



MEETING MINUTES / January 11, 2024

Meeting Title		WV Broadband Enhancement Council		Time		10:00 a.m.	
Chairman		Robert L. Morris, Jr., Chair		Location:		Online Meeting	
Please register for public comment. Call information available upon registration.						P = Present; TC = Teleconference; VC = Videoconference; _ = Absent	
	Member	Representing			Council Member	Representing	
X	Robert L. Morris, Jr.	Chairman Urban Residential User		-	Mitch B. Carmichael	WVDED Cabinet Secretary	
X	Michael J. Holstine Secretary-Treasurer	Rural Business User Congressional Dist. 3		X	Jeff Proctor	Vice Chairman Representing Secretary Carmichael	
X	Roger Calhoun	Rural Residential User Congressional Dist. 3		-	Robert Cole	Rural Residential User Congressional Dist. 1	
-	Michele Blatt Superintendent	WV Dept. of Education		X	Dennis Lee Business User	Large Scale Broadband	
X	Tim Conzett	Representing Michele Blatt		X	Honorable Ron Pearson	Rural Residential User Cong. Dist. 2	
-	Heather Abbott Chief Technology Officer	WV Office of Technology		-	The Honorable Robert Plymale	WV Senate (D) (Ex-Officio/Advisory Member)	
X	James Dixon Jeff Whitman	Representing Heather Abbott		-	The Honorable Mark Maynard	WV Senate (R) (Ex-Officio/Advisory Member)	
	Matt Turner Vice Chancellor	WV Higher Education Policy Commission		-	The Honorable Riley Keaton	WV House (R) (Ex-Officio/Advisory Member)	
	Steve White, WVNET	Representing Matt Turner		X	The Honorable Joey Garcia	WV House (D) (Ex-Officio/Advisory Member)	
X	The Honorable Scott Edwards	Rural Business User Congressional District 2		-	Vacancy: Urban Business User Vacancy: Rural Business User Congressional Dist. 1		
	Representative	Agency			Agency		
X	Kelly Workman, Jamie Hoffmann	WVDED, Office of Broadband		X	Steffani Sanders, Chris Campbell, Andrew Joseph	Tilson Technology Management	
	Jim Kelsh, Peter Markham	Bowles Rice Legal Counsel					
Agenda Item				Details/Minutes			
1. Call to Order; Roll Call; Opening Remarks				Chairman Morris called meeting to order; quorum not met			
2. Approval of December 2023 Meeting Minutes, and Financial Statement, Introductions for new Office of Broadband Employees				<ul style="list-style-type: none"> ● Dotti Underwood, Financial Manager, Office of Broadband, gave a financial update for the end of month balance; council approved. ● Beginning Balance of \$1,015,914.59 ● Invoice total paid for the month of January: \$2934.00 ● January Ending Balance: \$1,012,980.59 ● December meeting minutes - quorum met 			

<p>3.Consideration of OOKLA License Renewal</p>	<p>Jamie Hoffmann - Program Manager - Office of Broadband- provided the council with information regarding the OOKLA License Renewal/Contract.</p>
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<p>3.Consideration of OOKLA License Renewal (continued)</p>	<p>Mr. Hoffmann reviewed each aspect of the OOKLA program and what features we need to continue with the OOKLA program. President Morris made a motion to approve the renewal of the OOKLA contract as presented by Jamie Hoffmann (see numbers below). Scott Edwards - made the motion; Ron Pearson - Second the motion. Approval from the Broadband Enhancement Council to renew the license for the OOKLA program was approved.</p> <ul style="list-style-type: none"> ● Official Quote for 2024 (January 1, 2024 - December 31, 2024) \$157,965.00
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<p>4. WVPSC 23-0695-E-T-P</p>	<p>Jim Kelsh, Bowles Rice, provided the council with an update on the standing of this matter.</p> <p>Jamie Hoffmann - Program Manager - Gave the council an update on how the Office of Broadband is taking action to assist with this situation and get these very important projects moving and constructed.</p> <ul style="list-style-type: none"> ● Time to address the pole permitting situation now. With BEAD coming up, this needs to be taken care of during ARPA. ● Excessive costs for pole attachments for ISP's ● Invoices asking for thousands of dollars from the utility company to the ISPs with no itemized breakdown or explanation. ● No response from First Energy regarding itemized invoices. ● Costs from First Energy and regulations set by First Energy are changed every ninety days, sometimes daily. ● Pole replacement costs are falling on the ISPs for ALL costs when the poles are First Energy's poles and were needing replaced BEFORE attachment. ● ISPs are making complaints to the PSC. ● The Office of Broadband is tracking these permits and will provide the council with an update and report.
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ARPA funding will be fully awarded through 2026. Due to the standards that have been set for ISPs by First Energy the Office of Broadband is keeping track of ALL permits for each ISP that has been submitted, how many poles are included in said project, date permits were submitted for approval to attach, along with other information to assist with tracking and getting these pole attachment issues sorted before we award BEAD funds.

5. IJA NTIA: Broadband Equity, Access and Deployment (BEAD)

Kelly Workman, Director, Office of Broadband provided the council with an update on BEAD and status of award for the state of WV.

- State has procured the challenge portal for BEAD.
- Completed on January 6, 2024. This does push us past the seven-day deadline, but we are still waiting for a response regarding IPVI.
- IPVII - The Office received minor curing revisions on January 6th and will submit January 7th to put this under review.

Chip Spann, Federal Director, NTIA stated that it is a process. Both IPVI and the Digital Equity approval letters have been drafted for signature by NTIA and WV should be receiving both shortly.

Workforce Update

Maria Millard - Tilson Technology- provided the council with an update on the Workforce Council.

- Workforce Council has held nine meetings so far since its kickoff meeting in January 2023
- Have held structured interviews with industry employers and education/workforce development leaders.
- Contributed toward Digital Equity and BEAD Asset Inventories, BEAD 5-year Plan, and IPV I and II.
- WF Council has made initial recommendations for IPVII. Recommendations included Workbase learning along with the Workforce Development Grant Program.
- The Workforce Development Grant Program would be a 50 million investment through BEAD funding.

- The goal of the Broadband Industry Workforce Development Grant Program is to empower WV institutions to build or expand equitable and accessible education and training opportunities for many West Virginians to enter the broadband industry.
- WVDED will prioritize programs that result in a short-term credential of value and/or include work-based learning.
- Program procedures can be reviewed/found at broadband.wv.gov.

6. BEAD Challenge Process

Andrew Joseph - Tilson Technology, along with Jamie Hoffmann - Program Manager - Office of Broadband - gave council an update regarding the BEAD Challenge Process (PowerPoint presentation provided).

Current Focuses

- Revise Program Procedures
- Target Area map generation
- Application Created

Latest Bead Development and Updates

- Initial Proposal Volumes 1 and 2 submitted.
- A High - Level Timeline for all other work was provided for the council.
- Mr. Joseph provided counsel on what the Office of Broadband's current focuses regarding the BEAD program and how these will be achieved.

Challenge Process: Tier D/E Licenses for Challengers

January 15, 2024

- Publication of Eligible Locations
- Challenge Phase Begins
- Rebuttal Phase Begins (rolling basis)
- Final Determination Begins (rolling basis)

February 14, 2024

- Challenge Phase Ends

	<p><u>February 15, 2024</u></p> <ul style="list-style-type: none"> ● Rebuttal Phase Begins <p><u>March 16, 2024</u></p> <ul style="list-style-type: none"> ● Rebuttal Phase Ends <p><u>March 17, 2024</u></p> <ul style="list-style-type: none"> ● Final Phase Begins <p><u>April 16, 2024</u></p> <ul style="list-style-type: none"> ● All Final Determinations will be made. <p><u>Upcoming Dates for BEAD Program</u></p> <ul style="list-style-type: none"> ● State Challenge Process - Opportunity to provide input on targeted locations - January - April 2024 ● Program Preparation - Finalize materials for BEAD programs - January - March 2024 ● Project Selection Begins - State selects projects to fund using competitive process approved by NTIA - March - December 2024 ● Final Proposal to NTIA - NTIA reviews and approves projects selected by the State - November 2024 - February 2025 ● Project Implementation - Limited before final proposal; mostly happens after NTIA approves it - TARGET TIMELINE - May 2025
<p>7. IJA Digital Equity Planning Grant</p>	<p>Derek Zerkowski - Program Coordinator - Digital Equity - provided the council with an update regarding the Digital Equity Program.</p> <ul style="list-style-type: none"> ● Submitted final draft of state's Digital Equity Plan to NTIA on December 14, 2023. ● Awaiting approval ● Submitted annual report for the Digital Equity Program to NTIA on December 22, 2023. ● December 28, 2023, was the final deadline for incurring any new costs under the Digital Equity Planning Grant

