

**NBNCBC OVERSIGHT COMMITTEE MEETING Notes**  
**Conference Call**  
**Friday April 27, 2018, 1-2 pm**

**I. Welcome and Call to Order**

- Roll Call of Members and Alternates
  - Supervisor Dennis Rodoni, Marin;
  - Supervisor Dan Hamburg, Mendocino (Chair);
  - Supervisors Diane Dillon and **Belia Ramos (Alt.) Napa**;
  - Supervisor **Lynda Hopkins, Sonoma**;
  - Tom West, Non-Voting member, NBNCBC manager
- Introduction of NBNCBC Management Team
  - Marin: **Tim Flanagan**, Peter Pratt, Bruce Bagnoli, Laurie Childers, Lorenzo Cordova;
  - Mendocino: Trish Steel, **Steve Dunicliff**;
  - Napa: Anthony Halstead, Jon Gjestvang, Nelson Cortez;
  - Sonoma: Mike Nicholls, Steve Sharpe, Calvin Sandeen

**II. Status of Proposed CASF Guidelines to Implement AB 1665 Steel**

- NBNCBC/Other Comments & Replies on Adoption and Public Housing (Phase I)
  - Steel reported that during our last oversight meeting on March 1st, the committee authorized the NBNCBC to submit comments in the PUC proceeding on modification of the CASF fund. [Comments](#) were developed on the new adoption program, and after committee approval were submitted to the PUC on March 16th. (See Exhibit #1)
  - The NBNCBC comments emphasized that the application and reporting process needs to be reasonable and not onerous so as not to exclude smaller organizations/ ISPs, and to not discriminate against rural areas by requiring and prioritizing projected subscriptions/final subscriptions because of the lack of availability of these services.
  - We made about a dozen recommendations in our 12 page document, including suggestions on program metrics, scoring criteria, evaluation criteria, 5% match as an “in-kind” service for low-income communities, etc.
  - PUBLIC HOUSING Account - our main point was that agricultural worker housing should be eligible for applying, and also the need for on-going operational funding.
  - We recommended the PUC be more flexible and open to creative ideas to close the digital divide, because innovative ideas such as wifi on school buses are important to close the “homework gap.”
  - **REPLY COMMENTS** - 14 organizations submitted comments, and the “reply-comment” process which follows is where commenters can respond to

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recommendations from other people/groups, and state why or why not they agree with them.

- We submitted 10 pages of [reply-comments](#) on April 2<sup>nd</sup> (See Exhibit #2); it was an opportunity to re-emphasize what we believe is important - that the purpose of an adoption program is to educate and train as many individuals as possible to be able to effectively use the services provided by broadband access, not the number of subscriptions. We recommended pre and post surveys to evaluate success of the program.
- We agreed with some suggestions and disagreed with others; for example, we agreed with TURN's recommendation for a broadened application process and disagreed with suggestions for a more stringent application process and focus on subscriptions. We asked for clarification on questions around expedited review and dual programs of access and adoption;
- Supervisor Rodoni commented that he thought we did a great job putting it together.
- NBNCBC/Other Comments on Infrastructure, Line Extension, and Consortia (Phase II)
  - On April 16th we submitted [comments](#) on Phase II the proceeding. (See Exhibit #3)
  - Sandeen provided an update on the Line Extension (LEP) part of the program and our recommendations. The LEP is for people who are just beyond the Comcast line, and it costs too much to extend services to their house. It's a new program set for individual households to apply on their own behalf. Taking into account potential project areas, we submitted suggestions that would allow *communities* to apply for increased efficiency.
  - For the Infrastructure Account West said that we raised a number of issues in our comments, including the fact that the map and data being published and used going forward as baseline data does not include the damage to infrastructure due to the wild fires, and the importance of middle mile infrastructure to reach the last mile. No one commented on the consortia changes.
  - Pratt reported that going forward, the changes to the consortia account will present a big challenge. The majority of PUC staff is taking language from AB1665 in a strict way, and bringing forward network engineering expertise as a requirement. Very briefly, we met with PUC in early March, and we have to bring smaller carriers to the table and work with them.
  - AT&T submitted an extensive response, and laid out a process. We should look at that if we can, as they will push their process vigorously.
- Follow-up Actions
  - Reply comments on Infrastructure are due on May 1st. PUC should issue draft Interim Order in May or June and there will be additional public workshops in May/June.
  - West will take a look at the submitted comments, and try to get something out over the weekend that the NBNCBC may want to submit.
  - Pratt suggested that it might be a good strategy to align/sign on with other consortia that have formed alliances, such as Redwood Coast Connect/RCRC and Redwood

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with the Northeast and upstate consortiums. This could save time and may be good public policy to join as well. West will follow-up with Connie Stewart over the weekend.

