

Report of the
Subcommittee 1 (Mapping and Funding)
to the
Statewide Broadband Expansion
Planning Task Force

CHAIRPERSON: Catherine Moyer

VICE-CHAIRPERSON: John Idoux

OTHER MEMBERS: Christine Aarnes, Colin Hansen, and Jim McNiece

STUDY TOPICS

- Work collaboratively to develop an approach that includes, but is not limited to, the development of criteria for the creation of a statewide map for defining and evaluating the broadband needs of Kansas citizens, business, industries, institutions, and organizations; and
- Identify opportunities and potential funding sources to:
 - Expand broadband infrastructure and increase statewide access to broadband services;
 - Remove barriers that may hinder deployment of broadband infrastructure or access to broadband services; and
 - Consider options for the deployment of new advanced communication technologies.

December 2019

Attachment 3
PBTF 12-17-19

Subcommittee 1 (Mapping and Funding)

Conclusions:

The Statewide Broadband Expansion Planning Task Force (Task Force) should consider the following:

- Create a broadband policy statement goal that considers broadband as not only reliable Internet access, but as a tool for attracting and promoting economic development, public safety, educational opportunities, and health care.
- If state broadband grant funding becomes available, establish 25 Mbps (download)/3 Mbps (upload) as the acceptable minimum speed for any state grant funding of broadband access.
- Request funding to maintain the current Kansas Broadband Map and request Connected Nation to create a broadband availability map that includes projects that have been awarded Connect America Fund – Phase II (CAF-II), Alternative Connect America Cost Model – Phase I and II (ACAM I, ACAM II), and other grant funding for broadband that has been deployed or is planned for development.
- If state broadband grant funding becomes available, develop a rebuttal or challenge process to ensure such state funding is only used for unserved or underserved areas.
- If state broadband grant funding becomes available, establish grading or scoring criteria for evaluating and prioritizing broadband grant applications with higher priority given to applications that provide greater benefits in terms of speeds and coverage.
- Require broadband service providers and broadband infrastructure providers to participate in statewide mapping projects as a condition for receiving any state grant funds.
- Conduct a survey of Internet service providers (ISPs) and community anchor institutions regarding what broadband funding is current available to them.

Proposed Legislation: None

BACKGROUND

At the March 28, 2019, meeting of the Statewide Broadband Expansion Planning Task Force (Task Force), the Task Force members agreed that the Task Force should be divided into three subcommittees. The subcommittee membership was decided by the Co-chairpersons, with Task Force member input. The Co-chairpersons did not include the legislative members of the Task Force in subcommittee

assignments, but encouraged the legislators to attend the subcommittee meetings.

The Co-chairpersons requested that each subcommittee meet twice during the 2019 Interim, The Task Force will next meet December 17, 2019.

The Co-chairpersons charged Subcommittee 1 with discussing mapping and funding topics. The Co-chairpersons designated Catherine Moyer (Pioneer Communications) as Chairperson and

John Idoux (CenturyLink) as Vice-chairperson, and appointed Christine Aarnes (Kansas Corporation Commission), Colin Hansen (Kansas Municipal Utilities), and Steve Roberts (Kansas State Board of Education, District 2) to serve on the subcommittee. Steve Roberts was later replaced by Jim McNiece (Kansas State Board of Education, District 10).

SUBCOMMITTEE ACTIVITIES

June 19, 2019

Subcommittee 1 met June 19, 2019. Chairperson Moyer provided an overview of the subcommittee charge from the Co-chairpersons.

The Chairperson reviewed with the subcommittee the mission of the Task Force, as provided by 2018 Senate Sub. for HB 2701(e)(1) or KSA 66-1286(e)(1), regarding statewide broadband mapping. The subcommittee members discussed broadband mapping, including whether further mapping would be necessary, what additional information would be included on future mapping, what role mapping could play in providing possible grant funding at the state and federal level, and current and future federal mapping issues. The subcommittee members also discussed the question of who is considered served or underserved when looking at a broadband availability map and discussed what broadband speeds would be applicable to those labels.

