



# WEST VIRGINIA BROADBAND ENHANCEMENT COUNCIL

## APPROVED MINUTES/February 13, 2025

<b>Meeting Title</b>	WV Broadband Enhancement Council	Time	10:00 a.m.
<b>Chairman</b>	William D. 'Bill' Bissett, 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	William D. (Bill) Bissett Chairman	Large Scale Broadband	P	The Honorable Scott Edwards	Rural Business User, Congressional District 1
P	Michael J. Holstine Secretary-Treasurer	Rural Business User Congressional Dist. 3 / (Now Rural Residential User District 1)	-	Michael R. Graney	WVDED Acting Secretary
P	Roger Calhoun	Rural Residential User Congressional Dist. 3 / Now Urban Residential User (1 of 2)	P	Jeff Proctor	Vice Chairman Representing Secretary Graney
-	Michele Blatt Superintendent	WV Dept. of Education	-	Robert Cole	Rural Residential User Congressional Dist. 1/(Now 2)
-	Tim Conzett, WVDE Office of Data Management	Representing Michele Blatt	P	Honorable Ron Pearson	Rural Residential User Cong. Dist. 2/ Now Urban Residential User (2 of 2)
-	Heather D. Abbott Chief Technology Officer	WV Office of Technology	-	The Honorable Robert L. Morris, Jr.	WV Senate (R) (Ex-Officio/Advisory Member)
P	James Dixon Jeff Whitman	Representing Heather Abbott	-	The Honorable Jarred Cannon	WV House (R) (Ex-Officio/Advisory Member)
-	Matt Turner Vice Chancellor	WV Higher Education Policy Commission HEPC	-		WV Senate (D) (Ex-Officio/Advisory Member)
P	Steve White Director, WVNET	Representing Matt Turner	-		WV House (D) (Ex-Officio/Advisory Member)
-	<b>Representative</b>	<b>Agency</b>		<b>Representative</b>	<b>Agency</b>
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			

**VACANCIES:**

- Urban Business User (2 Members, Any District) and Rural Business User, District 2

Agenda Item	Details/Minutes
<b>1. Call to Order; Roll Call; Opening Remarks</b>	Welcome New Senate Ex-Officio Member, The Honorable Robert L. Morris, Jr.! We are very pleased he will remain involved with Broadband Council. If you see him, please congratulate him.
<b>2. Approval of December 2024 Meeting,</b>	<b>Minutes:</b> Motion to approve, Judge Ron Pearson - first, Roger Calhoun -

<p><b>Minutes, and Financial Statement</b></p>	<p>second. Minutes to be filed.</p> <p><b>Financial statement by Sabrina Stollings</b> As of Dec. 1, beginning balance of \$806,941.31 Three invoices paid: Tilson \$6,075.00 Bowles Rice \$1,798.00 Commerce Communication \$48.15 Total December expenses \$7,921.15 Ending balance \$799,020.16</p> <p>As of Jan. 1 beginning balance of \$799,020.16 4 Invoices paid and a payroll allocation Tilson \$5,287.50 3 Bowles Rice Invoices 1st \$320.50 2nd \$1,674.00 3rd \$652.50 Payroll allocation \$1,278.81 Total January expenses \$9,213.31 Jan. 31 Ending balance \$789,806.85 Report to be filed for audit.</p>
<p><b>3. Public Service Commission of West Virginia Pole Attachment Task Force CASE NO. 24-0703-T-E-CTV-GI</b> <b>Designation of Council representative(s).</b> <a href="https://www.psc.state.wv.us/WebDocket/default.htm">https://www.psc.state.wv.us/WebDocket/default.htm</a></p>	<p><b>Peter Markham, Bowles Rice</b> 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"> <li>● <b>Final Report Issued January 31, 2025</b></li> </ul> <p>1st - Recommends the establishment of a Rapid Response Team within the PSC. If an ISP has an issue with attaching to a pole, they can initiate mediation with the Rapid Response Team, to hopefully get on the pole quickly by resolving the dispute. We wanted the Office of Broadband to be included in these mediations as needed, representing the granting agency. The commission will consider that moving forward.</p> <p>2nd - Requiring utility pole owners to share their pole inspection reports to any potential attachers. Apparently not all utilities gather the same information, so we suggested that the PSC adopt a uniform data pole information standard. The Office of Broadband is working to build a database for this type of information.</p> <p>3rd - Require Utility companies to report annually their compliance with applicable laws and regulations.</p> <p>4th - The main pole owner utilities compiled a list of engineers to perform changes for attachments. The final report recommends that these changes go into effect immediately. The Council and Office have also requested to continue a working group to ensure the rules are being implemented and additional issues are handled moving forward. They agreed.</p>

