

North Bay/North Coast Broadband Consortium

NBNCBC OVERSIGHT COMMITTEE MEETING NOTES Thursday, March 1, 2018 1:30-3:30 pm Sonoma County Administration Center, in-person meeting

I. Welcome and Call to Order

A. Roll Call of Oversight Committee Members (all present)

- (1) Supervisor Dennis Rodoni - Marin
- (2) Supervisor Dan Hamburg - Mendocino
- (3) Supervisor Diane Dillon - Napa
- (4) Supervisor Lynda Hopkins - Sonoma
- (5) Tom West - non-voting Chair (call-in)

A. Introduction of NBNCBC Management Teams

(1) Marin Management Team

- **Tim Flanagan**
- Peter Pratt
- Bruce Bagnoli (call-in)
- Lorenzo Cordova

(2) Mendocino Management Team

- **Steve Dunicliff -deputy county manager (absent)**
- Trish Steel - County deputy-Manager; recording secretary

(3) Sonoma Management Team

- Mike Nicholls, County Liaison/Manager
- Steve Sharpe, County Liaison/Manager
- Calvin Sandeen

(4) Napa Management Team

- Anthony Halstead, County Liaison/Manager
- **Jon Gjestvang (absent)**
- Nelson Cortez

B. Introduction of Guests

- Belia Ramos, Napa County Supervisor
- Christine Sur - representative for Congressman Huffman

II. Update from Congressman Huffman's office

- A. Christine Sur provided a brief update from Congressman Huffman's office. She joined his office just last month and is new to this issue. She would mostly like to listen and hear from us, and get up to speed.
- B. There are two ongoing telecom bills related to broadband that they are continuing with, including HR2425, [Public Lands Telecommunications Act](#) and the [New Deal Rural Broadband Act](#) and they are paying attention to the Farm Bill.

- C. The Public Lands Act received a Congressional Budget Office (CBO) score that is higher than expected, and they are working with committee to see how they can bring that number down and hoping to meet with providers to resolve issues so see how they can either support it or be neutral on the bill. Huffman wants to move the bill forward.
- D. Mike stated that in a letter he sent to the congressman on January 7th Sonoma recommended adding a sentence to the aid bill which they feel is very important so that it is not forgotten down the road: “Provide funding for restoration of high speed infrastructure to counties impacted by fires.”
- E. Supervisor Hopkins will be attending the [National Association of Counties \(NACO\)](#) conference, and asked how counties could support the congressman’s efforts on rural broadband. Christine responded by suggesting to creatively bring the issue up in other groups. The language around rural broadband is vague, and so it’s helpful to know specifics of what the needs and ideas are in the district.
- F. Supervisor Dillon offered to help build bridges with other congressional members, as this issue is common especially for large districts. Christine will be in touch about this.
- G. Steve Sharpe brought up an important and ongoing issue that our counties often do not qualify for funding due to eligibility issues (not rural enough, not poor enough, etc). Christine has noted our concern and will pay attention as well so that these programs can be applied in our counties. They also want to make sure that rural broadband is part of the conversation as the Farm Bill comes up.

III. Perspectives, Impact and Potential Follow-up Actions on AB 1665 (75 min)

- A. Quick Overview of AB 1665 and Status of guidelines
 - (1) CPUC Proceedings for Implementation of AB 1665 (4-pages)
 - Chart of deadlines taken from scoping memo (1-pager)
 - Appendix A on changes to the CASF program (2-pages)
 - Highlights of Adoption moneys available (4-pages)
 - (2) Peter provided an overview of the CASF changes and the 6 Orders which will take AB 1665 and begin the legal implementation of this legislation (see first handout).
 - (3) A few important changes include the retiring of the Loan Account and the creation of an Adoption Account (\$20 million). The Infrastructure Grant Account at \$300 million remains the big fund.
- D. Implications for counties
 - (1) The CAF exclusion areas seem to be a little more “forgiving”, in that these locations are “off the table” for CASF funding only until July 2020, a few years shorter than than first thought. If providers don’t build in those locations in about two years from now, we can petition to bring those locations back for state funding.
 - (2) One potential argument for tweaking in this legislation is the concept of federal/state funding, and that one side should not exclude the other. We should

take this back to our coalition partners. Another issue brought up by West is that the maps currently used by the PUC use data from December 2016 and do not account for fire damage to infrastructure.