<p>8. Annual Report</p>	<p>Kelly Workman - Director - Office of Broadband provided the council with an update regarding the annual report.</p> <ul style="list-style-type: none"> ● Report was submitted and is available on broadband.wv.gov.
<p>9. Affordable Connectivity Program (ACP Program)</p>	<p>Derek Zelkowski, Program Coordinator, Digital Equity provided the council with an update regarding the Affordable Connectivity Program.</p> <ul style="list-style-type: none"> ● 2024 update on funding for ACP - Program is expected to last until March 2024 unless changes are made. ● The future of ACP program is still undecided. ● Enrollment for WV - 125,3000 households; we are halfway to meeting our goal under Digital Equity Plan for ACP in WV. Goal - 250,0000 ● The NCOP grant provided \$400,000 for the state to use and promote this program. Newspaper ads, Radio ads, along with other promotions will be coming out starting December 15, 2023. ● Rolling the ads through December - May/June 2024 - expecting very big momentum on enrollment ● ACP Extension Act of 2024 Introduced - Legislation for the ACP program has well over 400 organizational endorsements by state and local governments, state broadband offices, industry leaders, etc. This shows that efforts are being made to keep ACP alive and going.
<p>10. Public Comment</p>	<p>No Public Comments</p>
<p>11. Next Meeting</p>	<p>Thursday, February 9, 2024 @ 10am via Google Meet</p>
<p>12. Adjournment</p>	<p>Meeting Adjourned</p>



MEETING MINUTES / February 8, 2024

Meeting Title		WV Broadband Enhancement Council		Time		10:00 a.m.	
Chairman		Robert L. Morris, Jr., Chair		Location:		Online Meeting	
Please register for public comment. Call information available upon registration.						P = Present; TC = Teleconference; VC = Videoconference; _ = Absent	
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X	The Honorable Scott Edwards	Rural Business User Congressional District 2		-	Vacancy: Urban Business User Vacancy: Rural Business User Congressional Dist. 1		
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X	Kelly Workman, Jamie Hoffmann	WVDED, Office of Broadband		X	Steffani Sanders, Chris Campbell, Andrew Joseph	Tilson Technology Management	
	Jim Kelsh, Peter Markham	Bowles Rice Legal Counsel					
Agenda Item				Details/Minutes			
1. Call to Order; Roll Call; Opening Remarks				<p>Chairman Morris called meeting to order; quorum met;</p> <p>Opening Remarks from Jon Webster - Appalachian Power</p> <ul style="list-style-type: none"> ● Tuesday, February 6, 2024, reached out to the Office of Broadband and spoke to Director Workman. ● Due to the ENEC Fuel Cost Recovery process, APCo will not be moving forward with the Southeast project in WV. ● NTIA has been notified regarding grant withdrawal for funding, including AML funds. ● Discussed decision with Region 7 along with Upshur county and others as well. 			

	<ul style="list-style-type: none"> ● APCo will be sending the Broadband Enhancement Council a letter of withdrawal and will send Region 7/Upshur County as well. ● President Morris spoke with Sammy Gray who contacted President Morris with this decision. ● Still potential for dark fiber leasing ● Jon Webster stated that regarding pole attachment discussions, joint use policies, etc. that he would be a liaison between the ISP's and First Energy/Frontier/AEP to discuss joint use policies. ● Logan Mingo county project is still in the works. ● 170 miles of middle mile has been installed in Logan County. ● Pole replacements have been initiated in Mingo County. ● GigaBeam is working on building out the last mile in Logan and making progress on the middle mile/last mile build out. ● Customers in Logan County should be able to sign up for services soon. Those in Mingo County will be able to sign up in the near future.
<p>2. Approval of January 2024 Meeting Minutes, and Financial Statement, Introductions for new Office of Broadband Employee(s)</p>	<ul style="list-style-type: none"> ● Dotti Underwood, Financial Manager, Office of Broadband, gave a financial update for the month of January; council approved. ● Beginning Balance \$1,012,980.59 ● Invoice total paid for the month of January: \$12,733.98 ● Ending Balance : \$1,000,246.61 ● January meeting minutes - quorum met ● Kelly Workman - Director, Office of Broadband introduced the office's newest employee, Bailey Kirk to the Broadband Enhancement Council.
<p>3.Legislative Update</p>	<p>No current updates at this time</p>

<p>4. WVPSC 23-0695-E-T-P</p>	<p>Jim Kelsh, Bowles Rice, provided the Council with an update on the standing of this matter.</p> <p>Kelly Workman - Director, Office of Broadband also provided updates to the council.</p> <ul style="list-style-type: none"> ● Amendments to the joint ownership agreements with First Energy and Frontier have been submitted. ● Respect to cost, timing, orderly, etc. have been holding back projects and will in the future. ● First Energy filed comments in response to comments that were provided from the Council.
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	<ul style="list-style-type: none"> ● First Energy does share our goals and they are working to fix the issues that were addressed. ● First Energy wants to continue to work with the Broadband Enhancement Council and the Office of Broadband to solve these problems together and work together to address the issues and move forward. <p>President Morris discussed how the state cannot utilize all funding due to the pole attachment delays, but First Energy has shown improvement from feedback that ISP's have given the Office of Broadband as well as Council.</p>
<p>5. WVEDA Broadband Loan Insurance Program</p>	<p>Kelly Workman, Director, Office of Broadband provided the council with an update on the Broadband Loan Insurance Program.</p> <ul style="list-style-type: none"> ● Program had an initial balance of \$50 million ● Funds are depleted with a \$10,000 balance ● Program has been utilized as intended by the Legislature to benefit broadband services in the State of WV. ● As letters of credit are decreased and loans are paid back, money will come back into the program but it will be a slow process ● Office of Broadband is currently tracking the allocations throughout the BLINS program and receiving great cooperation through the EDA but this program will not be available to ISP's due to the depletion of the fund

<p>6. IJJA NTIA: Broadband Equity, Access, and Deployment (BEAD)</p>	<p>Andrew Joseph - Tilson Technology, provided an update for the council regarding the BEAD Challenge Process (PowerPoint presentation provided).</p> <ul style="list-style-type: none"> ● WV is 1 of 7 states nationwide that has initiated the challenge process <p><u>Future Dates/Updates</u></p> <ul style="list-style-type: none"> ● Webinar will be held on February 29, 2024 ● Pre-Application portal will open March 2024 ● Pre-Application On-Site Workshop (South) will be held on March 14, 2024 ● Pre-Application On-Site Workshop (North) will be held on March 28, 2024 ● Pre-Application Online Workshop will be held on April 10, 2024 ● Full Application Webinar will be held sometime in May 2024 ● Portal will open May 2024
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	<ul style="list-style-type: none"> ● Full Application Onsite Workshop (South) will be held on May 23, 2024 ● Full Application Onsite Workshop (North) will be held on June 6, 2024 ● Full Application Portal will close July 2024 ● Review and Final Proposals will be conducted Late 2024 <p><u>Current Focuses</u></p> <ul style="list-style-type: none"> ● Challenge Process ● Target Area and Region Polishing ● Application Creation ● Upcoming Trainings and Workshops in the North and South <p><u>CostQuest Licensing Information/Instructions</u></p> <ul style="list-style-type: none"> ● Detailed video on broadband.wv.gov website <p><u>Challenge Process - 30 day process</u></p> <ul style="list-style-type: none"> ● Challenge submission may be submitted individually or in bulk ● ISP's will be notified of any challenges directed against their services ● Other challenges - Organizations must look in the portal to see any updates regarding challenges ● Timeline - 30 day window to agree/disagree with challenges ● Default - if no rebuttal is filed within 30 days, challenge will automatically be sustained ● Register if you haven't already at https://register.broadband.wv.gov/register/bead ● For written challenge instructions see https://broadband.wv.gov/wp-content/uploads.2024/01/WV-BEAD-Challenge-Process-Instructions-2024.01.29.1.pdf ● Portal Video Instructions go to https://www.youtube.com/watch?v=YHZpD4G8kio
<p>7. IJJA Digital Equity Planning Grant</p>	<p>Derek Zelkowski - Program Coordinator - Digital Equity - provided the council with an update regarding the Digital Equity Program.</p> <p><u>IJJA Digital Equity Planning Grant</u></p> <ul style="list-style-type: none"> ● Still awaiting NTIA Approval of the Digital Equity Plan ● Federal Register released Draft Application for Digital Equity Capacity Grant ● DE Capacity Grant NOFO has not been released; once release, the 60 day window to submit the application will open ● The Office of Broadband has already started working on their application

	<p><u>Affordable Connectivity Program</u></p> <ul style="list-style-type: none"> ● Current number of enrolled households in WV : 128,190 ● FCC released official wind-down notice on January 11, 2024 due to lack of confirmed funding ● ISP's (some) have set deadlines for applications ● Projects final month of full benefits is set for April 2024 ● Enrolled households will receive at least three notices from their ISP informing that the program will be ending ● ACP Extension Act of 2024 introduced in both the HOuse and Senate ● House Bill has 23 co-sponsors; Senate Bill has 3 co-sponsors but neither have moved since introduction ● The Office of Broadband will continue monitoring this situation and pay attention to affordability in both BEAD and Digital Equity programs
8. Public Comment	NO PUBLIC COMMENT
10. Next Meeting	March 21, 2024 via Google Meet
11. Adjournment	Meeting Adjourned



MEETING MINUTES / April 11, 2024

Meeting Title		WV Broadband Enhancement Council		Time		10:00 a.m.	
Chairman		Robert L. Morris, Jr., Chair		Location:		Online Meeting	
Please register for public comment. Call information available upon registration.						P = Present; TC = Teleconference; VC = Videoconference; _ = Absent	
	Member	Representing			Council Member	Representing	
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X	Kelly Workman, Jamie Hoffmann	WVDED, Office of Broadband	X	-	Steffani Sanders, Chris Campbell, Andrew Joseph	Tilson Technology Management	
X	Jim Kelsh, Peter Markham	Bowles Rice Legal Counsel	-	-			
Agenda Item				Details/Minutes			
1. Call to Order; Roll Call; Opening Remarks				Chairman Morris called meeting to order; quorum met; <u>Opening Remarks:</u> <ul style="list-style-type: none"> • No opening remarks. 			

