

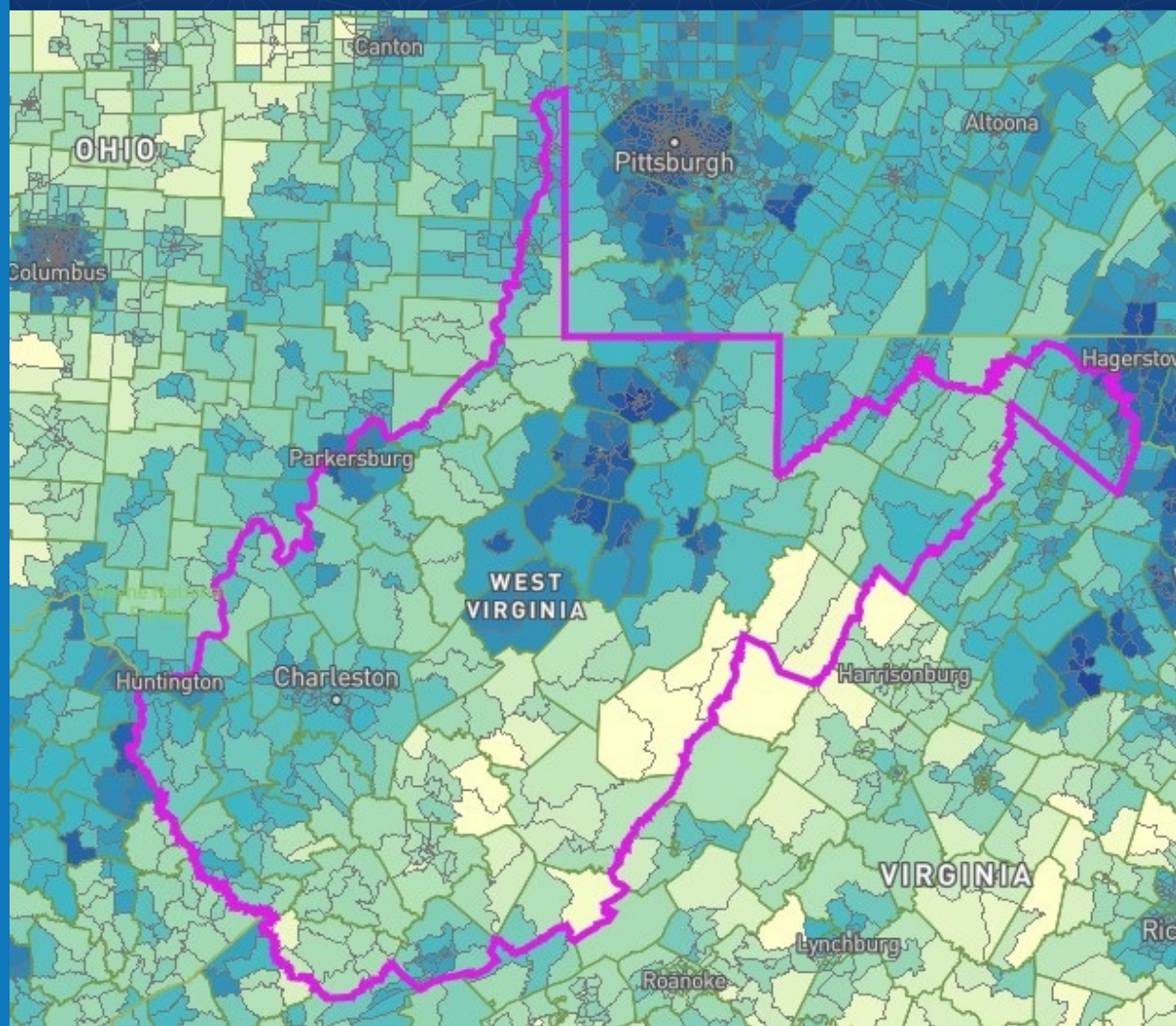


APRIL 2018  
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## Fixed Broadband Deployment



The West Virginia Broadband Enhancement Council is commissioned to enhance the development of plans, processes and procedures for extending broadband access into underserved and unserved areas of the state.