The Chairperson next reviewed the mission of the Task Force, as provided by 2018 Senate Sub. for HB 2701(e)(4)(A)-(C) or KSA 66-1286(e)(4)(A)-(C), regarding identifying opportunities and potential funding sources. The subcommittee members discussed existing broadband funding, current opportunities for broadband funding and potential funding sources at the federal and state levels, barriers to receiving funding for broadband, and deployment options of new advanced communication technologies.

The subcommittee received information compiled by Kansas Legislative Research Department staff regarding other state broadband plans and funding sources. This information included broadband plan or fund start date; the

funding amount and source; eligible areas and unserved or underserved definitions; technology and scalability requirements; an application process; a challenge process; and the success rate, meaning how much funding has been granted or used and how many new locations have been served with broadband. The states discussed included Arkansas, California, Indiana, Iowa, Minnesota, New Mexico, North Carolina, South Dakota, Tennessee, and Wyoming. The subcommittee also discussed Michigan's state broadband plan and requested information on the states surrounding Kansas.

The subcommittee members then discussed potential recommendations and requested further information from legislative staff before the meeting was adjourned.

October 10, 2019

Subcommittee 1 met October 10, 2019. Chairperson Moyer provided an overview of the subcommittee charge from the Co-chairpersons.

J. Brent Legg, Vice President, Government Affairs, Connected Nation, presented an overview of the Kansas Broadband Map to the subcommittee. Mr. Legg stated the objective provided to Connected Nation was to produce a more granular and accurate broadband availability map than the Federal Communications Commission's (FCC) National Broadband Map. The map was to collect and display granular data on service availability, including all service types via an online searchable GIS map and downloadable PDF maps.

Mr. Legg stated the Kansas Broadband Map was to be used by the general public and the Task Force. Feedback and in-field validation of infrastructure occurred from April through June 2019. The final map was delivered on July 31, 2019.

Mr. Legg described that data collection began in August 2018 and continued through June 2019. He provided the following provider participation.

Of the 88 broadband providers in Kansas:

- 70 submitted granular or location-level data;
- 10 refusals to participate (represented on the map as Form 477 census block-level data in gray);
- 2 submitted location-level data for at least one service type, but Connected Nation relied on Form 477 data for the other service types; and
- 6 were non-responsive and have not been reporting to the FCC *via* Form 477, so there was no data to include.

Mr. Legg provided statistics on service availability by population, comparing the data from participating providers with granular data to the same data plus non-participating providers (Form 477 data). He stated the actual service availability by population is most likely somewhere between the two sets of data. Mr. Legg concluded his presentation and answered questions from subcommittee members.

Eric Frederick, Executive Director, Connected Nation, Michigan, and Vice President, Community Affairs, Connected Nation, presented an overview of Connected Nation Michigan to the subcommittee. Mr. Frederick explained Connected Nation Michigan is a subsidiary of Connected Nation that was created as a partnership between Connected Nation and the Michigan Public Service Commission with investment from the National Telecommunication and Information Administration.

Mr. Frederick provided statistics about broadband in Michigan:

- Michigan ranks 30 among other states and territories for broadband availability;
- An estimated 368,000 of Michigan's rural households do not have access to broadband;
- Nearly 2.0 million households (48.0 percent) have access to only one fixed, terrestrial Internet service provider (ISP);

- About \$2.5 billion in potential annual economic benefit is left unrealized among disconnected households; and
- One-third of households without the Internet say the cost of service is too expensive.

Mr. Frederick stated the former Michigan Governor created the Michigan Consortium of Advanced Networks (MCAN) in January 2018. The mission of MCAN was to create the "Michigan Broadband Roadmap" (Roadmap) to provide recommendations and actions for improving broadband access and adoption. The process of creating the Roadmap was facilitated and written by Connected Nation Michigan.