<p><b>4. Verizon to Acquire Frontier</b>  <b>CASE NO 24-0853-T-PC; Council consideration of Petition to Intervene</b></p>	<p><b>Jim Kelsh, Bowles Rice</b>  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"> <li>● <b>Update on Council’s Petition to Intervene</b></li> </ul> <p>The commissioners of the PSC are keeping this case, will not be referred to the Division of Administrative Law of Judges.  The joint applicants are scheduled to file testimony by March 3rd. For the interveners, which includes the BEC, testimony is due by April 3rd. Rebuttal testimony by May 15th, Public comment Hearing June 11, Evidentiary Hearing at the PSC June 12th and 13th.  In the process of preparing Discovery, mostly to Verizon regarding its pole attachment practices, hoping to have that in by the end of week, then have 20 days to respond to that. We intend to file testimony by April 3rd.</p>
<p><b>5. ARPA Project Update by Jamie Hoffman</b></p>	<p><b>ARPA Progress Report</b>  Active Grant Overview. Projects are moving forward. 24 in Permitting and Design, 3 in Close Out, 1 Complete.  The majority are delayed in Permitting and design due to the pole attachment issues, which is why the task force is so important.</p> <p><b>ARPA Dashboard</b>  <a href="http://www.wvbroadband.maps.arcgis.com">www.wvbroadband.maps.arcgis.com</a>  Search by Funding, Availability, and Statewide Statistics Maps. Also County Maps, current projects, even by Provider, who is served and who is underserved.</p>
<p><b>8. IJJA NTIA: Broadband Equity, Access and Deployment (BEAD) by Andrew Joseph</b></p>	<p><b>B.E.A.D Progress Report</b>  Key Milestones  Five year Action Plan, approved 9/2023, Initial Proposal Vol. 1, approved 01/2024, Initial Proposal Vol. 2 Approved 4/2024, State Challenge Process approved 8/2024, Project Selection in process that is projected to be complete Q1 2025, then the final proposal due to NTIA by 4/16/2025 and Project implementation occurs from 2025-2029.</p> <p>What is included in the Final Proposal?  Results of Deployment Project Selection, Completed and Planned Subgrantee Selection Process and the Status of Compliance with Requirements.</p> <p>Public Comment period should occur Mid-March</p>
<p><b>9. Public Comment</b></p>	<p>Sign-In for Public Comment, no public comments.</p>
<p><b>10. Next Meeting / Adjournment</b></p>	<p>Google Meet: March 13, 2025</p>