## Why The Speed Test Matters

*A message from WV Broadband Enhancement Council Chairman Robert Hinton*

As required by Section 706 of the Telecommunications Act of 1996, the Federal Communications Commission (FCC) has released the [2018 Broadband Deployment Report](#).

The 2018 report states that 82.2 percent of West Virginians have access to fixed, non-mobile broadband internet speeds. Notably, the report also concludes that seven West Virginia counties - Barbour, Gilmer, Harrison, Lewis, Marion, Randolph and Upshur - have 100 percent fixed broadband access.

This finding is based upon the FCC's [Form 477 data](#), as reported by internet service providers. Residents in these counties can readily identify where broadband service does not exist.

Accordingly, the Broadband Enhancement Council continues to promote its [Speed Test Portal](#) to measure internet speed on a personal level, where it really matters. Technology at the census block level is of little value if it fails to transfer to individual user.



While there are two sides to every coin, reports concerning the availability of broadband can and should align more closely with reality. Residents across the State, and particularly in the seven counties mentioned above, are urged to take the speed test to help generate West Virginia's own data set.

Accurate data is at the heart of most critical decisions. As communities throughout West Virginia prepare to compete for broadband development funding, the Council continues to advocate for improved accuracy in broadband reporting.

## Key Findings Of The FCC 2018 Broadband Deployment Report

The Federal Communications Commission (FCC) 2018 Broadband Deployment Report provides the following top-level takeaways:

- The definition of broadband remains unchanged.
- Mobile services are not full substitutes for fixed services.
- Mobile and fixed services must be evaluated separately.
- Broadband remains the FCC's top priority.
- Approximately 30 percent of Americans in rural areas and 35 percent of Americans in tribal lands lack access to broadband.
- Approximately 2 percent of Americans in urban areas lack access to broadband.

Americans (Millions) With Access to Fixed Terrestrial 25 Mbps/3 Mbps;  
Mobile LTE with a Minimum Advertised Speed of 5 Mbps/1 Mbps; and  
Mobile LTE with a Median Speed of 10 Mbps/3 Mbps

**State Ranking**

|               | Population<br>in Millions | Fixed 25 Mbps/3 Mbps         |                          | State<br>Standing |
|---------------|---------------------------|------------------------------|--------------------------|-------------------|
|               |                           | Population<br>With<br>Access | Percent of<br>Population |                   |
| United States | 322.518                   | 297.766                      | 92.30%                   |                   |
| Maryland      | 6.001                     | 5.85                         | 97.50%                   | 8                 |
| Pennsylvania  | 12.774                    | 12.124                       | 94.90%                   | 15                |
| Ohio          | 11.61                     | 10.724                       | 92.40%                   | 22                |
| Tennessee     | 6.64                      | 6.049                        | 91.10%                   | 24                |
| Virginia      | 8.387                     | 7.617                        | 90.80%                   | 27                |
| Kentucky      | 4.428                     | 3.799                        | 85.80%                   | 39                |
| West Virginia | 1.83                      | 1.504                        | 82.20%                   | 44                |

Source: FCC 2018 Broadband Deployment Report  
<https://www.fcc.gov/document/fcc-releases-2018-broadband-deployment-report>

According to the FCC report, approximately 82 percent of West Virginians have access to broadband. With this percentage, West Virginia ranks 44th in the nation for percentage of population with access to fixed broadband.

## News from Capitol Hill

*The West Virginia Broadband Enhancement Council has extended invitations to West Virginia's Congressional representatives to provide a broadband-related column to this newsletter. Columns will be featured as they become available.*

## West Virginia Needs To Be On The Positive Side Of The Digital Divide By U.S. Senator Joe Manchin III (D-W.Va.)

When Lyndon Johnson declared war on poverty in 1964, Appalachia was isolated from much of the country. One of the first things he created was the Appalachian Development Highway System, which has brought commerce and countless opportunities to the region. Unfortunately, another challenge looms ahead. As America has vaulted into the Internet Age, West Virginia remains a uniquely difficult place for broadband deployment.