- (3) The consortia pushed for priority funding for 98% by county, but the bill is for 98% by region. It was suggested that we lobby Assemblymember Garcia for a change in the 98% using Mendocino as an example.
- (4) Consortia Account changes include the reimbursement only for activities directly related to CASF infrastructure project applications. However, there are other federal monies that could be used to develop a network (e-rate, tele-health, USDA) that state money could leverage.

E. Implications for counties

- (1) The challenge for our consortium is to decide which issues are key ones that are priorities for us and which are ones that we, with our colleagues, will have a chance of having an impacting for the public good. We can't win every battle (and more are upcoming, such as the wireless bill), but we can try to focus on some specific proposals which are most promising. We should identify other public interest forces/organizations in CA to link up with .
- (2) Trish provided a few thoughts on this as well. For counties without active infrastructure grants such as Mendocino, it's important to find the "silver linings" in some of the new programs such as the new adoption and Line-extension funding.
- (3) Tom West thinks that there are two prongs in this: 1) dealing with the commission guidelines and making them work for us, and 2) identifying any changes in legislation that we want to push. At the CETF workshop Assemblymember Garcia said that AB 1665 "is just the beginning...if things need to be tweaked or eliminated, we would be open to that."
- (4) Another action would be to meet again with the PUC Commissioner Rechtschaffen (Napa met with him previously) and bring the message to the PUC the importance of getting this right, because the PUC will be tasked with the implementation of this legislation.
- (5) Supervisor Hopkins suggested that this issue is not just about broadband and economic development, but fire safety. This is a primary focus for RCRC especially in the north because of the large forest mortality. How to patch the gaps that exist in AB 1665? Can we get a work-around through a fire bill? How can we think outside the box and re-frame rural broadband to fire safety?
- (6) There is also Hazard Mitigation planning funds and FEMA money. If we can open up broadband as a key proponent to disaster preparedness that would be huge.
- (7) The NBNBCB outage report could be a helpful tool in this effort, and it provides data on both broadband and safety. Another angle to explore is FirstNet and how it might help this agenda. Christine will also look into this.
- (8) Supervisor Ramos stated that we should be asking for a legislative exception of the rules because of the fire disaster just experienced by our counties, based on the fact the data being used in the CPUC mapping is pre-fire. Such an exception should allow flexibility for use of federal matching funding to state

funding to at least restore us to the status pre-fire. Once we are back to our pre-disaster state, then we can live up to the rules. Napa is willing to take on the exception issue.

- (9) Supervisor Rodoni suggested a dual approach to the exception idea that includes our legislators. We can talk to Assemblymember Wood and other key legislators such as Garcia, Curry, and Dahle.
- (10) At CSAC there is a sub-committee of fire-affected counties, and this is one policy issue to look at there. There are enough counties that CSAC should also place pressure, such as a direct letter to the PUC Commission and also to Garcia to set up for potential legislation.
- (11) Cal shared some research he found on what happened a decade ago in San Diego, where after a fire disaster the city took the lead for under grounding of utilities using Rule 20C, and the providers were forced to follow along. It also allowed for the establishment of funding mechanisms for this project as well. (Napa just finished 7 miles of under grounding of PGE utilities by forming a District and using Rule 20A)
- (12) Another new program under the Infrastructure Grant Fund is the Line Extension Program (LEP). Peter suggested that we could set up ways local governments could assist homeowners in polling this money together, and then create project for an area to address these specific homes. The LEP money is only \$5 million for the entire state, so if we think that this has potential we should put this into a comment.
- (13) Counties do not have the time and resources to delve into these very complicated PUC orders, but if each of 4 counties could take a piece of it and submit comments under the NBNCBC, then it's doable. Comments from the NBNCBC do not preclude the ability of individual counties or other groups such as the Broadband Alliance to weigh in as well.
- (14) Submitting comments in this proceeding automatically will make you a "party" to the proceeding, which means you have an official seat at the table. This can help advance all the issues we have been talking about.
- (15) The different county perspective are also important because we each have different situations and experiences. For example, Anthony's work with the specialized housing (which the other counties don't have) which didn't fit into the public housing account - Napa should seize the opportunity to comment before the rules are finalized.
- (16) Another opportunity to move the broadband issue forward is via the 35 fire-related bills, some of which are about communication.