# WEST VIRGINIA BROADBAND ENHANCEMENT COUNCIL

## APPROVED MINUTES / March 13, 2025

<b>Meeting Title</b>	WV Broadband Enhancement Council	Time	10:00 a.m.
<b>Chairman</b>	William D. 'Bill' Bissett, 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	William D. (Bill) Bissett Chairman	Large Scale Broadband	X	The Honorable Scott Edwards	Rural Business User, Congressional District 1
X	Michael J. Holstine Secretary-Treasurer	Rural Business User Congressional Dist. 3 / (Now Rural Residential User District 1)	-	Michael R. Graney	WVDED Acting Secretary
X	Roger Calhoun	Rural Residential User Congressional Dist. 3 / Now Urban Residential User (1 of 2)	X	Jeff Proctor	Vice Chairman Representing Secretary Graney
-	Michele Blatt Superintendent	WV Dept. of Education	-	Robert Cole	Rural Residential User Congressional Dist. 1/(Now 2)
X	Tim Conzett, WVDE Office of Data Management	Representing Michele Blatt	-	Honorable Ron Pearson	Rural Residential User Cong. Dist. 2/ Now Urban Residential User (2 of 2)
-	Heather D. Abbott Chief Technology Officer	WV Office of Technology	-	The Honorable Robert L. Morris, Jr.	WV Senate (R) (Ex-Officio/Advisory Member)
X	James Dixon Jeff Whitman	Representing Heather Abbott	-	The Honorable Jarred Cannon	WV House (R) (Ex-Officio/Advisory Member)
-	Matt Turner Vice Chancellor	WV Higher Education Policy Commission HEPC	-		WV Senate (D) (Ex-Officio/Advisory Member)
X	Steve White Director, WVNET	Representing Matt Turner	-		WV House (D) (Ex-Officio/Advisory Member)
-	<b>Representative</b>	<b>Agency</b>		<b>Representative</b>	<b>Agency</b>
X	Kelly Workman, Jamie Hoffmann  Jim Kelsh, Peter Markham	WVDED - Office of Broadband  Bowles Rice Legal Counsel	X	Steffani Sanders Chris Campbell Andrew Joseph	Tilson Technology Management

COUNCIL VACANCIES: Urban Business User (2 Members, Any District) and Rural Business User, District 2

Agenda Item	Details/Minutes
1. Call to Order; Roll Call; Opening Remarks	Quorum met

<p><b>2. Approval of February 2025 Meeting, Minutes, and Financial Statement</b></p>	<p>February 2025 Minutes Motion to approve minutes by Jeff Proctor, Michael Holstine seconded. February minutes to be filed.</p> <p>February 2025 Financial Report by Sabrina Stollings Beginning balance: \$789,806.85 Total February Expenses: \$20,109.12 Ending February Balance: \$769,697.73</p> <p>Jeff Proctor made a motion to approve, Mike Holstine seconded. All in favor. The February 2025 Financial Report will be filed.</p>
<p><b>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).</b> <a href="https://www.psc.state.wv.us/WebDocket/default.htm">https://www.psc.state.wv.us/WebDocket/default.htm</a></p>	<p><b>Jim Kelsh, Bowles Rice</b> On August 23, 2024, the WVPSC 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> <ol style="list-style-type: none"> <li>1.) All parties agreed upon the pole owners joint list of outside contractors and engineers, the PSC approved that list which pole owners are required to update on a quarterly basis.</li> <li>2.) Rapid Response Teams, designated people at PSC, ready to address in proper manner complaints by pole attachers regarding pole owners actions. The Rapid Response Team can reach out to the Office of Broadband on a case by case basis.</li> <li>3.) Pole inspection reporting, the Council asked the Commission to require more extensive information on each pole, when the pole was installed, what attachers are on it, pole height, and other details. This was deferred to continued proceedings by the Task Force.</li> <li>4.) Pole Attachment Annual Report requirement, deferred to continued proceedings by the Task Force.</li> </ol> <p>The Commission asked parties to file a procedural proposal by March 8 and the comments be filed by March 27th, the PSC Staff has submitted a proposal hoping to hear the outcome soon.</p>
<p><b>4. Verizon to Acquire Frontier CASE NO 24-0853-T-PC; Council consideration of Petition to Intervene</b></p>	<p><b>Jim Kelsh, Bowles Rice</b> 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"> <li>● Procedural Schedule issued in this case Verizon and Frontier pre-filed written direct testimony on March 3. Other parties must submit testimony by April 3, and this includes the Council.</li> <li>● Rebuttal testimony due May 15th. The evidentiary hearing is scheduled June 12 &amp; 13th at the PSC headquarters.</li> <li>● It is Verizon's intent to continue Frontier's broadband efforts.</li> <li>● In regard to pole issues, they plan to quickly resolve disputes and develop solutions.</li> <li>● Frontier, due to its financial position, would not be able to take on additional financial debt for further broadband expansion, whereas Verizon is capable of funding further broadband expansion.</li> <li>● We are fairly certain that the Commission will approve the transfer of Frontier to Verizon. real question is what terms</li> </ul>

