

# North Bay/North Coast Broadband Consortium

## Notes from the NBNCBC OVERSIGHT COMMITTEE MEETING Friday, July 29th, 1:30 - 2:30 pm

### I. Welcome and Call to Order

#### A. Roll Call (**absent in red**)

- Oversight Committee Members present
  - Supervisor Kinsey-Marin
  - Supervisor Dan Hamburg-Mendocino
  - **Supervisor Diane Dillon-Napa**
  - Supervisor Carrillo-Sonoma
  - Tom West - non-voting Chair
- Marin Management team present
  - Barbara Thornton, Executive Officer, Marin County Telecommunications Agency (MTA)
  - Scott Armstrong, Chief Assistant Director of Information Services and Technology
  - **Barbara Layton, County Enterprise Systems Mgr.**
  - Peter Pratt
  - Liza Crosse- Aide to Supervisor Kinsey
- Sonoma Management Team
  - Mike Nicholls, County Liaison/Manager
  - Steve Sharpe, County Liaison/Manager
- Mendocino Management Team present
  - **Absent-Steve Dunncliffe - County Manager**
  - Trish Steel- County deputy-Manager; recording secretary
- Napa Management Team
  - Anthony Halstead, County Liaison/Manager

#### B. Introduction of Guests

- Scott Rasmussen, Congressman Huffman's office
- Drew Kemp, Sonoma County resident

### II. Congressman Huffman's Activities

- A. Scott Rasmussen provided an update from Congressman Huffman's office on 2 issues they have been focusing on.
- B. Their office has put together a coalition of folks to encourage the USDA to update standards for definition of rural broadband as it pertains to the USDA loan program and Community Connect grant program. This will raise eligibility standards, and having higher standards will address concerns around existing incumbent services in an area.

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- (1) Marin thanked the Congressman for these efforts, because in Marin none of the unserved areas are eligible for Community Connect money because the definition of bandwidth is so low, and minor cellular service knocks those areas out.
  - (2) Sonoma County also mentioned that the definition of “rural” as population of less than 5,000 is also problematic, in that it makes most of California ineligible for the program. Unfortunately this definition is a statutory issue, and the congressman doesn’t have the discretion to make a change. However, his bill would make this change of “rural” to 25,000.
- C. The other issue is the Digital 299 project in the northern part of the district. They are reaching out to other federal agencies and stakeholders (such as NPS) to find potential funding and participants in the project.

## III. Update on CPUC-CASF Infrastructure Grant Program

- A. Nicasio - this Marin grant was awarded on July 14th for \$1.5 million to Inyo Networks, Inc. They have partnered with the Nicasio Landowners Association, and they have one year to raise \$1 million in bond money as a match. The four days before the award was approved, Marin worked around the clock answering questions around this State Security bond instrument, which is expected to go out for 10 years at 3%/year, with a moratorium for the first 3 years. This could be a model that other counties to use.

There was one CPUC commissioner vote against the award (President Picker) when he castigated the entire CASF program. Overall the CASF staff has been wonderful, and Supervisor Kinsey will be sending a letter of thanks. More information will be shared as soon as it is available.

- B. Joy Road/Occidental - this Sonoma County project was recommended for approval by CPUC staff for the August 18th meeting. There have been no challenges that they know of yet, and they are still within the challenge period, but one could come at the last minute.
- C. The Sea Ranch project grant application to connect 2,200 parcels with fiber was rescinded, but the Sea Ranch community is continuing with the project on its own financing by the Homeowners Association and a self-assessment fee. They may be ready to light up by September or October.
- D. Westport - In Mendocino the past-awarded project at Westport to WillitsOnline was rescinded, as more than two years have passed and no start date was ever approved.

## IV. Report on 4th Quarter Activities

- A. Mendocino-Sonoma Meetings - the last month of June Sonoma and Mendocino organized a series of 14 meeting with providers and communities, and the CENIC/California Telehealth Network also included Marin and Napa counties.

The CEOs of both CENIC and CTN (Louis Fox, Eric Brown) made presentations and engaged in discussions of how healthcare and education could “drive the broadband bus” and the potential for collaborative projects/case studies. Barriers to federal funding was also discussed, and the need to break the funding silos. Eric

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and Louis will be following up on these discussions with talks to USDA reps on the issues.