<p>2. Approval of February 2024 Meeting Minutes, and Financial Review</p>	<ul style="list-style-type: none"> ● February meeting minutes - quorum met, minutes approved. ● Dotti Underwood, Financial Manager, Office of Broadband, gave a financial update for the months of February and March; council approved. ● Beginning Balance for February: \$1,000,246.61 ● Invoice total paid for the month of February: \$170,024.17 ● Invoice total paid for the month of March: \$8,105.11 ● Total expenses for February and March: \$178,129.28 ● Ending Balance on March 31st: \$822,117.33 ● February meeting minutes - quorum met, minutes approved. ● Request from Dotti Underwood, Financial Manager, Office of Broadband, to use Broadband Enhancement Fund for personnel services budget. ● Dotti Underwood provided explanation on the reasoning to utilize this fund for personnel services budget. ● Request for \$60,000 to be utilized over the two years. ● Chairman Morris stated that he discussed this matter with Director Kelly Workman in regards to supporting the Office of Broadband and staff. ● Chairman Robbie Morris entertained a motion to approve up to \$60,000 from the Broadband Enhancement Fund to be used over the next two years for staff service and administrative support. ● Councilman Michael Holstein made a motion. ● Councilman Roger Calhoun seconded. ● General questions and discussion. ● Motion approved by council.
<p>3. Legislative Update</p>	<p>Peter Markham, Bowles Rice, provided the Council with an update on legislation related to broadband in the 2024 Legislative Session:</p> <ul style="list-style-type: none"> ● Six bills that were closely paid attention to in the 24' Legislative Session. ● Committee substitute for HB4195 and HB5353: <ul style="list-style-type: none"> ○ Both died in committee. ● SB846: <ul style="list-style-type: none"> ○ Cleared both houses and signed into law. ● HB4706: <ul style="list-style-type: none"> ○ Cleared the House, but was not taken up by the Senate Economic Development Committee. ● HB5310: <ul style="list-style-type: none"> ○ Double referenced in the House. The House Technology and Infrastructure Committee and the House Health Committee recommended passage. Passed the House without amendment. Died in the Senate Health and Human Resources Committee. ● HB4198:

	<ul style="list-style-type: none"> ○ Several amendments. Introduced in the House. Did not make it out of the House Technology and Infrastructure Committee.
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<p>4. ARPA</p>	<p>Jamie Hoffmann, Program Manager, Office of Broadband, provided updates on ARPA:</p> <ul style="list-style-type: none"> ● Discussed the Make Ready process; regular and productive calls with FirstEnergy. ● Beginning the second half of the ARPA program. ● 48 projects currently. ● Stated that the Office of Broadband seeks to have all 2022 and 2023 projects through the Make Ready Process in 2024. ● New projects that were awarded this year will progress through 2025. ● Can find information on all current projects and project locations at www.broadband.wv.gov ● Discussed growing relationship with FirstEnergy to ensure progress and completion. ● Jamie Hoffmann and Jeffery Hartley shared the ARPA Projects Progress Report with Council members. ● Progress Snapshot: Projects Currently in Each Phase <ul style="list-style-type: none"> ○ Preliminary Steps: 16 ○ Permitting: 16 ○ Engineering Design: 9 ○ Construction: 4 ○ Close Out: 2 ● 7 NTPC requests planned for April 2024. ● 6 projects have gone to construction to date: <ul style="list-style-type: none"> ○ 4 projects currently in Construction Phase. ○ 2 projects currently in Close Out Phase. ● 47 projects in total. ● 2,420 of 80,233 addresses served to date. ● Chairman Robbie Morris questioned addresses served and take rates. Jamie Hoffmann stated that quarterly reports were not due this month but the numbers would be pulled and that take rates will be tracked. ● No other questions from council members regarding ARPA.

<p>6. IJA Digital Equity Planning Grant</p>	<p>Derek Zelkowsky, Program Coordinator, Digital Equity, and Annie Stroud, Generation West Virginia, provided the council with an update regarding the Digital Equity Program and partnership with GWV and Connect Humanity Broadband Outreach Initiative .</p>
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IJA Digital Equity Planning Grant

- NTIA approved the Digital Equity Plan on February 29, 2024.
- Among the first six states to have Digital Equity Plan approved.
- March 29, 2024, NTIA released the NOFO for the Digital Equity Capacity Grant Program
 - \$1.44 Billion program for each state and territory to implement their digital equity plan
 - Became eligible to apply for this funding once the digital equity plan was formally approved.
 - **Tentative allocation is \$9,011,588**
 - This is only a tentative allocation, the final award may be larger or smaller.
 - 50% of this number is based on WV's total population. 25% based on the number of covered population members. 25% based on lack of availability and adoption of broadband services.
 - Special focus on regular program evaluation and data collection.
- The application for capacity grant funding is due May 28, 2024.
- On track to submit the application before May the 28th.
- The awards from NTIA will begin being dispersed on August 28, 2024.
- Expecting to receive the \$9 Million in September or October of 2024
- Working on the app for funding. Designing subgrantee programs and updating the plan to reflect the window of ACP.
- First of three NOFO's. Will be applying for a second round of capacity grant funding in 2025, and a third in 2026.

Affordable Connectivity Program

- Current number of enrolled households in WV : 128,571
- FCC released an official wind-down notice on January 11, 2024 due to lack of confirmed funding.
- Enrollment freeze went into effect on February 8, 2024.
- Program's final month of full benefits is set for April 2024.
- Partial benefit of \$14 in May 2024.
- Enrolled households will receive at least three notices from their ISP informing that the program will be ending.
- ACP Extension Act of 2024 introduced in both the House and Senate.
- Encouraging households enrolled in the program to contact their ISPS to discuss their options.
- The Office of Broadband will continue monitoring this situation and pay attention to affordability in both BEAD and Digital Equity programs

Generation WV, Connect Humanity Broadband Outreach Initiative (Annie Stroud):

	<ul style="list-style-type: none"> ● Discussion on partnership with GWV and Connect Humanity Broadband Outreach Initiative. ● Provided presentation to the council on the Connect Humanity Appalachian Digital Accelerator Project. ● Get Ready for Going Online: Community Planning Workshops <ul style="list-style-type: none"> ○ 5 workshops in March, 140 attendees. ○ 13 workshops planned for April.
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<p>7. IJJA NTIA: Broadband Equity, Access, and Deployment (BEAD):</p>	<p>Kelly Workman, Director, Office of Broadband, provided an update for the council regarding BEAD:</p> <ul style="list-style-type: none"> ● BEAD Application Process. ● 2023, planning process for BEAD and DE ● Top 10 in IPV 1, approved in January 2024 ● Approval was key in allowing WV to begin the challenge process ● Jacob Lester, Tilson Tech, provided in depth review on the challenge process for the council. (Powerpoint Slides) ● Challenge process solidifies the areas that will be eligible for BEAD funding. ● Challenge process is broken down into 30 day increments. ● Approaching the 60 day point in the rebuttal phase. ● Awaiting approval of IPV 2. ● Most recent round of curing was submitted on March 14, 2024. ● Challenge process underway. ● Have begun the pre application phase; conducted a series of webinars. ● Have issued draft target areas for public comment, public comment period closed on April 5th. ● Developed an initial review of BEAD eligible target locations, these locations are then grouped into target areas, and the target areas are grouped into target regions. ● Received great feedback from this process. ● This data will be utilized with the approval of IPV 2 and when the official application phase begins so that ISPS in these areas can base their project designs and apply for BEAD funding. ● Discussed the pre application phase and recent training events that have been held for potential applicants. ● Initial applications are intended to streamline full applications. ● Mentioned the creation of the WV Broadband Workforce Council; have been meeting throughout 2023 and into 2024. Spearheaded by Kent Sowards, MU. A number of subcommittees under the WV BWC. ● The Education and Training Committee has met twice. ● Director Workman called on Charles Spann to elaborate on information he wished to provide to the council. ● Charles Spann stated that he received a request from the budget office to approve the authorization and release of \$1.2 billion for WV. Pending legal review and approval/acceptance letter. <p>Future Dates/Updates</p> <ul style="list-style-type: none"> ● Pre-Application portal will open March 2024
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	<ul style="list-style-type: none"> ● Pre-Application Webinar held on March 14, 2024 ● Pre-Application On-Site Workshop (North) held on March 28, 2024 ● Pre-Application Online Workshop held on April 10, 2024 ● Full Application Workshop Webinar will be held on May 8, 2024 ● Portal will open May 2024
8. Public Comment	NO PUBLIC COMMENT
10. Next Meeting	May 9, 2024 via Google Meet
11. Adjournment	Meeting Adjourned