	<p>will be included in a joint stipulation to make Verizon accountable moving forward.</p> <ul style="list-style-type: none"> <li>➤ Motion presented to give Chairman Bissett the Council’s authority to approve the testimony for filing and to enter into a settlement agreement. Motion by Mike Holstine, Jeff Proctor seconded. All in favor. Motion carries.</li> </ul>
<p><b>5. ARPA Project Update</b></p>	<p><b>Progress Report by Jamie Hoffmann</b></p> <p>39,617 Targeted Locations within 41 Counties. 4 Projects have completed, Preconstruction 6, Permitting and Design 17, Construction 15. Anticipating 26 projects to be completed by the end of 2025 and 16 by end of 2026.</p> <p>WV Pole Attachment Concerns:</p> <ol style="list-style-type: none"> <li>1. Workforce Management/scheduling and completing make ready work.</li> <li>2. High volume attachments requiring power make ready.</li> <li>3. Miscommunication</li> <li>4. Changes in pole owner attachment policy.</li> <li>5. Disputes in pole betterment, so that the cost of replacing a pole is not placed solely upon the ISP.</li> </ol> <p>Jeff Hartley 4,060 of 39,617 hit so far. Overview of our ARPA rural Broadband Development per ISP and project.</p>
<p><b>8. IJIA NTIA: Broadband Equity, Access and Deployment (BEAD) Update</b></p>	<p><b>Progress Report by Kelly Workman</b></p> <p>WV broadband fiber deployment in 2019 compared to 2024, 240% increase. Also important, tracking speed and performance. Thanks to Ookla, speed tests give a voice to the consumer, as well as progression for our state.</p> <p><b>BEAD</b></p> <ul style="list-style-type: none"> <li>● \$1.2 Billion allocation to WV approved: April 18,2024</li> <li>● Challenge Process Final Results Approved: August 20, 2024</li> <li>● 60 Day Full Application Phase August 26-October 24,2024</li> <li>● Planned Extension Phase: November 13-December 19, 2024</li> <li>● December 2024 through January - March 2025 <ul style="list-style-type: none"> <li>◆ Application review, potential award determinations, data submission and validation, development of Final Proposal, NTIA Special Awards Conditions Meeting, Public Comment and Response</li> </ul> </li> <li>● We expect to release the Final Proposal for public comment near the end of March and meet the April 18, 2025 deadline.</li> </ul> <p>Total BEAD Eligible Locations 114,178 Total WV Broadband Serviceable Locations 900,408 Final Proposal Next, then once NTIA approval is received, we will begin Implementation with a 4 year build out period.</p> <p>Changes to program: We are confident we can adjust or modify the proposal as needed. Some outcomes discussed could be very beneficial, such as expediting the permitting phase. If there is a pause, we hope it will be short.</p> <p><b>BEAD Workforce</b></p> <p>Many broadband industry positions pay a higher wage than many others in WV. These include a mix of manual,</p>

	<p>specialized, supervisory roles and many others. We are working with many educational institutions to make sure we can fill the need in the build out and continue maintenance of the infrastructure once built.</p> <p>Continuous Mapping of Broadband Infrastructure, the map always changing and must be constantly updated and accessible to all West Virginians.</p>