A standardized agenda was used for all the provider meetings, in which we presented our county conceptual designs, the regional design, the CPUC availability data for their company (for confirmation it was correct), backhaul questions, and plans for expansion. In general, the incumbents did not share any new information, although the meeting with Frontier produced some very positive conversations and was followed up in the next few weeks with a tour by Frontier representative in Mendocino and Sonoma. For the meetings with the WISPs a theme emerged that non-traditional solutions are needed, along with more federal funding. Regulations such as “dig-once” would also be beneficial.

## B. NBNCBC Regional Middle Mile Preliminary Design/Costs - Awareness of the Need and a Commitment to Pursue Implementation

When the work of NBNCBC started in July 2014 it was generally accepted that there was adequate diverse, redundant and resilient middle mile fiber-based infrastructure deployed throughout the region to meet our needs into the long-term future. Only after digging for information to confirm that belief did we come to the realization the existing middle mile infrastructure lacked diversity and redundancy. Furthermore, we learned that one major provider controlled most of what existed causing local providers to be dependent upon that company. NBNCBC believes it vital to the economic development of the region to ensure there is a robust, diverse and redundant regional middle mile backbone, as well as, county-wide backbones that connect all the communities to that regional backbone.

## OUTCOMES

1. Regional Middle Mile Backbone Needed---Based on the data collected and analyzed NBNCBC determined a major need for a fiber-based middle mile infrastructure along the Route 101 Corridor from the Bay Area to the Oregon and from Novato (Marin County) to Suisun City along the Route 37 corridor to: 1) facilitate economic development in the region; 2) create a more competitive and cost-effective environment for broadband services to this region; and, 3) to put into place a comprehensive capability that would provide the resiliency and redundancy currently lacking.
2. Conceptual Design Developed---NBNCBC developed a high-level conceptual design that consisted of five segments: Segment #1-200 Paul Street in San Francisco to San Rafael; Segment #2-San Rafael to Santa Rosa; Segment #3-Novato to Suisun City on Route 80; Segment #4-Santa Rosa to Route 36 in Humboldt County; and, Segment #5-Route 36 to Oregon Border.
3. Conducted Feasibility Analysis and Cost Estimates---A consultant completed a feasibility analysis with a very preliminary design and “budget” cost estimate to deploy a fiber-based middle mile infrastructure on two segments –Segment #4- the Route 101 corridor between Santa Rosa in Sonoma County and the Route 36 intersection in Humboldt; and Segment #3 along Route 37 corridor between Novato in Marin County through Napa County to Suisun City on Route 80.

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Segment #4 will not only serve as the regional backbone but it will be an integral part of the Mendocino and Sonoma countywide backbone plans. Likewise, Segment #3 will be a vital link for Napa County both east and west. The planning consultant estimated a rough cost of \$68 million to deploy these two segments--\$55 million for Segment #4 and \$13 million for Segment #3.

4. Plan of Action Laid Out---As part of NBNCBC Year 3 and 3 Action Plan a time action plan for pursing the full development and implementation the Regional Middle Mile Backbone is in the NBNCBC Specific annual work plans.

## DISCUSSIONS

1. Supervisor Kinsey noted that the Highway 37 replacement project may provide an opportunity for routing, and that there currently is enthusiasm to do something, interest in a PPP, and a sense of urgency, but also a lot of permitting issues.
2. Peter agreed that private sector financing will be needed unless there is another initiative like the BTOP grants.
3. Nicholls stated that he met with the engineer who did the feasibility study, and because the Highway 37 project wants elevated structures on the first segment, it will require immense permitting. And alternative route that skirts the 37 and follows the northern alignment of existing roads works out to be about the same cost.

