resources in bringing state agencies up to date in the use of e-government for its services and operations. Vallée emphasized the state’s lack of financial resources and the need to be creative.

The general thinking is that broadband increases productivity, however, some recent academic literature says that it does not, per Vallée. There is the longer term return on investment to consider. Public-Private Partnerships will be important to the process of expanding broadband access and use.

Earley asked whether the BICC will be involved in the development of the strategic plan. Vallée responded that he hopes so and noted that it is a five-year plan, so there will be opportunities.

Vallée mentioned Applied Geographics (AppGeo), the company that has been engaged to undertake the state’s broadband mapping project and to develop the mapping website. The Connecticut Academy of Science and Engineering (CASE) has been engaged to develop the guidelines for the strategy and has put together a Project Committee of various experts to assist in this effort and provide guidance in the development of recommendations for the state’s consideration. CASE has engaged the Connecticut Economic Resource Center (CERC) to assist CASE in the development of the plan. CERC’s Alissa Dejonge, Director of Research, will serve as the Project Manager for the CASE portion of the project.

Vallée also noted the federal government’s Broadband Match website, an online service to help applicants for broadband grants find potential partners (<http://match.broadbandusa.gov/BTOPpartners/BPMhome.aspx>). Vallée cited this as an opportunity for BICC to get involved.

APPLIED GEOGRAPHICS PRESENTATION, Steve Anderson, VP, and John Roache, Senior Project Manager
(See related presentation at http://www.ct.gov/cbicc/lib/cbicc/09132010_AppGeo-Presentation_CBICC.pdf)

Anderson is a Principal of AppGeo, based out of Boston with Connecticut offices in Manchester.

To date, they have been identifying all of the broadband providers and collecting data. They have non-disclosure agreements with the providers. They are gathering data from both private and public entities, as well as data on what is happening at community anchor institutions (schools, firehouses, libraries, etc.), and data from consumers themselves.

Data collection will not target specific locations but will show what providers are available in a region. The definition of “service availability” being “information where providers provide service today or could offer service in 7 to 10 business days” came from the federal broadband stimulus Notice of Funds Availability (NOFA). However that definition is being rethought. Data includes:

- Polygon region
- Middle mile
- Backbone interconnection points
- Last Mile (some confidential, some not)
- Also what technology is used and the speed

In response to a question, AppGeo said they are not gathering reliability data.



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Anderson says Connecticut providers have been very good to work with with 23 companies providing information. Some are actually providing their customer list but most of the material is proprietary. The raw data is protected and the companies have agreed to what information the federal government will receive.

See map example, Slide 7. http://www.ct.gov/cbicc/lib/cbicc/09132010_AppGeo-Presentation_CBICC.pdf

Pink = broadband available. Blue = broadband not available.

Emra asked whether the map will reflect state forests and such because those areas would not need service. Roache said "Yes".

In Connecticut there are:

- Two ILEC (incumbent local exchange carrier) providers
- 3 wireless: AT&T, Verizon, Sprint (T-Mobile does not offer the NTIA definition of broadband)
- 6 cable TV providers

Roache noted that it is interesting to be working with the utility commission in CT. In other states it is usually an Information Technology or Information Services department. But it helps because it gives us more authority and increases the involvement.

95% of Connecticut is covered for broadband access and close to 100% from population standpoint.

- ▶ Have collected all data.
 - ▶ It is safeguarded and AppGeo is checking for inconsistencies
 - ▶ Delivering Round 2 to the National Telecommunications and Information Administration (NTIA) by October 1.

Visit the mapping site at: <http://ct.gov/broadband>

- The site has an application for community anchor institutions. AppGeo has pre-populated as much as possible so that users are mostly verifying data.
 - The Speed Test becomes a data point and could highlight providers that are unknown and verify speeds stated by providers.
 - The site has been designed to be specific to CT's needs. The speed test application goes directly to the user's location and people have been eager to use it.
- There is also a public survey.

Once the second round is finished AppGeo will be able to start showing statistics on the site. The mapping site has already had a soft launch and will officially go live in mid-October. At that point a user will go in, put in their location and the aggregate data will appear.

