

NBNCBC OVERSIGHT COMMITTEE MEETING NOTES  
Thursday, April 27th, 2017, 3:30 - 4:30 pm  
Call-in participation only

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

A. Introduction of NBNCBC Management Teams

(1) Marin Management Team

- Tim Flanagan
- Peter Pratt
- Bruce Bagnoli
- 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
- Susan Upchurch (absent)

(4) Napa Management Team

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

B. Introduction of Guests

- Scott Rasmussen - Congressman's Huffman's office
- Cathy Mudge - Assembly member Wood's office

II. Update from Congressman Huffman's office NOTE: Scott gave his report after Agenda III

- A. Scott Rasmussen from Congressman Huffman's office reported that they are moving forward with federal broadband legislation and hope to introduce it in the coming weeks. They are getting support from other federal agencies such as

BLM, and are working to find incentives for deployment. He will share a draft of that legislation.

- B. It will be part of the Natural Resources contribution in the Infrastructure package, but in conversations with majority staff, it was indicated that any serious conversations won't begin until the fall.
- C. Pratt asked about RUS funding in the Farm Bill; Scott reported that they haven't looked at the bill yet, but will he will do that.

### III. Current status of Broadband Legislation

#### D. AB 1665 (Garcia)-Internet For All Now (IFAN) Act - Exhibit #1 Mudge/Nicholls

- (1) Cathy Mudge from Assemblymember Wood's office provided an update. AB 1665 passed out of the Assembly Communications & Conveyance Committee on Wednesday. There was good turnout of stakeholders, great discussion, and bi-partisan support. The bill goes next to the Appropriations Committee, but no date has been set for a hearing.

An overview so far: there is \$330 million allocated total; \$300 million for infrastructure, \$20 million for adoption, and \$10 million for consortia. Money for public housing was removed and will be addressed in a separate bill. The 98% goal by region/consortia is in the bill.

Supervisor Rodoni asked Cathy if the recommendations that the NBNCBC submitted on two separate occasions were incorporated into the bill. West added that there were 4 main items that we strongly recommended: 1) both un and underserve areas be eligible for funding; 2) the 98% goal be by county; 3) the PUC adopts the federal standards of 25/3; 4) that service is provided via wireline and Fixed Wireline, and not mobile.

Cathy responded that in regards to #1 the unserved standard was anything less than 10/1, and that she believes both are included in the bill; #2 the goal is by consortium and not county; #3 the federal standards were not included; and #4 that the bill is technology neutral, but during the application process a company would have to prove that a wireless system would work.

Another question is whether federal CAF funding in 21,241 locations in our congressional district would preempt state funding under CASF. The bill version seen in March had that preemption taken out, but Steve Blum, a well-respected private sector broadband analyst, posted in a blog this morning that the bill accepted ILEC preemption of those locations.

This question of preemption is of critical importance to our counties, especially in Marin and Mendocino, as it wipes out the ability to get state funding.

Cathy reported that this was not her understanding, but she will check on it and get back to us via a clarification to West.

- (2) Consortium discussion of AB 1665 - the Oversight and management teams had a discussion on the implications of this bill for our counties.

Flanagan stated that the FCC set 4/1 as the broadband standard in 2010. The CPUC set 6/1.5 in 2012 and now to go to 6/1 seems like a regressive policy to follow. He suggested it might be worth it to fight to have California standards be as good as the feds (25/3), and the easiest path might be to peg the CA standard to the federal standard.

West agreed, and noted that the CAF 10/1 standard does not meet the PUC standard either.

The fundable standard of 6/1 locks in sub-standard service, and makes 1990's legacy DSL standard is the best future technology for our rural areas.

By preempting the CAF areas, the incumbents are basically saying that the \$300 million in federal money is an adjunct to the CASF program that benefits themselves. If this is correct, we all agree that this bill would not be beneficial for our counties and that the negotiations are settling on something less than what we need. Sunne indicated that they are still working on language.

We have sent our recommendations to everyone involved, twice. So, what to do? West suggested we go directly to the PUC and get support from other consortia to buy in and help urge better provisions.

Pratt and Lorenzo both suggested that we need a highly focused message, and we need to send this message to our Assembly members—Wood, Aguiar-Curry and Levine.

West will set up a call for next week, after we have had a chance to look at the bill and craft a follow-up strategy. We may have to go to McGuire if necessary.

E. AB 980 (Wood)-Broadband Fiber Optic Cable - Exhibit #2

Mudge

- (1) This bill was introduced, but pulled and is not being pursued because of the successful progress of AB 1549 (below) and the willingness of CalTrans to be an active participant in the process and adopt a “dig-once” policy, as evidenced from the first meeting of the Stakeholders Group in April.

F. AB 1549 (Wood)-Broadband Conduit Database -Exhibit #3Mudge/Steel/Nicholls

- (1) This bill was introduced last year and as part of that bill, CalTrans convened a Stakeholders group on April 4th to develop a framework for guidelines for a “dig-once” policy.
- (2) CalTrans submitted a formal letter to Assemblymember Wood that they will install conduit in priority areas (and engage Assemblymember Wood in conversations on what is a priority area), and to develop a policy directive by July 1st of this year which will take effect next year.

**ACTION Items from Agenda topics 1-3:**

- Cathy Mudge will get back to West about whether there are CAF preemption of areas in AB 1665.

- Scott will share a draft of the Federal Legislation currently being worked.
- Scott will also look at RUS funding in the Farm Bill
- Tom will set up a management team/Oversight Committee call next week to develop a follow-up strategy.

#### IV. Selection of the Chair of the OverSight Committee

A. Supervisor Rodoni made a motion and nominated Sup. Hamburg, as he is the longest serving supervisor. Supervisor Dillon seconded the motion. Hamburg accepted the nomination and it was passed unanimously.