<b>Public Comment</b>	Sign-In for Public Comment, no public comment.
<b>Next Meeting / 10. Adjournment</b>	Google Meet: April 17, 2025 ( <i>WVDED Note-This date is incorrect. The next meeting date is April 10, 2025.</i> )



# WEST VIRGINIA BROADBAND ENHANCEMENT COUNCIL

## Approved Minutes/April 10, 2025

<b>Meeting Title</b>	WV Broadband Enhancement Council	Time	10:00 a.m.
<b>Chairman</b>	William D. Bill' Bissett, Chair	Location	Online Meeting
<a href="https://docs.google.com/forms/register">https://docs.google.com/forms/register</a> 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	William D. (Bill) Bissett Chairman	Large Scale Broadband	-	The Honorable Scott Edwards	Rural Business User, Congressional District 1
X	Michael J. Holstine Secretary-Treasurer	Rural Business User Congressional Dist. 3 / (Now Rural Residential User District 1)	-	Michael R. Graney	WVDED Acting Secretary
X	Roger Calhoun	Rural Residential User Congressional Dist. 3 /Now Urban Residential User (1 of 2)	X	Jeff Proctor	Vice Chairman Representing Secretary Graney
-	Michele Blatt Superintendent	WV Dept. of Education	-	Robert Cole	Rural Residential User Congressional Dist. 1/(Now 2)
X	Tim Conzett, WVDE Office of Data Mgt.	Representing Michele Blatt	X	Honorable Ron Pearson	Rural Residential User Cong. Dist. 2/ Urban Residential User (2 of2)
-	Heather D. Abbott Chief Technology Officer	WV Office of Technology	-	The Honorable Robert L. Morris, Jr.	WV Senate (R) (Ex-Officio/Advisory Member)
X	James Dixon Jeff Whitman	Representing Heather Abbott	-	The Honorable Jarred Cannon	WV House (R) (Ex-Officio/Advisory Member)
-	Matt Turner Vice Chancellor	WV Higher Education Policy Commission HEPC	-		WV Senate (D) (Ex-Officio/Advisory Member)
X	Steve White Director, WVNET	Representing Matt Turner	-		WV House (D) (Ex-Officio/Advisory Member)

COUNCIL VACANCIES: Urban Business User (2 Members, Any District) and Rural Business User, District 2

X	Kelly Workman Jamie Hoffmann  Jim Kelsh Peter Markham	WVDED - Office of Broadband  Bowles Rice Legal Counsel	X	Steffani Sanders Chris Campbell Andrew Joseph	Tilson Technology Management
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Agenda Item	Details/Minutes
1. Call to Order; Roll Call; Opening Remarks	