Many service providers tell me that they simply cannot afford to deploy high speed broadband service to many of our communities. Our beautiful mountains, our roiling rivers, our small towns – so many of the very things we love about our state – also make us more expensive to serve. This problem is not new, and neither are the solutions. The Universal Service Fund was originally established to ensure that every American had access to a telephone by subsidizing service to places that would never be profitable to serve. We must use that same approach today to ensure that every American has access to high speed internet.



Bridging the digital divide between rural and urban remains one of my top priorities in the Senate. I am proud of the various bipartisan bills that I have authored and supported to expand high speed broadband to all West Virginians. In the omnibus spending bill that passed recently, I authored two provisions that will improve the accuracy of the official coverage maps that determine which areas are served and which areas are not. For too long, we've allowed inaccurate maps to divert funding away from places like West Virginia that truly need some help.

I am also proud to be leading the effort to ensure the Federal Communications Commission (FCC) delivers on the promise of universal service. I applauded last August when the FCC heeded my calls and unanimously approved the order to move forward with the Mobility Fund II, which will provide \$4.53 billion over ten years to expand mobile broadband coverage across the country. Every state and local government is eligible to review the map and submit a challenge when they see something wrong. This process is about to begin, so I have pressed the FCC to make it as easy as possible. We all benefit from accurate maps.

I'm also working to ensure that broadband service is extended to more people in the Mountain State through the Remote Areas Fund. Last June, my friend Senator Jerry Moran (R-KS) and I pushed the FCC to move forward with this program and structure it to successfully reach "above extremely high-cost" areas – including over 12,000 locations in West Virginia. Lastly, in the bipartisan budget agreement that passed the House and Senate on February 9<sup>th</sup>, I helped secure \$20 billion in funding for critical infrastructure like rural broadband, and the omnibus we passed included \$600 million dedicated for broadband deployment in rural, underserved areas.

While we have made some strides, the fact that broadband remains inaccessible to roughly 30% of West Virginians shows there is much more work to be done. All Americans deserve fast and reliable internet service so we can compete in today's digital world. As your Senator, I will continue to work with my colleagues on both sides of the aisle and President Trump to ensure that we bridge the digital divide and provide internet access to West Virginia and its neighbors throughout rural America.



### **ARC POWER: Connecting Appalachia To Broadband Funds**

The Appalachian Regional Commission (ARC) POWER initiative is designed to assist areas affected by job losses in the coal industry. ARC POWER places a high priority on broadband development projects. Eligible applicants include states, counties, cities, as well as institutions of higher education, and nonprofit organizations.

"ARC understands that broadband is vitally important to the economic future of Appalachia," said Mark DeFalco, ARC Telecommunications Manager. "As West Virginia takes major steps forward in its broadband development program, ARC stands ready to assist and help improve economic opportunities throughout the State."

ARC will accept applications through May 1. Click [here](#) for more information.



### **USDA Announces Two Broadband Funding Opportunities**

The Rural Utility Services (RUS), an agency of the U.S. Department of Agriculture Rural Development office, will accept broadband development applications through its Community Connect Grant Program until May 14.

Grants from \$100,000 to \$3 million are available to state and local governments, federally-recognized tribes, nonprofits and for-profit corporations. Applicants must provide a 15 percent match. For more information, visit the Community Connect [website](#).

In addition, the USDA will accept applications for [Rural Broadband Access Loans and Loan Guarantees](#) on a rolling basis through September 30, 2018. Applications will be reviewed and processed every 90 days.

Those interested are encouraged to submit applications as soon as possible, especially for smaller projects. Applications must be submitted through the RD Apply [web](#) portal.



**Council Partners With Bowles Rice**



## To Support Broadband Expansion

The Broadband Enhancement Council has formed a partnership with Bowles Rice, LLP of Charleston, West Virginia. Under the partnership, Bowles Rice will provide legal services to the Council in support of its mission to expand broadband throughout West Virginia.

Bowles Rice will assist the Council in the implementation of its authorizing statutes with an eye toward innovation and economic development initiatives. "The Council's economic development initiatives are vitally important, interesting and cutting-edge," said Peter G. Markham, Bowles Rice Special Counsel. "We're eager to play a role in the Council's important work and current and future success."