WEST VIRGINIA BROADBAND ENHANCEMENT COUNCIL

MEETING MINUTES / May 09, 2024

Meeting Title	WV Broadband Enhancement Council	Time	10:00 a.m.
Chairman	Robert L. Morris, Jr., Chair	Location:	Online Meeting
Please register for public comment. Call information available upon registration.		P = Present; TC = Teleconference; VC = Videoconference; _ = Absent	
	Member	Representing	Council Member
P	Robert L. Morris, Jr.	Chairman Urban Residential User	—
P	Michael J. Holstine Secretary-Treasurer	Rural Business User Congressional Dist. 3	P
P	Roger Calhoun	Rural Residential User Congressional Dist. 3	—
—	Michele Blatt Superintendent	WV Dept. of Education	—
P	Tim Conzett	Representing Michele Blatt	P
—	Heather Abbott Chief Technology Officer	WV Office of Technology	P
P	James Dixon Jeff Whitman	Representing Heather Abbott	—
	Matt Turner Vice Chancellor	WV Higher Education Policy Commission	P
P	Steve White, WVNET	Representing Matt Turner	—
P	The Honorable Scott Edwards	Rural Business User Congressional District 2	—
			—
	Representative	Agency	Agency
—	Kelly Workman, Jamie Hoffmann	WVDED, Office of Broadband	P
P	Jim Kelsh, Peter Markham	Bowles Rice Legal Counsel	
Agenda Item		Details/Minutes	
1. Call to Order; Roll Call; Opening Remarks		Chairman Morris called meeting to order; quorum met; <u>Opening Remarks:</u> <ul style="list-style-type: none"> • Appointment of Jarred Cannon, WV House of Delegates. 	

<p>2. Approval of April 2024 Meeting Minutes, and Financial Review</p>	<p>April meeting minutes:</p> <ul style="list-style-type: none">● Michael Holstine made a motion to approve. Roger Calhoun seconded the motion. Minutes approved. <p>Dotti Underwood, Financial Manager, Office of Broadband, gave a financial update for April 2024; council approved.</p> <ul style="list-style-type: none">● Beginning Balance for April: \$822,117.33● Two invoices paid to Bowles Rice:<ul style="list-style-type: none">○ \$1,403.75○ \$4,662.00● One invoice paid to Tilson Technology:<ul style="list-style-type: none">○ \$1,237.50● Total expenses for April: \$7,303.25● Ending Balance on April 30, 2024: \$814,814.08
<p>3.ARPA Update</p>	<p>Jamie Hoffmann, Program Manager, Office of Broadband, provided updates on ARPA:</p> <ul style="list-style-type: none">● Projects have been sent to construction; 7 more projects are scheduled to enter construction.● Expecting more than half of the projects to be under construction by the end of the quarter.● LEAD 3 and LEAD 2 announcements.● Working through permitting processes with wildlife management areas and state agencies.● Ongoing meetings with FirstEnergy.● Estimation of 50,000 locations in ARPA; Over 100,000 locations for BEAD.● Higher magnitude of permitting.● Deployment will begin in 2025. <p>Mr. Hoffmann did not present the dashboard due to it being updated to reflect construction for certain projects.</p> <ul style="list-style-type: none">● Discussed process for the public to inquire about available services.

<p>4. IJA NTIA: Broadband Equity, Access and Deployment (BEAD)</p>	<p>Jamie Hoffmann, Program Manager, Office of Broadband and Andrew Joseph, Tilson Technology provided updates on BEAD and upcoming events:</p> <p>BEAD Initial Proposal Volume 1</p> <ul style="list-style-type: none"> ● Approved January 23, 2024 <p>BEAD Initial Proposal Volume 2</p> <ul style="list-style-type: none"> ● Submitted: December 12, 2023 ● APPROVED: April 18, 2024: WV is among the first four states in the nation to secure approval, and is the only state in the Eastern U.S. to be approved. <p>BEAD Pre-Application on Phase Open March 18-May 17 (this date was later extended to May 30. Training and Application on Dates</p> <ul style="list-style-type: none"> ● Webinar May 8 ● Onsite Workshop-Charleston, May 23 ● Onsite Workshop-Morgantown, June 6 ● Webinar June 12 <p>Portal Opens: June 2024, pending NTIA approval of Challenge Process results</p> <p>Portal Closes: August 2024</p> <p>Broadband Workforce Council-Next Meeting June 24, 2024</p> <p>Chairman Robbie Morris opened up conversation on for questions and discussion; Council Member Ronald Pearson presented questions on funding. Jamie Hoffmann and Andrew Joseph provided answers to Council Member Pearson.</p>
<p>5. IJA Digital Equity</p>	<p>Derek Zelkowski, Program Coordinator, Digital Equity, provided the council with an update regarding the Digital Equity Capacity Grant Application and other DE items:</p> <ul style="list-style-type: none"> ● DE Planning Grant - closeout completed April 26, 2024 ● DE Capacity Grant Application - Due May 28, 2024 ● Almost completed, currently finalizing budgetary details and making final edits to narrative ● 4 Major Activities for Fiscal Year 1: <ol style="list-style-type: none"> 1. Digital Skills / Navigators Subgrant Program 2. Pilot Digital Devices Subgrant Program 3. Local Digital Equity Planning Subgrant Program 4. Data Collection and Digital Equity Plan Updates ● 2 Future Activities 5. Public Website Accessibility and Ease of Use 6. Broadband Affordability Awareness Campaign ● May change depending on potential Affordable Connectivity Program (ACP) renewal in Federal Aviation Administration (FAA) Renewal Act of 2023

6. Public Comment	No Public Comment
7. Next Meeting	June 13, 2024 via Google Meet
8. Adjournment	Meeting Adjourned

	Representative	Agency		Agency	
p	Kelly Workman, Jamie Hoffmann	WVDED, Office of Broadband	p	Steffani Sanders, Chris Campbell, Andrew Joseph	Tilson Technology Management
p	Jim Kelsh, Peter Markham	Bowles Rice Legal Counsel			
Agenda Item			Details/Minutes		
1. Call to Order; Roll Call; Opening Remarks			Chairman Morris called meeting to order; quorum met; <u>Opening Remarks:</u> <ul style="list-style-type: none"> No opening remarks. 		

2. Approval of May 2024 Meeting Minutes, and Financial Review	May meeting minutes: <ul style="list-style-type: none"> Council member Jeff Proctor stated that he was not in attendance for the May 9, 2024 meeting. <ul style="list-style-type: none"> Council member Michael Holstine moved to approve the May 2024 minutes as amended. Council member Roger Calhoun seconded this motion. Council approved May 2024 minutes. <p>Dotti Underwood, Financial Manager, Office of Broadband, provided a financial update for May; financials filed for audit.</p> <ul style="list-style-type: none"> Beginning Balance for May 2024: \$814,814.08 Two invoices paid: <ul style="list-style-type: none"> Bowles Rice: \$2,415 Esri: \$1,970 Total expenses for May 2024: \$4,385 Ending Balance on May 30, 2024: \$810,429.08
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<p>3. WV PSC Case No. 23-0695-E-T-P</p>	<p>Frontier WV and Mon Power/Potomac Edison Petition for Review of Amended Joint Ownership Agreements Jim Kelsh, Peter Markham</p> <p>May 8, 2024: WVPSC Final Order May 15, 2024: Monongahela Power Company, The Potomac Edison</p> <p>Jim Kelsh, Bowles Rice, provided information and updates on the May 8th decision from WVPSC to approve amendment to the joint pole use agreement between Frontier and Mon Power.</p> <ul style="list-style-type: none"> ● Chairman Robbie Morris asked general questions on the subject of ISPs and their process to file complaints with the WVPSC. ● Director Kelly Workman, Office of Broadband, provided insight and further information on this subject to Chairman Morris and other council members.
<p>4. WVDOH 2023 Utility Manual Update and Additional Guidelines</p>	<p>Sarah Runyon, WVDOH, provided information on the updated WVDOH Utility Manual</p> <ul style="list-style-type: none"> ● Now live on the WVDOH website. ● Hard copies are also available. ● Also provided information on the WVDOH permit portal that will go live on July 1, 2024. <ul style="list-style-type: none"> ○ Will provide a user guide and training videos. ○ Director Kelly Workman asked Sarah Runyon to provide information on the permit application process ○ Sarah Runyon shared an example of what the online permit portal will look like with the Council. ○ Council Member Michael Holstine asked if this will standardize the permit requirements across the state. <p>The WV Division of Highways has updated its guidance concerning <i>Accommodation of Utilities on Highway Right of Way and Adjustment and Relocation of Utility Facilities on Highway Projects</i>.</p> <ul style="list-style-type: none"> ● <i>The WVDOH has also approved</i> guidelines to accompany the updated manual. ● The effective date is Monday, June 10, 2024. ● Existing permits that have been approved prior to this date will continue to follow the 2007 manual. ● New permits will follow the 2023 manual. ● Exceptions at the discretion of District Utility Supervisors.