## III. Significant 2018 Legislation

(15 min)

- [AB 2910-\(Wood\)](#) Communications Restoral After Natural Disaster (Feb 16, 2018)
  - See [Exhibit #4](#) for copy of the Bill;
    - Title of the bill: Public Utilities Commission: telecommunications service: natural disasters: reports
    - Steel reported that the bill was introduced in the Assembly in Feb 2018 and was amended 3 times in committee; on the 18th passed out of committee on a partisan vote (9-3) and was referred to appropriations;
    - This bill would require the PUC to annually submit a report to the Legislature on telecommunications service providers' efforts, and resources used, to restore telecommunications service outages caused by, and to repair or replace related network infrastructure or facilities that were damaged by a natural disaster. Required reporting includes:
      - # of people affected by outage; outage duration, and 911 impacts;
      - Long-term plans for restoration, including where wireless will replace wired infrastructure
      - Posting to the PUC website in a conspicuous place
  - See Exhibit #5 for NBNCBC [Letter of Support](#) to the Assembly conveyance committee asking for amendments;
    - West sent our support letter with suggested amendments on April 6th, right before the bill was heard in committee. NBNCBC recommended monthly reporting for first 6 months (and quarterly after that) instead of an annual report so that OES officials have real-time data and that the documents be public;
    - The point of our letter 2-fold: 1) after a disaster, what good does a document 11 months "after the fact" do? And 2) for public safety officials there needs to be near "real-time" reporting of facilities that are going out of service.
    - Even if we have emergency alert protocols, what good are they if we still can't communicate with those in harms way? Providers have this info in real time in their network centers already, so have them send it to CalOES, and then CalOES can send it out to counties based on their own protocols.
    - Our amendments did not pass, but the bill is still going through and it passed committee with flying colors; Wood wants to go ahead with the bill as is.
    - There was great support in the Committee hearing room by CWA Labor which made a big difference, as that morning there was doubt it would even pass so that was good.

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- Supervisor Hamburg asked if the bill was still supportable without our amendments. Pratt thinks yes, that it has some value but it doesn't do everything that we need for our first responders.
  - Industry argued that this legislation is not needed because the PUC already has the authority to do this.
  - This is where our Memo to PUC Communications Director Cynthia Walker comes in - to settle this jurisdiction question as we received mixed messages. Earlier from Karen Eckersly we understood that the PUC did not have authority. We need clear understanding of where the PUC authority is/ends, and to push legislation to give the PUC that authority.
  - We will finish the memo asap, and get it off to Cynthia by next week.
- [SB 833-\(McGuire\)](#) Emergency Alerts: Evacuation Orders: Operators
    - See [Exhibit #6](#) for copy of the Bill
    - SB 833 would provide for a red alert system designed to issue and coordinate alerts following an evacuation order, incorporating a variety of notification resources and developing technologies tailored to the circumstances and geography of the underlying evacuation. The bill would require a local government agency or state agency that uses the federal Wireless Emergency Alert (WEA) system to alert a specified area of an evacuation order to use the term "red alert" in the alert and notify OES of the alert.
    - Pratt reported that Senators McGuire, Dodd and Hill are all sponsors of this bill, along with being co-sponsored by all of our Assembly delegation (Wood, Levine, Aguiar-Curry)
    - This bill really came out of the Sonoma disaster where the emergency alerts didn't work. McGuire is saying to OES to come up with protocols. It is a good bill and flew through committee and is now in senate appropriations, so hopefully it will pass.
    - McGuire said that AB2910 with the consortia amendments is the sister bill/ companion to his, and he is a great ally. What good does it do if OES gets info but there an outage? Public Safety needs real time data on outages to know if they can't communicate with their own people. The technology is there to do this.
    - Bagnoli agrees that this is very important, as the ability for Incident Command to communicate is critical. A network operations with the correct software could be sending GIS points to OES people.
    - The question was asked, "What is the best way to proceed, especially since our amendments were not accepted in the assembly?"
    - Pratt suggested that since Marin made good contact with Senator McGuire, they could raise the issue with him. AB2910 has to go to the Senate and maybe it could be amended there.