ACTION ITEM: Supervisor Dillon made the following motion: The Oversight Committee of the North Bay North Coast Broadband Consortium (NBNCBC), an authorized entity of the Rural and Regional Urban Consortia Account of the California Public Utilities Commission, hereby authorized the Chairperson of the NBNCBC to:

- (1) Cause NBNCBC to be registered party, and registered on the Service List, for Rulemaking 12-10-012, as provided for in the Rules of the Commission; and,

- (2) File Comments and Reply Comments in Rulemaking 12-10-012; provided that each Oversight Committee member gives assent to each Comment and Reply Comment.

Q. This motion was seconded by Supervisor Hopkins and passed with all members in favor.

III. Synopsis of Year 2 County Work Plans

A. Marin

- (1) The Marin team is excited to report that the CASF Nicassio project is going well and 220 homes are set to have fiber to the home in April.
- (2) Bolinas also filed an application in mid-December 2017 (the last application under the old rules) for 571 homes. This application is currently under review. The backhaul solution is an innovative (hybrid) high-capacity microwave system with re-inforcements of fiber from the county.
- (3) Marin projects could be a model for other counties and projects.

B. Mendocino

- (1) For 2018 we have 6 main activities in our Work Plans; a big accomplishment of 2017 was the development of County Broadband Goals, and their adoption by the Board of Supervisors in July 2017. For 2018 the major push will be for the development of a County Broadband Plan by the Broadband Working Group.
- (2) The fires have presented a challenge in that members of the Broadband Working Group are intensively busy in the aftermath of the fires.
- (3) Mendocino has also been working on the 3-county telecommunications outage survey and report in the aftermath of the fires.

C. Napa

- (1) The fires recovery have taken priority for staff, but Napa has completed ground-truth testing of wireline and Fixed Wireless connectivity using Chico State resources, and have received results. This testing was a challenge in that they had to send out physical mailings to those areas that have connectivity issues, and the responses were not great. It's difficult to prove a negative, but they are seeing a pattern and they hope the CPUC can utilize this data in their maps.
- (2) This year that plan to have 1-2 community meetings to raise awareness of broadband and results of ground truth testing, and to work with local providers who are willing to close the last mile.

D. Sonoma

- (1) The Fort Ross project is moving through the permitting process, and trenching started this week. It has been a long process.
- (2) Sonoma contracted with the consultant Magellen to develop a county Strategic Plan with a combination of funding from the consortia, Sonoma Clean Power, Economic Development Board, and Sonoma County Water Agency (The Water Agency needs broadband for the Warm Springs Dam). They formed a diverse 21-

member Advisory Committee, and have completed 11 community workshops, held interviews, conducted business surveys, and overall is 75% complete. Their focus changed in the middle of this process due to lessons from the fires. They hope to have a draft in a few months with high-level strategies, ways to fund rural deployment county wide and to develop public-private partnerships. A Board of Supervisors presentation in June. Things are not working the way they are, and so they are looking for something bold.

- (3) They are also researching precision Agriculture, and intend to connect the “right farmers with the right grants with the right technologies” so it all ties in together.
- (4) The Joy Road project for 500 households is undergoing final completion. A similar project for The Sea Ranch was submitted but not funded.
- (5) Last week the Board sent letters to the five major telecom providers (Comcast, AT&T, Frontier, Sonic, and Verizon) requesting information on what infrastructure was damaged in the fires and what their plans are for repair. They would like for the supervisors to have a session with these providers and be able to ask questions.

IV. Other Business

- A. Supervisor Dillon asked the Committee to consider having alternates attend these meetings. It would help to educate other colleagues on the board and prepare for the retirement of current members of the committee.
- B. West said that nothing precludes this, and by order of the Chair Supervisor Hamburg recommended each county invite an alternate to the meetings.

V. Public Comments

- A. Trish recommended that all eligible applicants for the Adoption program provide input to us regarding the CASF modification rules, so that we can tailor our NBNCBC comments on the rules to match the programs that we want to see implemented.
- B. Mike said that at Sonoma Clean Power there was discussion of renewable Enterprise Districts, and that maybe this can be another vehicle that we can use for broadband deployment.

I. Adjournment of Meeting

- A. Meeting adjourned at 3:30 pm

IX. Next scheduled Oversight Committee Meeting:

- A. We will plan for the next meeting for mid-April.