	<p>The DOH website will be updated to include these documents at https://transportation.wv.gov/highways/right-of-way/Pages/Utility-Publications.aspx.</p> <p>WVDOH Utility Manual 2023, and additional guidelines:</p> <ul style="list-style-type: none"> ● Horizontal Directional Drilling Guidelines, August 2023 ● Utility Permit Submission Guidelines, August 2023 ● Micro Trenching Guidelines, August 2023 ● Request for Reimbursement Submittal, August 2023 ● DOH Fiber Optic Permitting Guidelines, May 2024 <p>The WVDED has shared this information with all broadband project teams.</p>
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<p>5. ARPA Update</p>	<p>WV Office of Broadband</p> <ul style="list-style-type: none"> ● Project Status Overview <ul style="list-style-type: none"> ○ Annual Report ○ Quarterly Report ○ FFATA-Federal Funding Accountability and Transparency Report ○ Project Cancellations due to reconciliation in BEAD Challenge Process and other factors. <p>Jeffrey Hartley provided an update on ARPA Projects:</p> <ul style="list-style-type: none"> ● 4 projects have moved from the design phase to construction. ● 12 projects have gone to construction to date: <ul style="list-style-type: none"> ○ 10 projects are currently in the construction phase. ○ 2 projects are currently in the close out phase. ● 48 projects in total. ● 1,660 of 56,703 targeted addresses served. <p>Progress Snapshot: Projects Currently in Each Phase:</p> <ul style="list-style-type: none"> ● Preliminary Steps: 11 ● Permitting: 21 ● Engineering Design: 4 ● Construction: 10 ● Close Out: 2 <p>Director Kelly Workman provided comments on Annual Report/Quarterly Report and Project Cancellations/Reconciliations:</p> <ul style="list-style-type: none"> ● Annual Report - Due June. 30 ● Quarterly Report - Reporting period closes June. 30/Report due by the end of July. ● FFATA - Due end of June
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<p>6. IIJA NTIA: Broadband Equity, Access and Deployment (BEAD)</p>	<p>Director Kelly Workman, Office of Broadband, provided an update on BEAD:</p> <ul style="list-style-type: none"> • All Spring training events are now completed. • The Pre-Application phase is now over. • A standing FAQ document has been developed by Tilson and is now available on WV Broadband website - Updated as of May 30, 2024. • The FAQ document will be updated weekly. • The pre-apps will be interlinked into the application phase. • Seeking to hold a second comment period on mapping/target locations for those companies who have submitted pre-applications. • Second comment period will close on Jun 18, 2024. • Opening application phase in the month of June. Open for a minimum of 60 days. Closing in August. <p>Andrew Joseph, Tilson, presented BEAD updates to the Council:</p> <ul style="list-style-type: none"> • Program Phases: Pre-Application Phase, Full Application, Potential Award ProForma Review and Award Process. • Comments on Revised Target Area Map Due - June.18 • Full App. Portal Opens - June 2024 • Full App Portal Closes - August 2024 • Review and Final Proposal - Late 2024 <p>BEAD Initial Proposal Volume 1</p> <ul style="list-style-type: none"> • Approved January 23, 2024 <p>BEAD Initial Proposal Volume 2</p> <ul style="list-style-type: none"> • APPROVED: April 18, 2024: WV is among the first four states in the nation to secure approval. <p>BEAD Pre-Application Phase Open March 18-May 30: Closed</p> <p>Training and Application Dates: Complete</p> <ul style="list-style-type: none"> • Webinar May 8 • Onsite Workshop-Charleston, May 23 • Onsite Workshop-Morgantown, June 6 • Webinar June 12 <p>Challenge Process NTIA Remediation and Curing: Ongoing</p> <ul style="list-style-type: none"> • Challenge Process approval dictates opening date of Full Application process.
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<p>7. IIJA Digital Equity</p>	<p>Derek Zelkowski, Program Coordinator, Office of Broadband, provided the Council with an update regarding the Digital Equity Capacity Grant Application and other DE items:</p> <ul style="list-style-type: none"> • The Digital Equity Capacity Grant Application was submitted on May 18, 2024. • One of the first five states to submit their application before the May 28th deadline.
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	<ul style="list-style-type: none"> ● Currently in the curing process for the DECGA; three stage process: <ul style="list-style-type: none"> ○ Eligibility Review ○ Merit Review ○ NIST Review ● Awaiting official curing comments from NTIA. ● Expecting award by August or sooner. ● DE Plan Revisions: <ul style="list-style-type: none"> ○ Working on a set of updates and amendments to the DE Plan. ● GenerationWV/Connect Humanity: <ul style="list-style-type: none"> ○ Hosting a series of planning workshops at the end of the month. ○ To assist in county level DE planning. ○ June 24 - Clarksburg ○ June 25 - Ansted ○ June 26 - Gilbert
8. Public Comment	No Public Comment
9. Next Meeting	August 8, 2024 @ 10:00A.M. via Google Meet
10. Adjournment	Chairman Robbie Morris called the meeting adjourned.



WEST VIRGINIA BROADBAND ENHANCEMENT COUNCIL

MEETING MINUTES / August 8, 2024

Meeting Title	WV Broadband Enhancement Council	Time	10:00 a.m.
Chairman	Robert L. Morris, Jr., Chair	Location	Online Meeting
https://docs.google.com/forms/register Call information available upon registration.		Register for public comment. Hold comments until public comment portion of agenda.	P = Present; TC = Teleconference; VC = Videoconference; _ = Absent
	Member	Representing	Council Member
P	Robert L. Morris, Jr. Chairman	Urban Residential User	P
P	Michael J. Holstine Secretary-Treasurer	Rural Business User Congressional Dist. 3	P
P	Roger Calhoun	Rural Residential User Congressional Dist. 3	—
—	Michele Blatt Superintendent	WV Dept. of Education	—
P	Tim Conzett	Representing Michele Blatt Office of Data Management and Information Systems	P
—	Heather D. Abbott Chief Technology Officer	WV Office of Technology	—
P	James Dixon Jeff Whitman	Representing Heather Abbott	—
—	Matt Turner Vice Chancellor	WV Higher Education Policy Commission HEPC	—
P	Steve White Director, WVNET	Representing Matt Turner	—
—	The Honorable Scott Edwards	Rural Business User, Congressional District 2	—
—	Representative	Agency	Representative
P	Kelly Workman, Jamie Hoffmann	WVDED - Office of Broadband	P
P	Jim Kelsh, Peter Markham	Bowles Rice Legal Counsel	—
Agenda Item		Details/Minutes	
1. Call to Order; Roll Call; Opening Remarks		Chairman Morris called meeting to order; quorum met; Opening Remarks: <ul style="list-style-type: none"> • No opening remarks. 	

<p>2. Approval of June 2024 Meeting Minutes, and Financial Statement</p>	<ul style="list-style-type: none"> ● Council member Roger Calhoun seconded this motion. ● Council approved June 2024 minutes. <p>Dotti Underwood, Financial Manager, Office of Broadband, provided a financial update for June and July;</p> <ul style="list-style-type: none"> ● Beginning Balance for June 2024: \$810,429.08 - Three invoices paid: <ul style="list-style-type: none"> - Payroll: Salary & Fringe: \$452.21 - Bowles Rice: \$1,271.00 - Digital Relativity: \$313.50 - Total expenses for June and July 2024: \$2,036.71 - Ending Balance on July 31, 2024: \$808,392.30 ● Financials shall be filed for audit.
<p>4. ARPA Update and budget request for Limited Field Audit Report on Pole Attachments</p>	<p>WV Office of Broadband, Thrasher Engineering New Project Dashboard, Jamie Hoffman and Caleb Bryant</p> <ul style="list-style-type: none"> ● The map filters by Program, Grantee, Serviceability or County with real time data. The plan is to launch this next week, so they can continue improving it. Also to roll this out along with the Challenge Results. Suggestions welcomed. - Michael Holstine requested that the Council be notified upon launch of map, as well as a possible press release. - WVDED: Council notification and Press Release will be arranged. <p>Quarterly Project Status Overview; Jamie Hoffmann, Jeff Hartley</p> <ul style="list-style-type: none"> • ARPA Report: 42 active projects - Preliminary: 3; Permitting: 22; Engineering Design: 3; Construction: 12, Closeout: 2 (new numbers to be reported at meeting) - Pole Permitting has had some progress in the last quarter. - ISP Grant Tracking one pager - Canceled ARPA Projects; canceled for various reasons. Locations will still receive service by being placed back in the BEAD Program. <p>Council-Office Joint Pole Permit Recommendations-Budget Request for Field Audit Report Preparation</p> <ul style="list-style-type: none"> ● Pole attachments are a barrier to broadband expansion in WV. We have very serious obligations that these projects are successful. Assistance needed: Pole Owners, companies, public service commission to be beneficial and productive. The Council and Office will continue working on the legislative request for pole attachment recommendations.