Through a Provider Portal, providers can see census blocks and then verify those data. The smaller providers find it useful. The larger ones already do this type of work in house.

The CT Department of Homeland Security and others are interested in the data and AppGeo is providing it back to the state.

Vietzke asked what happens if users are on 80211 wireless. Roache said it will do a speed test; however, it is not infallible. They will be able to show, for example, which libraries have public WIFI and which have public computers available.



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DISCUSSION OF DRAFT PRINCIPLES DOCUMENT/POLE ADMINISTRATION

Vietzke moved that the "Draft Principles" document be entered into discussion. [SEE INCLUDED AT END OF MINUTES] McCoy seconded. None opposed, all were in favor.

Manzione requested comments on the database aspect of the principles referenced in the third to last bullet. Emra expressed concern over how such would be paid for. Vallée likened it to the gas pipeline safety unit at DPUC

Emra is supportive of this approach. He felt it is complex and expensive, and AT&T is not going to pay for it. The state is facing a major deficit. How will it work?

Vietzke suggested separating the issues. The goal is transparency. Putting out transparent information about the status of poles; what is available where, and what is being planned. He noted that such transparency should level the playing field for pole attachers.

Emra said it is not a problem with transparency. Requests quickly go to AT&T's pole shift database and the concern is that people will come to AT&T and ask to redo things that have already been done. He added that in a post 9/11 world, there are security issues with making certain information available.

Vietzke said that in his past experiences as a pole customer, it was helpful to know what was holding up service. He agreed with the point about restraints due to security issues and resources.

Manzione questioned whether -- with the caveats of funding, security issues -- that particular point should remain in the BICC principles.

Cohen noted that from his perspective and understanding, the system works relatively well. Most of the cable companies that he works with and the New England Cable and Telecommunications Association do not support the creation of a pole administrator.

Earley noted that with the continued evolution of this issue at DPUC perhaps the BICC should not get involved.

McCoy followed by noting that there are municipalities in the Make Ready Working Group (Working Group) and that there are, in fact, multiple pole administrators. Discussions in the Working Group, he said, demonstrate that there are concerns with pole administration. A fair number of cities will not get involved because of the complexity. Municipalities are working on an agreement with CL&P but they have no guarantee that AT&T and UI will honor that. From his perspective, the feeling in municipalities is that we do not know who do deal with.

Per Mundy, he cannot characterize policies other than what is already written in the CL&P rate case decision. He noted that the Pole Ready Docket was praised in the National Broadband Plan. The work of the Make Ready Working Group has been praised. He emphasized the need for the Working Group to continue its work in reference to a possible pole administrator. He also noted that the Working Group welcomes participants, industry or otherwise, on this issue. They are looking for input.

Vallée cited the fact that he is on the Working Group as are representatives from AT&T, Comcast and the New England Cable and Telecommunications Association. He emphasized that the pole administration issue is a hurdle and that there are issues with the application of the Public Rights of Way. He also noted that it must not just be a Connecticut issue, as this issue is cited in the National Broadband Plan.



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Matt Miller said he was CTO at Viacom when the first federal rules were adopted. From his perspective, it is premature for the BICC to be discussing a means of resolving these issues. As a statement of principles, however, it is fair to say:

- Pole attachment is important/crucial
 - People who wish to attach to poles require clarity as to who they should be dealing with (which is not the same as saying for every pole there will be one contact).
- For any given pole, it should be clear who to contact.
- Pole attachment should, as a matter of law, be non-discriminatory.

He added that principle is one thing, and how it is implemented is another. Miller's point resonated with Vietzke.

Chowaniec noted that the process of transferring pole administration from AT&T to CL&P is ongoing and should not be further complicated by creating another administrative entity. He said it has been going well, even though there have been issues. He expressed concern that creating a statewide pole administrator might create a whole level of other issues.

Manziona said that, after hearing the comments, the subcommittee should continue their work. He did not hear that the document should be abandoned altogether.

Vallée asked who the audience is for the document. Manziona said his understanding was that it should be the DPUC commissioner and the governor's office.