Mr. Frederick provided the guiding principles and actions of the Roadmap, which included:

- Remove barriers to broadband adoption;
- Encourage connectivity for community anchor institutions;
- Promote coordination, cooperation, and communication between private and public infrastructure entities at all scales;
- Utilize existing and emerging funding sources and investments more effectively; and
- Focus on embracing all technologies, visionary planning principles, and innovative approaches to ensure high levels of broadband service.

Mr. Frederick described the three recommendations that came from the Roadmap:

- Improve access to unserved areas;
- Increase broadband adoption; and
- Progress Michigan's broadband ecosystem.

Mr. Frederick detailed the Connecting Michigan Communities Grant designed to extend broadband into unserved areas. The grant program is designed to occur across a two-year period, with

planning, applications, and review of applications occurring in 2019 and comment or objection period, further reviews, granting of funding, and implementation and monitoring in 2020.

He said broadband is defined by the program as a connection with a speed of at least 10 Mbps download and 1 Mbps upload. The grant is available to those providers licensed under the Michigan Telecommunications Act, video franchise act, or any entity currently providing broadband service, excluding government and educational entities. Requests cannot exceed \$5.0 million and the grant process includes a comment or objection period to ensure funds are used in truly unserved areas. For the grant program, Michigan allocated \$20.0 million. As of this presentation, the grant program had received \$47.0 million in grant requests.

Mr. Frederick also described community engagement and planning as a vital part of expanding broadband access. He stated it is important to:

- Identify community champion and create a local broadband team, including all sectors and ISPs;
- Deploy surveys and gather infrastructure data to assess adoption and use and benchmark against other participating communities;
- Identify strengths and weaknesses from assessment and choose strategies for improving technology; and
- Implement the plan and promote to build excitement and accountability.

Mr. Frederick provided several examples of community engagement and planning, including the importance of developing public and private partnerships for service in extreme rural areas; modifying zoning ordinances to spur wireless deployment; constructing fiber networks where ISPs have no interest in serving; and conducting vertical asset inventories to identify structures for wireless equipment. Mr. Frederick concluded his

presentation and answered questions from subcommittee members.

Christine Aarnes, Chief of Telecommunications, Kansas Corporation Commission, answered questions from subcommittee members about eligible telecommunications carrier (ETC) status, carrier of last resort (COLR) obligations, price regulation, and the Kansas Universal Service Fund (KUSF).

After discussion regarding possible recommendations, the subcommittee members agreed to the following recommendations.

CONCLUSIONS AND RECOMMENDATIONS

The Statewide Broadband Expansion Planning Task Force (Task Force) should consider the following:

- Create a broadband policy statement goal that considers broadband as not only reliable Internet access, but as a tool for attracting and promoting economic development, public safety, educational opportunities, and health care;
- If state broadband grant funding becomes available, establish 25 Mbps (download)/3 Mbps (upload) as the acceptable minimum speed for any state grant funding of broadband access;
- Request funding to maintain the current Kansas Broadband Map and request Connected Nation to create a broadband availability map that includes projects that have been awarded Connect America Fund – Phase II (CAF-II), Alternative Connect America Cost Model – Phase I and II (ACAM I, ACAM II), and other grant funding for broadband that has been deployed or is planned for development;
- If state broadband grant funding becomes available, develop a rebuttal or challenge process to ensure such state funding is only used for unserved or underserved areas.;

- If state broadband grant funding becomes available, establish grading or scoring criteria for evaluating and prioritizing broadband grant applications with higher priority given to applications that provide greater benefits in terms of speeds and coverage.
- Require broadband service providers and broadband infrastructure providers to participate in statewide mapping projects as a condition for receiving any state grant funds; and
- Conduct a survey of ISPs and community anchor institutions regarding what broadband funding is current available to them.