	<ul style="list-style-type: none"> - WVDED is trying to find the best way to assist the ISPs with this discussion, in a knowledgeable and strategic way. Working on a report with pole attachment rules, along with WV being a reverse preemption state, psc rules, and joint ownership guidance to build a case study to show examples and then provide recommendations and solutions to prepare everyone for BEAD. - Some issues are the timeline from the PSC is not being met, too many requests, along with pole replacements, as needed. A one touch make ready can help, as it works in other states, to streamline that process when pole replacement is not needed. - Evidence has been shown where First Energy has been charging the ISPs to bring their poles up to compliance, which is against PSC rules. - Joint stipulation of pole owners and their gap in communication, as to who should replace the pole. - This report is complex, but it still is only a sampling. This will become our Limited Field Audit Report, field work by Thrasher and case studies by Jamie, input from AE.Com, and Bowles Rice. Hopefully complete by the end of August. • Proposal to cost share with the council 50/50 on this work. - Vote of approval: Motion by Michael Holstine, 2nd by Roger Calhoun. Request approved.
<p>5. 2024 WV Broadband Summit: Where West Virginia Connects</p>	<p>October 22-23, 2024 Kelly Workman</p> <ul style="list-style-type: none"> • Embassy Suites, Charleston, WV Capping registration to 175 for the day and half Summit. - Day one will include many industry topics, such as Regulations, Permitting, and Compatible Use with Easements. - Day 2 will involve more of the non-deployment portion of the grant, such as Workforce Development and Digital Equity.
<p>6. FCC Mobility Speed Test App</p>	<p>Launched July 23, 2024</p> <ul style="list-style-type: none"> • Implemented so that West Virginians can measure their mobile speed. WVDED hopes to include the new FCC mobility app in their dashboard platform by this fall to be unveiled at the Summit. Measurements of Fixed Wire Line, Fixed Wireless and Mobile Service Speed Test. It is important to include mobile data for all technologies.

7. IIJA NTIA: Broadband Equity, Access and Deployment (BEAD)

BEAD Initial Proposal Volume 2

- Approved January 23, 2024
- Still awaiting approval for the challenge process, once in hand, the office will release the final BEAD eligibility map and be able to open up the full application phase. Maps must be posted for 60 days and the full application phase must be open for 60 days, hoping to get the application portal open by mid August because of the 12 month deadline, which began April 18, 2024, by April 18, 2025 all projects must be submitted, reviewed, selected and consolidated into the final proposal for NTIA.
- WV is really at the forefront of this entire process, we were among one of the first 4 states to receive Vol. 2 approval, we will now be the first state to have Challenge Result approval, all of that shows our drive to deliver quality projects throughout WV.

Broadband Workforce Initiative:

- **ARC Grant for Broadband Industry Grant Technical Assistance (\$1.5 ARC with \$650,000 match from WVDED)**
Kent Sowards explained the importance of the ARC Grant to allow our partners WVU and Marshall to coordinate a Grant Resource Center to help describe, develop, and support the efforts of our applicants to provide the base needed to fulfill the need in the broadband industry workforce.
- **Collaboration with Workforce on the WV Next Level Collaborative, Broadband Sector Strategies Initiative with SAFAL Partners, a consultant to the U.S. Department of Labor**

Match funding issue

Kelly Workman

- A significant concern. BEAD requires a 25% match and a 10% letter of credit. The small and medium vendors have been going after RDOF funding, which is great.
- WVDED is required to reach 100% and if we cannot, we must explain in detail why. 40% of the ISPs have indicated they need help with the match.
- The previous grants included a broadband loan insurance program, the ISPS would like that to be reinstated.
- Previous grants allowed the WVEDA to provide the Letters of Credit, which the ISPs would also like to have reinstated for BEAD.
- Some ISPs may only be able to get 20% of the match and need help with the additional 5%.
- Support is needed to make BEAD successful.

<p>8. IJJA Digital Equity</p>	<p>WV Digital Equity Capacity Grant Application Update Presentation by Derek Zelkowski</p> <ul style="list-style-type: none"> • Capacity Grant Application WV allocation \$9,011,588 Estimated 3 million to come in 2025 and three million in 2026. • Competitive Grant Administered by NTIA, open to more applicants, due Sept. 23,2024, awards to be between 5-12 million dollars. 6 categories for eligible funding. 4 year period of performance, 1 year evaluation period. WVDED will assist applicants as needed, to be as strong as possible. • FCC Broadband Consumer Labels Designed to provide clear and accurate information about the cost and performance of high speed internet services. Introduced April 2024. BroadbandNow.com to view different logos for providers, then see their Broadband Facts (Nutrition Label style) data cost, speeds and fees.
<p>9. Public Comment</p>	<p>Sign-In for Public Comment No public comment offered</p>
<p>10. Next Meeting / 10. Adjournment</p>	<p>Google Meet: September 12, 2024</p>



WEST VIRGINIA BROADBAND ENHANCEMENT COUNCIL

MEETING MINUTES / September 12, 2024

Meeting Title	WV Broadband Enhancement Council	Time	10:00 a.m.
Chairman	Robert L. Morris, Jr., Chair	Location	Online Meeting
https://docs.google.com/forms/register Call information available upon registration.		Register for public comment. Hold comments until public comment portion of agenda.	P = Present; TC = Teleconference; VC = Videoconference; _ = Absent
Member	Representing	Council Member	Representing
P Robert L. Morris, Jr. Chairman	Urban Residential User	—	Mitch B. Carmichael WVDED Cabinet Secretary
P Michael J. Holstine Secretary-Treasurer	Rural Business User Congressional Dist. 3	P	Jeff Proctor Vice Chairman Representing Secretary Carmichael
P Roger Calhoun	Rural Residential User Congressional Dist. 3	—	Robert Cole Rural Residential User Congressional Dist. 1
—	Michele Blatt Superintendent	P	Bill Bissett Business User Large Scale Broadband
P Tim Conzett	Representing Michele Blatt Office of Data Management and Information Systems	P	Honorable Ron Pearson Rural Residential User Cong. Dist. 2
—	Heather D. Abbott Chief Technology Officer	—	The Honorable Robert Plymale WV Senate (D) (Ex-Officio/Advisory Member)
P James Dixon Jeff Whitman	Representing Heather Abbott	—	The Honorable Joey Garcia WV House (D) (Ex-Officio/Advisory Member)
—	Matt Turner Vice Chancellor	—	The Honorable Mark Maynard WV Senate (R) (Ex-Officio/Advisory Member)
P Steve White Director, WVNET	Representing Matt Turner	—	The Honorable Jarred Cannon WV House (R) (Ex-Officio/Advisory Member)
P The Honorable Scott Edwards	Rural Business User, Congressional District 2	—	Vacancy: Rural Business User Congressional Dist. 1 Vacancy: Urban Business User
—	Representative	Agency	Representative Agency
P Kelly Workman, Jamie Hoffmann	WVDED - Office of Broadband	P	Steffani Sanders, Chris Campbell, Andrew Joseph Tilson Technology Management
P Jim Kelsh, Peter Markham	Bowles Rice Legal Counsel	—	
Agenda Item		Details/Minutes	
1. Call to Order; Roll Call; Opening Remarks		Chairman Morris called meeting to order; quorum met; Opening Remarks: <ul style="list-style-type: none"> • No opening remarks. 	

<p>2. Approval of August 2024 Meeting Minutes, and Financial Statement</p>	<p>Approval of Minutes offered by Chairman Morris</p> <ul style="list-style-type: none"> • Jeff Proctor made motion to approve July Minutes. • Council member Roger Calhoun seconded this motion. • Council approved June 2024 minutes. <p>Dotti Underwood, Financial Manager, Office of Broadband, provided a financial update for August</p> <ul style="list-style-type: none"> • Beginning Balance for August 2024: \$808,392.37 - Invoices paid: <ul style="list-style-type: none"> - Payroll: Salary & Fringe: \$452.21 - BEAD Seminar, Erickson Alumni Center:\$2,159.40 - Digital Relativity: \$195.70 - ESRI: \$15,392.60 - Tilson Invoice: \$962.50 - Tilson Invoice: \$168.75 - Total expenses for August 2024: \$2,036.71 - Ending Balance on August 31, 2024: \$701,090.92 • The financials shall be filed for audit.
<p>3. New Council Appointment</p>	<p>Thank you, Dennis Lee, and welcome back William D. ‘Bill’ Bisset, Executive Director, WV Manufacturers Association, representing Large Scale Broadband Users.</p>
<p>4. WV Broadband Summit</p> <ul style="list-style-type: none"> • Request for Council to assist with cost of A/V, similar to 2023 • Draft Agenda Attached 	<p>October 22-23, 2024 Embassy Suites, Charleston, WV https://wvedc.org/2024WVBroadbandSummit</p> <p>All Members invited to attend. Event Theme: Where WV Connects Event jointly sponsored by Dept of Economic Development, WV Economic Development Council, Broadband Enhancement Council and the Office of Broadband</p> <ul style="list-style-type: none"> • Review Draft Agenda with Council • Request for Council to cover cost of A/V, Estimate: \$5,000. Motion to approve by Bill Bissett, seconded by Michael Holstine
<p>5. Public Service Commission of West Virginia (Commission) Pole Attachment Task Force CASE NO. 24-0703-T-E-CTV-GI Designation of Council representative(s). https://www.psc.state.wv.us/WebDocket/default.htm</p>	<ul style="list-style-type: none"> • On August 23, 2024, in consultation with the Office of Broadband, the Commission created a task force to consider and recommend incorporating by General Order and/or rule modification to the Commission's Rules for the Government of Pole Attachments (Pole Attachment Rules), 150 C.S.R. 38. • Any interested entity meeting the criteria for participation in the Task Force should file a notice of participation with the Executive Secretary of the Public Service Commission by Friday, September 13, 2024. • Interested parties that do not participate on the Task Force may file comments at any time. • All filings should reference Case No. 24-0703-T-E-CTV-GI and be addressed to, Karen Buckley, Executive Secretary, P.O. Box 812, Charleston, West Virginia 25323.

