

WEST VIRGINIA BROADBAND ENHANCEMENT COUNCIL



Meeting Agenda - Minutes | November 9, 2017

| | | | |
|-------------------------|--|-----------------|--|
| Meeting Title | WV Broadband Enhancement Council Meeting | | |
| Chairperson | Robert Hinton | | |
| Date | 11/09/2017 | Location | WV Capitol Complex Bldg. 3, Suite 800 Conference Room |
| Time | 9:00 am | | |
| Audio Connection | 304.957.6999 Conf. ID: 935-9172# | | P = Present; TC = Teleconference; VC = Videoconference; _ = Absent |

| | Council Member | Representing | | Council Member | Representing |
|----|--|---|----|---------------------------------|--|
| P | Robert Hinton, Chairman | Rural Business User Congressional Dist. 2 | - | Woody Thrasher | Dept. of Commerce, Cabinet Secretary |
| P | Robert Morris, Vice Chairman | Urban Residential User | p | Jeff Proctor | Representing Woody Thrasher |
| TC | Michael L. Holstine Secretary-Treasurer | Rural Business User Congressional Dist. 3 | - | Dr. Steven L. Paine | Dept. of Education, State Superintendent |
| - | Ric Cavender | Urban Business User | - | Brenda Morris | Representing Dr. Steven L. Paine |
| P | Robert Cole | Rural Residential User Congressional Dist. 1 | p | The Honorable Glenn Jeffries | WV Senate (D) (Ex-Officio/Advisory Member) |
| P | John Dunlap | Office of Technology, Chief Technology Officer | TC | The Honorable Craig Blair | WV Senate (R) (Ex-Officio/Advisory Member) |
| P | R.A. "Pete" Hobbs | Rural Residential User Congressional Dist. 3 | - | The Honorable Roger Hanshaw | WV House (R) (Ex-Officio/Advisory Member) |
| TC | John Reasbeck | Rural Business User Congressional Dist. 1 | - | The Honorable Kenneth Hicks | WV House (D) (Ex-Officio/Advisory Member) |
| - | Matt Turner | Higher Education Policy Comm., Exec. Vice Chancellor | - | Brittany Carns | Business User Large Amounts of Broadband |
| P | Dr. Jack Smith | Representing Matt Turner | - | Michael Shaffer | Rural Residential User Congressional Dist. 2 |
| | Representative | Agency | | Representative | Agency |
| P | Mark Debruyne | WVOT Infrastructure Manager, CTO Proxy | p | Tony Simental | WV Geological and Economic Survey, Office of GIS Coordination |
| P | Michael Hohn | WV Geological and Economic Survey | p | Kelli Talbott | WV Attorney General's Office, Legal Counsel |
| - | Josh Jarrell | WV Dept. of Commerce, Deputy Sec., Legal Counsel | p | Wes White | WV Development Office Legal Counsel |
| P | Tony O'Leary | WV Development Office Project Manager | p | Kelly Workman | WV Development Office Development Manager |

| Agenda Item | Details/Minutes |
|---|---|
| 1. Call to Order, Opening Remarks and Roll Call | Roll was taken and the presence of a quorum was confirmed. |
| 2. Approval of 10/19/2017 Council Meeting Minutes and Financial Statement | Minutes from the October 9, 2017 Council meeting were presented for approval, along with a current financial statement. Member Dunlap moved that the minutes be approved and Member R. Morris provided a second. Motion carried. Member |