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- Pratt also believes that this needs to be taken to the regional public safety agencies, such as calFIRE, Sheriffs, Fire Chiefs, Police, and local OES. Public safety deserves to have a say in this.
  - West suggested that since Marin has already connected with Senator McGuire in early April, as a follow-up (and with the Oversight Committee approval) to ask if he sees an opportunity to introduce this amendment to AB2910 when it reaches the senate side.
  - Supervisor Rodoni said that Marin would be glad to take the lead on this.
  - Each county team and Supervisor can figure out how to best have a conversation with public safety/OES and to get their input on amendments to the bill.
- Other Legislation
    - [AB 1999](#) (Chau) Introduced 2/1/18; amended 4/18/18;
      - Nicholls reported that this bill fixes a loophole in prior legislation that “required” a Community Service District that began offering broadband services to sell the network an ILEC if asked. This bill changes ”requires” transfer of title to “authorizes” transfer of title.
    - [AB822](#)
      - This is CA’s net neutrality bill; it passed out of Utilities and Judicial committee along party lines and is now in Appropriations.

## IV. Other Business

- NBNCBC Telecommunications Outage Report: Northern CA Firestorm
  - The report is close to being finalized, but is waiting on a few more edits.
  - West will send this Executive Summary (ES) to the Oversight Committee later today, along with a link to the full report and the distribution plan.
  - The actual report has a lot of factual content and probably is not subject to edits; however, the ES can be subject to change/edits.
  - Can the Oversight Committee provide any edits and permission to Tom for distribution by Monday? The sooner we can get it approved, the sooner we can get it out.
- County Team Updates
  - Marin
    - Pratt reported that the Nicassio network is going live as we speak, and that is very exciting news for everyone. They hope that there will be a demonstration project to see the “guts” of the fiber network.
    - The PUC issued a draft resolution in support of approval of the Bolinas project for 571 homes.
  - Mendocino

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- Steel reported that recently there was a large tree across what she believes was the main fiber optic cable going north into Humboldt County recently, which created a situation where the line made a steep “V” and potentially was the next fiber break. It took several hours for her to contact a live AT&T person to report this, and also the county did not have the 24/7 number which AT&T has provided to them. The point being - more work for better communications needs to be done both inside and outside the county, and this fits into a call from Rhuenette from AT&T about meeting with stakeholders for more discussions.
- Steel recognizes the need to re-invigorate and prioritize the development of a county Broadband Plan going forward. It’s been too easy to get distracted from this project because of the fires, outage report, PUC comments, Alliance meetings, etc.
- Napa
  - Supervisor Dillon updated the committee on their county efforts to conduct five workshops, each presided over by a supervisor to talk and educate about disaster preparedness.
  - Halstead said that their project from last year for broadband to farmworker housing which didn’t go forward due to the high on-going costs (\$1000/month per location) is going to proceed via an alternative technology. They will use a wireless solution using Verizon and T-mobile connections. It’s not optimal, but it’s better than what they have and the costs are doable.
- Sonoma
  - Nicholls reported that they have developed neighborhood evacuation maps in collaboration with fire departments. These maps will be distributed via a post card mailing to residents, and also via other outlets such as realtors.
  - Sharpe reported that they are putting together draft sections of their Strategic Plan and hope to have a final draft early next month to go to the Board of Supervisors.
  - Sandeen reported that they are looking at Dry Creek as a potential EDA project, looking at the 71 businesses and the dam along Dry Creek.

**V. Public Comments (2 minutes person)** Hamburg

- There were no public comments

**VI. Adjournment of Meeting** Hamburg

- Meeting was adjourned at 2:15 pm
- Future meeting dates in June, October, and December are still to be decided.