"This partnership provides a solid foundation for development and implementation of policies created by and through the Broadband Enhancement Council," said Council Chairman Rob Hinton. "Many aspects of our work require thorough legal analysis. We know that Bowles Rice is committed to the economic future of West Virginia, and this partnership is a major advantage as we move forward."



## Legislature Passes, Gov. Signs Bills Related to Broadband Development

The West Virginia Legislature passed three bills during the 2018 Regular Session related to broadband development. The following three bills were signed into law by Governor Jim Justice on March 27:

**Senate Bill 445** – This bill provides parameters for the state Division of Highways to acquire real or personal property for utility accommodation, including broadband.

**House Bill 4447** – The bill addressed broadband conduit installation and was commonly referred to as the "Dig Once Policy" bill.

**House Bill 4629** – This bill updates language related to the Broadband Enhancement Council.

**House Bill 4357** - The "West Virginia Small Wireless Facilities Deployment Act" was not enacted by the Legislature due to concerns regarding local authority and utilization of the public right-of-way.

## Map of the Month Wyoming County

Each month, the Broadband Enhancement Council will feature a map based upon detailing broadband fixed wireline speeds based upon current FCC data. All county maps are available to print, save and download at the Council [website](#).

Wyoming County is the lead agency for a 2018 CDBG broadband planning project. The project will result in the development of a plan to improve broadband service in McDowell, Mercer, Monroe, Raleigh, Summers and Wyoming counties. The Region I Planning and Development Council is the grant administrator.

## WV Connected



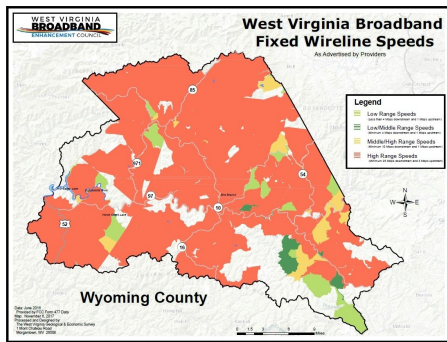
### ARC Broadband Development Workshop Held In Charleston

Mark DeFalco, Telecommunications Manager, and Nancy Eyl, Assistant General Counsel, for the Appalachian Regional Commission (ARC), lead a grant workshop at the West Virginia Development Office on April 3 to assist with the development of applications to the West Virginia's \$3.2 million ARC Broadband Initiative.

### Mark Your Calendar

**Next Broadband Enhancement Council Meetings:**

Thursday, April 12, 2018; 10:00 a.m. State Capitol, Building 3, Suite 800 Conference Room.



*Click on the image for a larger view.*

“The importance of broadband planning and infrastructure for Wyoming County and the surrounding region cannot be emphasized enough,” said Jason Roberts, Region I Executive Director. “Wyoming County has taken a necessary step in advancing the presence of broadband which will make the region much more competitive in attracting new businesses while boosting the operations of existing businesses.”

The Council urges commercial and residential internet users in this region to test their internet speed through the [West Virginia Speed Test](#) portal.

Data obtained through the speed test will support the pursuit of funding for broadband infrastructure development.

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**To read past West Virginia Broadband Enhancement Council Newsletters, click [here](#).**

Thursday, May 10, 2018; 10:00 a.m. State Capitol, Building 3, Suite 800 Conference Room.

#### **Mountain State Land Use Academy:**

May 15-16, 2018, Adventures on the Gorge, Lansing. For more information, click [here](#).

#### **State GIS Conference:**

June 11-14, 2018, Marriott Town Center, Charleston. For more information, click [here](#).

#### **West Virginia Broadband In The News**

[West Virginia Editor Urges Federal Elected Officials To Act On Sloppy FCC Data](#)

[FCC Report Misrepresents West Virginia Broadband Access, Experts Say](#)

[West Virginia Becomes First State to Test Mobile Voting by Blockchain in a Federal Election](#)

[Broadband Flaws In FCC Data Must Be Fixed](#)

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