| | |
|--|---|
| | <p>R. Morris moved that the financial report be approved and Member Hobbs provided a second. Motion carried.</p> |
| <p>3. Council Resignation-Carns</p> | <p>The Chairman presented a letter from Brittany Carns, representing the Council position of Business User-Large Accounts. Ms. Carns' letter indicated that she had moved out of state and could no longer serve on the Council. Member R. Morris provided a motion to accept the resignation and Member Proctor provided a second. Motion carried.</p> |
| <p>4. FirstNet Introduction and Overview</p> | <p>Lori Stone, Region III Lead, First Responder Network Authority; DJ Sigmon of AT&T; and Christian Peck, AT&T FirstNet Consultant for West Virginia, provided a presentation on the FirstNet project. FirstNet is an initiative of the U.S. Dept. of Commerce, created in 2012, and conceptualized after 9/11. FirstNet contracted with AT&T in 2016. The federal agency has a board of directors, WV has a Single Point of Contact, Jimmy Gianato of DHSEM. Under FirstNet, states must opt in or out by Dec. 28, 2017. As of this date, 31 states had opted-in, with WV being the 7th such state.</p> <p>AT&T will provide priority and preemption on the network for first responders- fire, police, EMS, EMT, PSAP, and 911. Primary users are established by law and users can be extended upon request of the State based upon need. Deployable equipment is also available within 14 hours of an emergency request.</p> <p>Member Dunlap asked about Point of Presence and how the network can be leveraged to enhance broadband in WV. Mr. Peck noted that the key to the partnership is to build out into rural areas, and that FirstNet is working with DHSEM on specific tower locations that may serve this need. Member Dunlap noted that DHSEM is willing to work with the Council on test projects of this type.</p> <p>Ms. Stone noted that ATT is investing \$40 billion in the FirstNet project with the goal of being where public safety goes. There are plans to grow the network and integrate with the SIREN tower locations.</p> <p>Chairman Hinton asked who would own the towers. With this expansion of cell service throughout rural American can this be used in fixed or microwave levels. Can the State access the towers to co-locate equipment to assist in service delivery to rural WV, stating that if towers are going up in WV, this presents an opportunity. WV needs choices and access to infrastructure.</p> <p>There was discussion concerning the limitations of wireless service related to data caps and the need for a core wired network. Mr. Sigmon stated that getting wired service to rural WV would be difficult. The Chairman disagreed and noted that WV could not accept the premise that wireline service cannot be provided to rural WV.</p> <p>Mr. Sigmon noted that FirstNet will drive competition among other carriers, such as Verizon and Sprint. Member Dunlap stated WV's decision to opt-in to FirstNet will drive competitive utilization and anticipates benefits to WV in the form of increased capacity.</p> |
| <p>5. Mapping System Project Update; West Virginia Speed Test Launch and Planned Enhancements; Reporting Schedule</p> | <ol style="list-style-type: none"> 1. Speed Test Portal Status Update 2. Statewide Broadband Map Status Update <p>Tony Simental, State GIS Coordinator, reported that more than 9,600 speed tests results were gathered, including 1,500 survey results and 700 comments, outpacing other states. Regional Planning Councils have requested mapping data to aid in project development initiatives. Static maps are currently available by county and additional print options are in development.</p> |

| | |
|---|--|
| | <p>Member Dunlap and Mr. Simental discussed the activation of additional servers, as initially planned, 30 days after the launch of the Speed Test.</p> <p>Dr. Hohn asked if the test would indicate when speed tests could not execute due to slow or blocked service. Mr. Simental stated that this information would be provided, and that there were 35 reports of the test being blocked due to a firewall, security, latency or other issues.</p> <p>Paul Kaminsky, via teleconference, and as a member of the Adoption Committee, noted that the speed test was compatible with satellite service.</p> <p>Chair Hinton inquired about planned enhancements to the website. Mr. Simental stated that with the launch of the new website in January, the test would offer one entry point or front door, then the user would indicate whether their connection was public or private. The new platform will also provide 3 screens within the same window, for the portal, speed test and survey page, so that the user is not required to toggle between pages.</p> <p>The Chair requested that an option to sign up for the Council newsletter be added to the survey and that the newsletter option be provided to anyone who contacts the Council.</p> |
| <p>6. Marketing /Outreach Initiatives</p> | <p>Newsletter Distribution Lists; Feature Articles/Topics, Presentation Kit</p> <p>It was noted that Commerce Communications will work with staff to develop additional collateral with a target completion date of Jan. 1, 2018. All resources would be available for use by Council members for local presentations and distribution. County commissions and other agencies have expressed interest in assisting the Council with outreach efforts. Utilization of existing state databases for communication, such as the Lottery Commission, will also be explored.</p> |
| <p>7. FCC Reply Comments and Responses</p> | <p>477 Data Form Comments: Pennsylvania Public Utility Board, California Public Utility Board, City of New York. CAF II Comments: CityNet, Frontier</p> <p>The Council was provided with copies of the above referenced correspondence, gathered through reply comments to the comments provided by the Council to the FCC concerning the FCC 477 Data Form. Chair Hinton noted that the statements of concurrence from other cities and stated in support of the Council’s position. As outlined in the letters from in-state companies, CityNet supported the Council view; Frontier did not. Member Hobbs noted that the statements of concurrence from the utility boards of Pennsylvania and California, and the City of New York represented agreement from rural and urban perspectives. Member Holstine also noted that this was an excellent and welcome response to the Council’s FCC comment.</p> <p>The Chairman noted that comments will soon be accepted concerning the Wireless Spectrum 365-LTE network, stating that license areas are small and affordable. The proposed FCC rule would expand the license area and also increase the license cost. Council is monitoring the issue and will submit comments in defense of small providers that continue to use frequency and spectrum to serve small local areas.</p> |
| <p>8. CDBG Applications Received</p> | <p>Ms, Workman noted that the WVDO has received 12 applications totaling \$1,587,795 in requests – three for construction and 9 for planning. The WVDO sees this as a very positive response for a new program, which was developed quickly and presents several new challenges. The quick response and large geographic area of representation, which covers more than half the state, illustrates the need for this type of funding to support the Council’s initiatives and the State’s need to expand broadband service.</p> |