	<p>Jim Kelsh, Bowles Rice explained that the Task Force is being created to re-examine their pole attachment rules, the FCC modified some of their rules, under statute in the PSC's rule, once the FCC makes a change the PSC must make that change within 60 days in WV. ISPs are encouraged to participate in the Task Force, Bowles Rice, Broadband Council and representatives from the Office of Broadband.</p> <p>The FCC has also created a Rapid Broadband Assessment Team to focus on issues with pole attachments, impeding broadband efforts and to focus on all pole issues and disputes. This team is working to get utilities to provide pole information in advance and to provide info periodically regarding their degree of compliance on each pole to the commission. Hoping this provides a resolution.</p>
<p>6. Verizon to Acquire Frontier</p>	<ul style="list-style-type: none"> • Press Release included, this is not expected to be complete for 18 months. • Verizon excited to be fully back in WV. • WVDED is optimistic that all projects currently in place, as well as those planned with BEAD through Frontier shall then continue to completion through Verizon. More to come.
<p>7. DOH Utility Permit Portal</p>	<ul style="list-style-type: none"> - Meeting Friday, September 13, 2024 - Building 7 at the Capitol Complex - DOH Electronic Portal is a positive - The fees that are associated through this portal is the negative, per the ISPs, due to the application fees per day for the number of days to finish a project has changed. These fees were not included in the project budgets.
<p>8. ARPA Update with Jamie</p>	<p>ARPA Project Status Overview</p> <ul style="list-style-type: none"> • 15 Projects, 4 complete and in close out phase. • More to start directly and more for quarter 4. • Broadband Dashboard, not live yet. Adjustments are needed, planning to posted prior to the Summit

9. IIJA NTIA: Broadband Equity, Access and Deployment (BEAD)

- B.E.A.D Match Funding Issue

BEAD Initial Proposal Volume 2

- West Virginia's BEAD Challenge Results Approved- August 21, 2024
 - <https://broadband.wv.gov/ntia-approves-west-virginias-bead-challenge-process-and-final-locations/>
 - The Challenge Process included a Challenge Phase that opened on February 10, 2024 and ran until March 10, 2024. Challengers were required to submit a minimum level of evidence to support the challenger's claim.
 - Challengers included 12 internet service providers and 2 nonprofit organizations that collectively filed 80,739 challenges to BSLs.
 - West Virginia's BEAD Application Portal Open-August 26, 2024
 - <https://broadband.wv.gov/west-virginia-bead-final-challenge-results-approved-by-ntia-project-application-portal-to-open-august-26-2024/>
 - The NTIA approval of West Virginia's BEAD Challenge Results enabled the State to release the Final BEAD Eligibility Map and begin the Full Application Phase. West Virginia is among the first states in the nation to obtain NTIA approval of its Final Challenge Results and is among the first states to open its Full Application Phase, following Montana and Louisiana.
The 60-day Full Application Phase began August 26.
 - NTIA approved West Virginia's BEAD Initial Proposal Volume 2 on April 18, 2024.
 - Within 12 months of this approval date, West Virginia must submit a Final Proposal to include projects that will reach all unserved and underserved locations.
- WVDED is required to reach 100% and if we cannot, we must explain in detail why. 40% of the ISPs have indicated they need help with the match.
 - The previous grants included a broadband loan insurance program, the ISPS would like that to be reinstated.
 - Previous grants allowed the WVEDA to provide the Letters of Credit, which the ISPs would also like to have reinstated for BEAD.
 - Some ISPs may only be able to get 20% of the match and need help with the additional 5%.
 - Support is needed to make BEAD successful.

<p align="center">NTIA Alternative Technology Guidance-Public Comment</p>	<p>On August 26, 2024, NTIA released Proposed Alternative Technology Guidance, https://www.ntia.gov/sites/default/files/publications/bead-alternative-broadband-technology-policy-notice-for-public-comment-final.pdf.</p> <ul style="list-style-type: none"> • The Office of Broadband is planning to submit comments. Requesting a template for the final proposal and we are in our 12-month window to complete this final proposal, do not force us to take on additional burden that may not be necessary. Not a day to spare.
<p>10. Public Comment</p>	<p>Sign-In for Public Comment No public comment offered</p>
<p>10. Next Meeting / 10. Adjournment</p>	<p>Google Meet: November 14, 2024</p>



WEST VIRGINIA BROADBAND ENHANCEMENT COUNCIL

MEETING MINUTES/November 14, 2024

Meeting Title	WV Broadband Enhancement Council	Time	10:00 a.m.
Chairman	Robert L. Morris, Jr., Chair	Location	Online Meeting

<https://docs.google.com/forms/register>
Call information available upon registration.

Register for public comment. Hold comments until public comment portion of agenda.

P = Present; TC = Teleconference; VC = Videoconference; _ = Absent

	Member	Representing		Council Member	Representing
X	Robert L. Morris, Jr. Chairman	Urban Residential User	-	Michael R. Graney	WVDED Acting Secretary
X	Michael J. Holstine Secretary-Treasurer	Rural Business User Congressional Dist. 3	X	Jeff Proctor	Vice Chairman Representing Secretary Graney
X	Roger Calhoun	Rural Residential User Congressional Dist. 3	X	Robert Cole	Rural Residential User Congressional Dist. 1
-	Michele Blatt Superintendent	WV Dept. of Education	X	William D. (Bill) Bissett	Large Scale Broadband
X	Tim Conzett	Representing Michele Blatt Office of Data Management and Information Systems	X	Honorable Ron Pearson	Rural Residential User Cong. Dist. 2
-	Heather D. Abbott Chief Technology Officer	WV Office of Technology	X	The Honorable Robert Plymale	WV Senate (D) (Ex-Officio/Advisory Member)
-	James Dixon Jeff Whitman	Representing Heather Abbott	-	The Honorable Joey Garcia	WV House (D) (Ex-Officio/Advisory Member)
-	Matt Turner Vice Chancellor	WV Higher Education Policy Commission HEPC	-	The Honorable Mark Maynard	WV Senate (R) (Ex-Officio/Advisory Member)
-	Steve White Director, WVNET	Representing Matt Turner	X	The Honorable Jarred Cannon	WV House (R) (Ex-Officio/Advisory Member)
-	The Honorable Scott Edwards	Rural Business User, Congressional District 2	-	Vacancy: Rural Business User Congressional Dist. 1 Vacancy: Urban Business User	
	Representative	Agency		Representative	Agency
X	Kelly Workman, Jamie Hoffmann	WVDED - Office of Broadband	X	Steffani Sanders, Chris Campbell, Andrew Joseph	Tilson Technology Management
X	Jim Kelsh, Peter Markham	Bowles Rice Legal Counsel	-		

Agenda Item	Details/Minutes
1. Call to Order; Roll Call; Opening Remarks	Quorum met, Chairman Morris shared his appreciation for all being present for the meeting.
2. Approval of September 2024 Meeting Minutes, and Financial Statement	Approval of Minutes offered by Chairman Morris <ul style="list-style-type: none"> Roger Calhoun made a motion to approve September Minutes. Council member Jeff Proctor seconded this motion. Council approved September 2024 minutes.