## ACTION ITEM

1. We want to make sure that all the transportation authorities involved are aware of the need for broadband and of the potential for a Route 101 middle-mile project. The consortia will draft a document, and have Marin's office review and guide us as to where this document should be sent. Supervisor Kinsey will provide us with contact information.
- C. CPUC Hearing -Ukiah - Mendocino County hosted a public participation hearing by the CPUC on July 15th on the “Rural Call Completion and Dial Tone Access” proceeding, which included any issues where residents lose their dial tone, including outages. The hearing was preceded by a tour by Commissioner Sandoval and other PUC staff to the site of the 2014 fiber break out the Comptche-Ukiah Road. Public participation was strong; the hearing was scheduled to last from 2:30 - 4:30 but lasted until well after 6 pm, and even then several speakers left before they were called to speak. Commissioner Sandoval listened carefully to each speaker, often asking specific questions to clarify their points and to understand completely their situation, and asking her advisor to make sure to “follow-up” on them.

Public Safety provided comments and the theme that emerged was the lack of communication and notification of officials during major outages. For many residents, loss of dial tone is an on-going issue and their lines are not reliable nor fixed in a timely manner.

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A link to the video of the hearing is published on the Broadband Alliance website, along with a pdf of speakers and the video time stamp. The proceeding is still open, so comments are still accepted for this proceeding.

Supervisor Hamburg thanked the Executive Office for doing a great job engineering the day, and making sure that people were aware of the event with press releases. He also attended the tour with the Commissioner before the hearing, and noted that even two years after the break, we could go to the spot and find deficiencies in the infrastructure around where the break occurred.

We all hope that the final outcome of this meeting is better broadband.

It was brought up that Senator McGuire is orchestrating meetings between AT&T and the four counties that were affected by the most recent outage - Humboldt, Lake, Mendocino, and Sonoma. It was asked as to whether our consortia counties of Marin and Napa could also be included in these talks, because as Marin pointed out, several of their smaller CO's are also "single-threaded" and vulnerable to outages. Some of their smaller providers have reported outages of this nature as well.

## ACTION ITEM

The consortia will craft a document to send to Senator McGuire asking the Marin and Napa counties are included in the conversations about network reliability and potential upgrades.

## V. The Future of NBNCBC

- A. Status of Year 3 and 4 Planning Grant Application - we asked a week ago to the CPUC for an update to report to the Oversight Committee, but we have not heard back. Other consortia are in the same boat; three consortia have been recommended for approval for the CPUC August 18th meeting.

- B. Renewed Discussion on Forming JPA (Exhibit #2)

At the Oversight Committee Meeting in June 2015 the topic of forming a JPA was raised and we were charged to bring a draft JPA back to the October 2015 meeting. The topic was on the agenda and a draft JPA had been circulated. However, there was very little discussion because we ran out of time.

The topic is back on the agenda today with the intent of setting into a motion a process for discussing and deciding whether not the counties want to move forward with a JPA, or an alternative vehicle to address the policy and strategy issues surrounding broadband and its importance to the economic development of each county and the region. Or, just stay the course for the next two years functioning as a consortium.

Since we do not have sufficient time today to flesh the topic Tom suggested we dedicate the in-person Oversight Committee meeting on October 13th to this topic. Here us what Tom thinks needs to be done to prepare for that meeting.

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1. TASK #1- By September 15th each County discuss and determine its interest in forming a JPA, or implement an alternative vehicle to address broadband policy and strategy issues going forward.
2. TASK #2A - If yes, to proceeding with forming a JPA, review the draft and submit modifications by October 1.
3. TASK #2B - If yes, but proceed with an alternative vehicle, outline the alternative approach in a brief document and submit by October 1.
4. TASK #3 - Meet in-person in the Fall (TBD); discuss all the alternatives including modifications to the draft JPA; and outline next tasks.

## **VIII. Other items**

- A. Support for CPUC Commissioner Catherine J.K. Sandoval - it was noted that CPUC Commissioner Sandoval has been a strong advocate for our rural counties, and is very much appreciated. Unfortunately her term as commissioner ends in December of this year, and Trish wondered whether the consortia is interested in writing a letter of support for her re-appointment (after confirming that she is eligible for re-appointment). It was agreed that this would be a good idea.

### **ACTION ITEM**

Trish will confirm her eligibility for re-appointment, and draft either a letter of support or a letter of appreciation that will be circulated within the consortia for approval.

## **IX. Public Comments**

- A. No public comments.

## **II. Adjournment of Meeting**

- C. Meeting adjourned at 2:30 pm

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

- J. Next scheduled meeting is an “in-person” meeting in October or November (Date TBD) in Santa Rosa.