| | |
|--|---|
| 9. ARC Draft RFP | Ms, Workman presented the Council with a draft of the ARC Broadband Funding Initiative Announcement. Staff will work closely with ARC throughout the process. |
| 10. Pilot Project | Chair Hinton and Member Dunlap provided an overview of a proposed pilot program with DHSEM in which the State would leverage its existing IP network to create additional last mile solutions. Member Proctor offered a motion to permit the Chairman to pursue development and execution of the MOU and member Cole provided a second. Motion carried. |
| 11. WVEDA-Council MOU | The Chairman presented a draft MOU between the Council and the WVEDA which will outline administrative procedures for the Broadband Infrastructure Loan Insurance Program. Staff will work with WVEDA as needed and Council will step in in the event of a protest under the program requirements outline in WV Code. |
| 12. Committee Restructuring/Needs | Related to the WVEDA-Council MOU and the need f to create committees for the evaluation of the Legal RFP and Technical RFP, the Chairman outlined the need to restructure certain committees. The Technical Review Committee was dissolved and committees for the Legal and Technical RFP review were formed. |
| 13. Committee Reports | Education Committee: Report from 10/6/2017 Meeting: Dr. Smith reported that the Education Committee met with Julia Legg concerning the State's E-Rate structure. The Council requested that Dr. Smith invite Ms. Legg to a future Council meeting. Adoption Committee: Report from 10/3/2017 Meeting |
| 14. Public Comments | N/A |
| 15. Next Meeting Date | January 11, 2018 |
| 16. Adjournment | |

Action Items

| No. | Description | Assigned To | Month Identified | Target Completion Date |
|-----|--|---|------------------|---|
| 1. | Easement acquisition and donation | Committee | May | — |
| 2. | Consultation with WV DOH | Council, WVDO, WVOT | May | Underway |
| 3. | Website Redesign | Workman, O'Leary, Commerce Communications | May | Underway, Target January 1. |
| 4. | Requirements of HB3093 | All Committees | June | Ongoing |
| 5. | RFP Process for ARC; Review of CDBG Apps | Workman, O'Leary | | CDBG Apps Reviewed in December ARC Funding Announced 12/8/2017 ARC Apps Due 4/30/2018 |
| 6. | Cooperative Toolkit and Training | Workman, O'Leary, Generation WV, WVU Law | June | Underway, January |

Others Present (in order of sign-in sheet):

1. **Mark Polen, WV Cable Telecom Association**
2. **Katie Willard, Commerce Communications**
3. **Samantha Smith, Commerce Communications**
4. **Chris Morris, CityNet**
5. **Charlie Dennie, Alpha Technologies**
6. **Seth Tuemler, WVDO**
7. **Chris Weikle WV Cable Telecom Association**
8. **Marlene Hackett, The Hackett Praxis LLC**
9. **Holly Clark, Richwood Scientific**

- 10. Lori Stone, FirstNet**
- 11. Christian Peck, ATT-WV**
- 12. DJ Sigmon, ATT-WV**
- 13. Angela Vance, AARP**
- 14. Aaron Spork, U.S. Senator Shelley Moore Capito's Office**
- 15. Ron Pearson**

**Meeting Minutes prepared by:
Kelly Workman, WVDO**