#### IX. Team Reports

A. Marin - Peter.

(1) Nicasio - Tim Flanagan of Marin County reported that fundraising and other operations for the Nicasio Broadband Network are progressing well

B. Mendocino -

(1) Trish reported that CalTrans confirmed that they will be placing conduit in the Main Street project in Willits, and she is working with the city planner for help him get the specifications he needs.

(2) The Broadband Working Group has completed the draft [Broadband Goals](#) for the county, and she has started making presentations to city councils and Municipal Advisory Councils. These goals are a foundational activity towards developing a county broadband plan.

(3) Frontier does not have plans for any CAF upgrades in Mendocino for 2017. They would not share any plans for the following years.

(4) A [report released by the haas institute](#) on Tuesday details how rural communities are left behind in ATT fiber deployment, with the average income in deployment areas \$95K. In a county by county breakdown, in Mendocino there are 0 HH within the AT&T footprint with FCC speeds, 3 AT&T HH with U-verse speeds, 39% of HH underserved, and 25% unserved). And this is using download only, the numbers get much worse if upload of 1.5 is considered. State and Local papers are picking up on this report and writing about it (Sac Bee, LA times, Ars Technica, International Business Times,etc). local papers have been asking for comments.

(5) The Rural Call Completion moves into Phase 2, and the assigned commissioner Rechtschaffen issued a scoping memo recently.

(6) RCC - This moves into Phase 2, and the assigned com. Rechtschaffen, issued [a scoping memo](#). Phase 2 includes the formation of a Working Group that includes public safety to work out outage reporting requirements - who, when, thresholds, etc. Mendocino did not comment on this scoping memo, but [some of the providers did](#) and requested that phase 2 should not move forward until the re-hearing and stay applications are approved, and the elimination of particular ordering paragraphs, all this is un=nec-

essary because the FCC is reviewing standards, etc. The wireless Association wanted wireless completely excluded from any reporting requirements. We submitted [“reply comments”](#) countering these arguments and requesting that the PUC forward with Phase 2, and keep the standing data requests and other requirements. ORA and TURN also were in agreement with this. This also impacts SB 566 (McGuire, Hill) Telecommunications: Warren-911-Emergency Assistance Act: notification of rural outages. We believe that providers are pushing for this bill to show that the Decision requirements are not needed, as a reason to overturn it.

- (7) Note about the 4/5/17 California Broadband Council meeting: Carla Pelterman is the new PUC rep. One important presentation at this meeting was by Lloyd Levine from Riverside BB Policy and Digital Literacy. He presented findings on research that asked the question, “Does public investment in broadband yield economic benefits.” The answer resounding yes. A 1% increase in broadband adoption leads to increase in per capita GDP, so there is a high benefit to cost ratio. I am still waiting for that report to be public and will share with everyone when it is.

#### C. Napa - Anthony

- (1) Jon reported that Napa has an agreement with Chico State for ground truth testing of Fixed Wireless and Wireline, focusing on their priority areas. Parallel to this, they are working on a communications plan as best way to do outreach in in the priority areas.
- (2) Anthony shared the good news that they have had success in getting broadband to some of their farmworker housing, and it will be deployed in the next 3-4 months. It will involve two or three hotspots in two farmworker locations. As a library, they have access to a service called “Tech Soup,” and with T-Mobile as a 3rd party they can get this access for \$10/month, so their operating costs are low.

#### D. Sonoma -

- (1) Mike reported that they published an RFP in January for proposals for developing a county strategic plan. They received 4 responses, and have elected to interview 2 applicants. They are currently in the evaluation process but hope to have a decision next week.
- (2) The Joy Road project is moving along, and they hope to start construction in the early fall, pending weather and engineering.
- (3) Mike (and Trish) were part of the Caltrans stakeholders meeting in Sacramento, and there will be 2 or 3 more meetings scheduled before July.
- (4) Steve announced that the Sonoma-Mendocino Economic Development District was certified a few weeks ago, and the next step is to apply for funding for the operation of the district.

#### E. NBNCBC Specific -

West reported that as a consortium we developed [broadband data and maps](#) for our assembly, senate, and congressional districts, and sent the information to the appropriate assemblymembers and senators.

## **X. Other Business**

### **A. Meeting with New Commissioners**

- (1) Trish reported that on March 28th she met with the new PUC Commissioner Cliff Rechtschaffen and his telecom advisor in San Francisco, along with a small group that included Gladys (CETF), Race Communications, an Oakland non-profit that provides computers to low-income families (adoption side), and herself.

She had provided the current broadband data that Tom prepared from assembly and senate districts, and also the PUC data on “98% gap” earlier via email. He had read it and immediately jumped into the meeting with specific questions for Gladys and Trish about our handouts. Trish also provided him with our Broadband Goals, and said that our next step will be to develop a broadband plan since our old plan was outdated -from 2012 and relied upon Golden Bear Broadband. Mentioning GBB brought up Digital 299 and Gladys thanked him for his yes vote, and he seemed proud of that vote so that was a good reaction to see as well.

- (2) Mike and Trish both had a chance to meet and talk with commissioners Martha Guzman Aceves and Peterman at the CPUC meeting in Santa Rosa. Guzman’s telecom advisor is from Mendocino, and Mike and Trish made some good connections. It seems that Commissioner Peterman will be the telecom lead for the PUC.

## **XI. Public Comments**

There were no comments from the public.

### **I. Adjournment of Meeting**

Meeting adjourned at 4:40 pm

## **IX. Next scheduled Oversight Committee Meeting:**

Wednesday, August 3, 2017 3:00 PM  
Thursday, October 30, 2017 1:30 PM (In-person Santa Rosa)