



# WEST VIRGINIA BROADBAND ENHANCEMENT COUNCIL

## APPROVED MINUTES | July 11, 2019

<b>Meeting Title</b>	WV Broadband Enhancement Council	Time	10:00 a.m.
<b>Chairperson</b>	Robert Hinton	Location	<b>Capitol Complex, Bldg. 3, First Floor</b>
		Attendance	P = Present; TC = Teleconference; VC = Videoconference; _ = Absent

	Council Member	Representing		Council Member	Representing
P	Robert Hinton, Chairman	Rural Business User Congressional Dist. 2	-	C. Edward Gaunch	WV Dept. of Commerce, Cabinet Secretary
TC	Robert Morris, Vice Chairman	Urban Residential User	TC	Jeff Proctor	Representing Secretary Gaunch
P	Michael J. Holstine Secretary-Treasurer	Rural Business User Congressional Dist. 3	-	The Honorable Robert Plymale	WV Senate (D) (Ex-Officio/Advisory Member)
TC	Robert Cole	Rural Residential User Congressional Dist. 1	P	The Honorable Danielle Linville	WV House (R) (Ex-Officio/Advisory Member)
TC	R.A. "Pete" Hobbs	Rural Residential User Congressional Dist. 3	-	The Honorable Craig Blair	WV Senate (R) (Ex-Officio/Advisory Member)
-	Dr. Steven L. Paine	Dept. of Education, State Superintendent	-	The Honorable Kenneth Hicks	WV House (D) (Ex-Officio/Advisory Member)
	Brenda Morris	Representing Dr. Paine	-	Ric Cavender	Urban Business User
P	Joshua D. Spence	WV Office of Technology, Chief Technology Officer	-	John Reasbeck	Rural Business User Congressional Dist. 1
-	James Dixon	Representing Joshua Spence	-	Vacancy: Business User Large Amounts of Broadband	
-	Matt Turner	Higher Education Policy Commission Vice Chancellor	-	Vacancy: Rural Residential User Congressional Dist. 2	
TC	Dr. Mary Stewart	Representing Matt Turner	-		
	Representative	Agency		Representative	Agency
-	Mitch Blake	Director, WVGES	P	Tony Simental	WV GES, Office of GIS Coordination
P	Chris Campbell	Tilson Technology	-	Kelli Talbott	WV Attorney General's Office Legal Counsel
P	Peter Markham	Bowles Rice Legal Counsel	-	Wes White	WV Development Office Legal Counsel
-	Alexandra Shulz	Bowles Rice Legal Counsel	P	Kelly Workman	WV Development Office Development Manager
P	Tony O'Leary	WV Development Office Project Manager	TC	Julia Legg	WV Department of Education

Agenda Item	Details/Minutes
1. Call to Order, Opening Remarks; Roll Call	Chair Robert Hinton called the meeting to order at 10:09 a.m.
2. Approval of 6/13/2019 Council Meeting Minutes and Financial Statement	Pete Hobbs motioned to approve the June minutes; Mike Holstine second; motion passed unanimously. Chair Hinton said the Financial Statement has been received and will be filed for audit.
WV PSC Pole Attachment Rulemaking Order, June 4, 2019; WVPSC Proceedings pursuant to Senate Bill 3, <a href="#">§31G-4-4</a> .	<p>Peter Markham with Bowles Rice discussed the Council's initial public comments submitted to the WV Public Service Commission for its general investigation order regarding its jurisdiction under the State Legislature's Make Ready Pole Access Act.</p> <p>Mr. Markham noted the Council supports the Legislature's Make Ready Pole Attachment statute, adding the Council comments addressed two areas of concern the PSC identified its general investigation order. First, the Council</p>

	believes the PSC should adopt, with slight modifications, the federal pole attachment dispute resolution process set forth in FCC regulations as it provides a universal framework that internet service providers are familiar. Second, the Council believes it is possible the PSC to adopt a bifurcate approach on resolving damages in pole attachment disputes. The PSC can address whether violation has occurred and then refer parties circuit to determine the actual damages as the PSC does not currently make such determinations. Mr. Markham said he is unsure of an exact date when the PSC will rule on the Council comments and that the deadline to reply to the initial comment period is July 25, 2019.			
3. State Broadband Plan	<p>Chris Campbell with Tilson Technologies gave a detailed presentation of the work done to date on the state's 2020-25 State Broadband Plan, including a comprehensive look a series of statewide and county maps detailing service levels per Form 477 data. Mr. Campbell noted the subjects covered during his presentation would be explored in greater detail later in the day when the Broadband Plan steering committee would meet. Mr. Campbell spoke to topics that continue to be researched, including: the Council speed test and survey; a separate comprehensive broadband survey for stakeholder groups; gathering service information from internet providers; potential policy recommendations that could be accomplished with and without Legislative action; reviewing regional broadband plans; financing and incentive programs to encourage greater broadband development; enhanced mapping collection programs; and adoption ideas.</p> <p>Kelly Workman with the Development Office added that late summer meetings with 10 southern WV county planning teams, per an Appalachian Regional Commission broadband grant, will also serve as a dual purpose for gathering survey data and information for the broadband plan. Ms. Workman also asked Council members who represent specific groups such as higher education and K-12 education to gather constituents for meetings to conduct additional surveys and gather information specific to their respective fields.</p>			
4. Public Comments	There were no public comments			
5. Next Meeting Date	August 8, 2019; 10:00 a.m.; Building 3, First Floor Conf. Room 124			
6. Adjournment	Meeting was adjourned at 11:30 a.m.			
Action Items				
No.	Description	Assigned To	Month Identified	Target Completion Date
1.	Legal and Cooperative Toolkit and Training	WVU Law	June 2017	ARC grant funds approved
2.	Broadband Hub ARC Broadband Hub/Mapping Project	T. Simental, K. Workman	November 2018	Meetings May-August
3.	Website Updates-Speed test survey updates, map updates	Commerce	December 2018	Portions Complete; Survey modifications pending
4.	NTIA/National Broadband Map Improvements	T. Simental, K. Workman		5/10/2019 Initial Data Reviews
5.	FY 2018 CDBG Broadband Project Implementation Meetings	T. O'Leary		Complete
6.	Guide to Broadband Development			September 2019
7.	Release of FY 2019 CDBG and ARC Applications	K. Workman, T. O'Leary		Complete
8.	2020-2025 State Broadband Plan	Steering Committee, Staff		December 2019