<p><b>2. Approval of March 2025 Meeting, Minutes, and Financial Statement</b></p>	<p>Minutes approved by Jeff Holstine, second by Jeff Proctor. Minutes approved unanimously and shall be filed.</p> <p><b>Financial Statement by Sabrina Stollings</b>  <b>\$769,697.73 March beginning balance</b>  Expenses:  \$ 281.25 Tilson Technologies  \$4,634.50 Bowles Rice  \$1,302.00 Bowles Rice  \$1,994.75 Bowles Rice  \$ 142.51 Payroll Allocation  <b>\$8,355.01 March Total Expenses</b>  <b>\$761,342.72 March Ending Balance</b></p> <p>(Ookla payment has been delayed by processing issues and will be included in the next report.)</p> <p>Motion to approve Mike Holstine, Second by Jeff Proctor. Financial statement accepted.</p>
<p><b>3. Public Service Commission of West Virginia Pole Attachment Task Force CASE NO. 24-0703-T-E-CTV-GI</b>  <a href="http://www.psc.state.wv.us/WebDocket/default.htm">www.psc.state.wv.us/WebDocket/default.htm</a></p>	<p><b>Peter Markham, Bowles Rice</b>  On August 23, 2024, the WVPSA 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"> <li>● Final Report Issued January 31, 2025</li> <li>● Procedural Schedule Issued March 3, 2025</li> <li>● May 7th deadline for parties to give testimony.</li> <li>● June 9th for rebuttal testimony.</li> <li>● June 9th and 10th Hearing.</li> <li>● The final schedule remains pending.</li> <li>● In its filing, the Council recommended that pole owners and providers, PSC Staff, and Office of Broadband be included in the advisory working group. We included models that are working for other states that we may be able to implement. Pole Attachment Working Group is the suggested name, which is also used in Pennsylvania. Additional information will be provided in April.</li> </ul>
<p><b>4. Verizon to Acquire Frontier CASE NO 24-0853-T-PC</b></p>	<p><b>Jim Kelsh, Bowles Rice</b>  Verizon and Frontier jointly filed a petition with the WVPSA 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"> <li>● Update on Procedural Filings and Schedule</li> <li>● April 3, the Council filed testimony.</li> <li>● Rebuttal testimony is due May 15</li> <li>● Evidentiary Hearing June 12<sup>th</sup></li> <li>● Settlement discussions are expected. Verizon will take on current projects previously awarded to Frontier, and the Council also would push for Verizon to take on the BEAD program projects that are soon to be awarded.</li> <li>● Frontier also planned to include fiber to 150,000 homes by 2027, a \$200 million dollar investment. The Council notes that Verizon will be accountable for this investment.</li> <li>● Verizon's Forward program, packages that are offered as low as \$20 per month.</li> <li>● Verizon should report quarterly on their broadband expansion, as well as their success with their promotions.</li> </ul>

**8. IJA NTIA: Broadband Equity, Access and Deployment (BEAD) Update**

**Progress Report on West Virginia's \$1.2 Billion BEAD Allocation**

**Kelly Workman, WVDED Office of Broadband**

For baseline data, Broadband is a Target Industry in WV. Broadband supports all other Economic Development throughout the State.

Governor Morrisey has requested a 90-day extension of the original April 18, 2025, deadline. The new deadline is roughly July 18, 2025. What will the State do in the extra time?

We have been reviewing what is in the purview of anticipated changes from NTIA to be more in alignment with upcoming changes, such as programmatic changes. These revisions can be administrative, however, items that are within the IJA statute may not be easily changed without action from Congress.

Possible **Administrative** program revisions may include:

1. Davis-Bacon, prevailing wage, the opportunity would be to relax administrative load.
2. Environmental Permitting, how quickly we can get projects to construction and would streamline this process.
3. Letter of Credit, reduction of amount, would be helpful.
4. Procurement requirements, streamline with less reporting.
5. Climate Resiliency Requirements, streamline with less reporting.
6. Eligible Entity, NTIA setting rates, NOFO items related to states imposing low-cost rates could be amended by NTIA.
7. 25% Non-refundable Match Requirement, Note: While part of IJA, NTIA has discretion to waive upon State or subgrantee request.

**Possible considerations in IJA Statute:**

1. Prohibition on BEAD funds for covered communications equipment or services. (Secure and Trusted Communications Networks Act of 2019)
2. Build America, Buy America (BABA) (The U.S. Department of Commerce has already issued a Limited Waiver)
3. Prohibition of Fiber Cable/Equipment from China
4. BEAD Program Speed and Latency/Maximum Allowable Network Outages Requirements
5. Conduit Access Points requirements (for underground fiber) Requirement to include access points at regular intervals for interconnection by unaffiliated entities.

**West Virginia Seeks Clarity from NTIA Regarding Program Revisions**

West Virginia's program has been approved in all steps, and all requirements have been met. West Virginia's plan expands broadband to all corners of West Virginia.

Any revisions by the federal agency should incorporate all work completed and approved to date. The State should not be required to repeat completed work. It would be less than beneficial to discount or leave out all of the work that has been done to date.