Vallée said it raises the issue as to whether the BICC is a deciding body. He also re-emphasized the work of the Make Ready Working Group and pointed to that entity as perhaps already being a type of pole administrator. He posed the question of whether the BICC should speak to the Working Group.

Chairman Manziona said that the work of the Pole Administration Subcommittee would continue with a decision about whether to address the Make Ready Working Group to be determined at a later time.

McCoy mentioned the fact that the Working Group has a mediator and the BICC could review the items that are referred to mediation to identify issues and impasses, if any, which would provide the BICC with further details on issues being considered.

Manziona put out a general request for others on the BICC to join the subcommittee on the pole administration issue. There were no volunteers at the meeting beyond the four members already on it: Vietzke, Vallée, Emra, McCoy.

Broadband Data Improvement Act (BDIA) Data – Mundy noted that the federal government can change the mapping data gathering process. It is an iterative process and takes time but fully supports the BDIA. Much—not all—of what AppGeo does will serve the purposes of the BDIA.

Vietzke noted that people in the White House are craving the mapping data and that is probably why there have been all the modifications to the process.

NO PUBLIC COMMENT

Vietzke read the news release which cited a major BTOP funding announcement by CT's congressional delegation to occur at 11:35 in LOB, 1C.



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CONNECTICUT BROADBAND INTERNET COORDINATING COUNCIL BICC POLE ADMINISTRATION PRINCIPLES

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September 2010

- Uniform pole attachment policies are integral to ensuring ubiquitous and robust broadband deployment in a fair and competitive market.
- The process for deploying broadband infrastructure must be as efficient and streamlined as possible in order to achieve public policy goals of ubiquitous broadband, and to promote investment, competition, job creation, and Connecticut and US competitiveness globally.
- Uniform and equitable pole attachment rules are essential to encourage the expeditious deployment of new facilities, speed implementation, and lower the costs of broadband infrastructure.
- Equal and economical access to utility poles is essential to both wired and wireless broadband deployment.
- Section 224 of the Communications Act guarantees cable operators and telecommunications carriers non-discriminatory access to poles, and requires that the rates, terms, and conditions for pole attachments are just and reasonable.
- Broadband providers must be able to use space- and cost-saving techniques and to implement these techniques in a time intervals manner similar to the time intervals available to the pole owners -- subject to safety, regulatory, and pole administration standards applicable to all pole attachers.
- Improved methodologies for setting pole rental rates, improved enforcement processes, and specific timelines for pole attachments are required for the broadband market to flourish. Furthermore, it is essential to maintain safety, reliability, and sound engineering practices to improve the pole access process.
- For business competitiveness reasons, the CBICC would like to see rules that allow new cables to be attached to poles in a predictable and transparent way, with a goal of all attachments being complete as soon as possible consistent with the regulatory standards already in place
- A public on-line repository listing latitude/longitude of poles (for GPS purposes), the status of requests, make ready work, licenses, construction and other pole attachment details for each pole

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attachment application should be developed and maintained to allow review of workloads, job completion rates, unusual situations, and job completion details. This transparent database of pole attachment data should be available to all interested parties and state oversight bodies. It would also afford a unique public safety opportunity to use the location of all utility poles as an efficient and uniform system of markers to help guide emergency responders to accident scenes.

- The establishment of a statewide pole administrator is the most efficient mechanism for implementing these principles. Such a process could: (1) eliminate the need for separate pole attachment agreements with multiple pole owners; (2) eliminate duplicative record-keeping (and the cost thereof) by joint pole owners; (3) ensure efficient and uniform administration of applications by all pole attachers; (4) reduce the overall cost of deploying broadband infrastructure by both public and private sector attachers; and (5) improve pole safety by ensuring that all attachers are bound to the same set of technical standards.
- The statewide pole administrator could take a number of forms, including: (a) an expansion of the existing “Call Before You Dig” clearinghouse model administered through the DPUC; (b) a private entity performing this service for profit derived from application fees; or (c) an existing pole owner which takes on the role of administrator.

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