	<p>Dotti Underwood, Financial Manager, Office of Broadband, provided a financial update for September and October 2024.</p> <ul style="list-style-type: none"> ● Beginning Balance: \$791,97.92 <p><u>Invoices paid:</u></p> <ul style="list-style-type: none"> - Payroll: Salary & Fringe: \$260.30 - 4 Invoices to Bowles Rice: \$2,315.92 - 2 Invoices to Tilson: \$2,687.50 - 2 Invoices to WV Net: \$2,177.92 <p>Total expenses for September and October 2024: \$6,441.64</p> <ul style="list-style-type: none"> ● Ending Balance on October 2024: \$784,656.28 ● The financials shall be filed for audit.
<p>3. Public Service Commission of West Virginia (Commission) Pole Attachment Task Force CASE NO. 24-0703-T-E-CTV-GI Designation of Council representative(s). https://www.psc.state.wv.us/WebDocket/default.htm</p>	<p>Jim Kelsh, Bowles Rice explained that the pole attachment task force had an initial meeting scheduled Nov. 20, 2024 1-4pm. It will be an in person meeting at the PSC 2011 Brooks St., Charleston, topics shall include adopting the FCC’s informal dispute resolution, referred to as RBAT. No ISP has invoked the PSC’s formal complaint process for pole attachment disputes. Also to be discussed, if pole owners can approve contractors and engineers with authority to conduct review, make changes to both power and communication space, rather than having a serial process with power engineers, power contractors, communication engineers and communication contractors.</p> <ul style="list-style-type: none"> ● 2nd meeting scheduled for December 11, 2024
<p>4. Verizon to Acquire Frontier CASE NO 24-0853-T-PC; Council consideration of Petition to Intervene</p>	<ul style="list-style-type: none"> ● Update on joint petition filed by Verizon and Frontier October 31, 2024 and an option to file a petition to intervene. ● Motion from Jeff Proctor that the West Virginia Broadband Enhancement Council to intervene in the Verizon to acquire Frontier case before the PSC, second by Ron Pearson. Motion carried.
<p>5. FCC RDOF Update</p>	<p>Presentation by Fred Feit, Tilson</p> <p>The FCC conducted the rural digital opportunity fund reverse auction basically starting 2019 to 2020. The FCC's attempt to modernize the highest subsidy regime so all of the funding for RDOF comes out of the universal service fund. Overview of Phase I and II for ISPs serving the underserved areas with RDOF, which focuses on the relationship between the FCC and the ISPs.</p>
<p>6. Legislative Update: SB2035</p>	<p>Peter Markham, Bowles Rice</p> <p>Senate Bill 2035 legislature passed, Governor signed!</p> <p>This dedicates more financial support to the BLINS program that is administered by the West Virginia EDA for broadband loan insurance. In short, this is a great bill for the BLINS program in support of loan insurance for BEAD.</p>

<p>7. IJJA NTIA: Broadband Equity, Access and Deployment (BEAD)</p>	<p>Kelly Workman, Director, presenting slides The BEAD extension phase will close December 19th.</p> <p>The extension includes areas for which we did not receive an application or we have determined that we do not have a viable application. ISPs that completed the full application and new applicants are encouraged to participate.</p> <p>Overview of how some programs can be braided together, and some cannot. The differences between them and the preference for end to end fiber, especially in BEAD.</p> <ul style="list-style-type: none"> • https://broadband.wv.gov/west-virginia-opens-bead-extension-extension-target-areas-posted/ • Extension to open 11/13 – 12/19. For details, see: • West Virginia must submit a Final Proposal to include projects that will reach all unserved and underserved locations on or before April 17, 2025. <p>NTIA Alternative Technology Guidance-Public Comment</p> <ul style="list-style-type: none"> • Projects that may not meet NTIA eligibility requirements, they exceed the state's extremely high cost threshold that would exceed our program budget or cause us to exceed our program budget. 2024, non-priority projects that use a reliable broadband service technology, those include a hybrid coax technology or licensed fixed wireless. If those options are exhausted, then we move to alternative technology and that would include non-licensed fixed wireless and/or satellite technology. • bead-alternative-broadband-technology-policy-notice.
<p>8. General election impact on council membership; chairman announcement on plans; and election of chair and vice-chair for a term of two years, pursuant to W. Va. Code § 31G-1-3(d).</p>	<p>Peter Markham, Bowles Rice Round of applause for Chairman Morris who recently won his election, now a Senator Elect to the State of WV. He has submitted his resignation to the Governor for Nov. 29, so he can assist with the transition with a new chairman.</p> <p>Jeffrey Proctor made motion to nominate Bill Bissett as chairman of BEC, Michael Holstine seconded the motion. Motion carried, Congratulations, Mr. Bill Bissett!</p>
<p>Public Comment</p>	<p>No Public Comment</p>
<p>Next Meeting / 10. Adjournment</p>	<p>Google Meet: December 12, 2024 10:00am</p>



WEST VIRGINIA BROADBAND ENHANCEMENT COUNCIL

MEETING AGENDA/December 12, 2024

Meeting Title	WV Broadband Enhancement Council	Time	10:00 a.m.
Chairman	Robert L. Morris, Jr., Chair	Location	Online Meeting

<https://docs.google.com/forms/register>
Call information available upon registration.

Register for public comment. Hold comments until public comment portion of agenda.

P = Present; TC = Teleconference; VC = Videoconference; _ = Absent

	Member	Representing			Council Member	Representing
—	William D. (Bill) Bissett Chairman	Large Scale Broadband	—	—	Michael R. Graney	WVDED Acting Secretary
—	Michael J. Holstine Secretary-Treasurer	Rural Business User Congressional Dist. 3	—	—	Jeff Proctor	Vice Chairman Representing Secretary Graney
—	Roger Calhoun	Rural Residential User Congressional Dist. 3	—	—	Robert Cole	Rural Residential User Congressional Dist. 1
—	Michele Blatt Superintendent	WV Dept. of Education	—	—	William D. (Bill) Bissett	Large Scale Broadband
—	Tim Conzett	Representing Michele Blatt Office of Data Management and Information Systems	—	—	Honorable Ron Pearson	Rural Residential User Cong. Dist. 2
—	Heather D. Abbott Chief Technology Officer	WV Office of Technology	—	—	The Honorable Robert Plymale	WV Senate (D) (Ex-Officio/Advisory Member)
—	James Dixon Jeff Whitman	Representing Heather Abbott	—	—	The Honorable Joey Garcia	WV House (D) (Ex-Officio/Advisory Member)
—	Matt Turner Vice Chancellor	WV Higher Education Policy Commission HEPC	—	—	The Honorable Mark Maynard	WV Senate (R) (Ex-Officio/Advisory Member)
—	Steve White Director, WVNET	Representing Matt Turner	—	—	The Honorable Jarred Cannon	WV House (R) (Ex-Officio/Advisory Member)
—	The Honorable Scott Edwards	Rural Business User, Congressional District 2	—	—	Vacancy: Rural Business User Congressional Dist. 1 Vacancy: Urban Business User	
—	Representative	Agency	—	—	Representative	Agency
—	Kelly Workman, Jamie Hoffmann	WVDED - Office of Broadband	—	—	Steffani Sanders, Chris Campbell, Andrew Joseph	Tilson Technology Management
—	Jim Kelsh, Peter Markham	Bowles Rice Legal Counsel	—	—		

Agenda Item	Details/Minutes
1. Call to Order; Roll Call; Opening Remarks	
2. Approval of November 2024 Meeting Minutes, and Financial Statement	WV Office of Broadband

<p>3. Public Service Commission of West Virginia (Commission) Pole Attachment Task Force CASE NO. 24-0703-T-E-CTV-GI Designation of Council representative(s). https://www.psc.state.wv.us/WebDocket/default.htm On August 23, 2024, in consultation with the Office of Broadband, the Commission created a task force to consider and recommend incorporating by General Order and/or rule modification to the Commission's Rules for the Government of Pole Attachments (Pole Attachment Rules), 150 C.S.R. 38.</p>	<ul style="list-style-type: none"> • The WV Broadband Enhancement Council and the WV Office of Broadband are task force participants along with legal counsel. • The first meeting is scheduled November 20 and December 11. • A final report is due January 2025.
<p>4. Verizon to Acquire Frontier CASE NO 24-0853-T-PC; Council consideration of Petition to Intervene Verizon and Frontier jointly filed a petition with the WV Public Service Commission for approval of the transfer of Frontier to Verizon on October 31, 2024. The Commission recommends a decision by May 29, 2025.</p>	<ul style="list-style-type: none"> • Review and discussion of draft motion to intervene (attached)
<p>5. Ookla Data</p>	<p>Jamie Hoffmann, WV Office of Broadband</p>
<p>6. Council/Office Annual Report</p>	<p>Jamie Hoffmann, WV Office of Broadband</p>
<p>7. Digital Equity Capacity Grant Update</p>	<p>Derek Zelkowski, WV Office of Broadband</p> <ul style="list-style-type: none"> • DE Capacity Grant Award • DE Asset Map & Dashboard • DE Competitive Grant Update
<p>8. IJJA NTIA: Broadband Equity, Access and Deployment (BEAD)</p>	<p>Brief Update NTIA approved West Virginia's BEAD Initial Proposal Volume 2 on 4/18/2024.</p> <ul style="list-style-type: none"> • The 60-day Full Application Phase ran from 8/26-10/24. • Extension to open 11/13 – 12/19. For details, see: https://broadband.wv.gov/west-virginia-opens-bead-extension-extension-target-areas-posted/ • West Virginia must submit a Final Proposal to include projects that will reach all unserved and underserved locations on or before April 17, 2025.
<p>Public Comment</p>	<p>Sign-In for Public Comment</p>
<p>Next Meeting / 10. Adjournment</p>	<p>Google Meet: February 11, 2025</p>