Along with our network of partners, the Office of Broadband has conducted numerous community outreach events, where there is so

	<p>much skepticism, to be expected. We had assured the people of West Virginia that this time would be different. Hopefully, West Virginia's plan will align with the direction from the Federal Government and meet approval.</p>
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<p><b>Public Comment</b></p>	<p>Sign-In for Public Comment. Derek B.: Do you know if providers will have to resubmit applications from the beginning? Kelly Workman: It would be counterproductive to repeat activities that have already been completed. The Office of Broadband wants to preserve the significant time and effort that has already been put forth and the results that have been achieved. No one is opposed to the work. We are willing to put in the hard work, we just need clarity from the federal agency.</p>
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<p><b>Next Meeting / 10. Adjournment</b></p>	<p>Michael Hostine motion to adjourn, Tim Conzett seconded. Google Meet: May 8, 2025</p>
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# WEST VIRGINIA BROADBAND ENHANCEMENT COUNCIL

## APPROVED Minutes/May 8, 2025

<b>Meeting Title</b>	WV Broadband Enhancement Council	Time	10:00 a.m.
<b>Chairman</b>	William D. 'Bill' Bissett, Chair	Location	Online Meeting
<a href="https://docs.google.com/forms/register">https://docs.google.com/forms/register</a> Call information available upon registration.		Register for public comment. Hold comments until public comment portion of agenda.	P = Present; TC = Teleconference; VC = Videoconference; _ = Absent

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-	Roger Calhoun	Rural Residential User Congressional Dist. 3 / Now Urban Residential User (1 of 2)	X	-	Jeff Proctor	Vice Chairman Representing Secretary Graney
-	Michele Blatt Superintendent	WV Dept. of Education	X	-	Robert Cole	Rural Residential User Congressional Dist. 1/(Now 2)
X	Tim Conzett, WVDE Office of Data Management	Representing Michele Blatt	X	-	Honorable Ron Pearson	Rural Residential User Cong. Dist. 2/ Now Urban Residential User (2 of 2)
-	Heather D. Abbott Chief Technology Officer	WV Office of Technology	X	-	The Honorable Robert L. Morris, Jr.	WV Senate (R) (Ex-Officio/Advisory Member)
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-	Matt Turner Vice Chancellor	WV Higher Education Policy Commission HEPC	-	-		WV Senate (D) (Ex-Officio/Advisory Member)
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	Representative	Agency			Representative	Agency
	Kelly Workman, Jamie Hoffmann  Jim Kelsh, Peter Markham	WVDED - Office of Broadband  Bowles Rice Legal Counsel			Steffani Sanders Chris Campbell Andrew Joseph	Tilson Technology Management

COUNCIL VACANCIES: Urban Business User (2 Members, Any District) and Rural Business User, District 2

Agenda Item	Details/Minutes
1. Call to Order; Roll Call; Opening Remarks	Quorum was met. Opening remarks by Chairman Bissett
2. Approval of April 2025 Meeting Minutes, and Financial Statement	April 2025 Minutes, Motion by Michael Holstine, second by Ron Pearson, Minutes to be filed.

	<p>April 2025 Financial Statement  April Expenses \$14,041.14  Balance at end of April \$746,901.00  Ookla payment will be processed in May or June.  Motion by Michael Holstine, Jeff Proctor second. Approved.</p>
<p><b>3. Legislation Update</b></p>	<p><b>Peter Markham, Bowles Rice</b>  Legislation session wrapped up April 12, Broadband was not in the news substantially, bills were introduced but did not make it through the legislation process. Two bills that were passed:</p> <p><b>Enrolled Committee Substitute for House Bill 3144</b> adds a new chapter to the Code that relates to wireless facilities and infrastructure. 90 days for processing a collocation application and 150 days to process an application to deploy a new wireless facility. The bill becomes effective on July 9, 2025.</p> <p><b>Enrolled Committee Substitute for House Bill 2008</b> pertains to the reorganization of the Executive Branch. The Office of Broadband is to be moved under Commerce, along with WV Economic Development. The Office of Broadband Director, Kelly Workman, will report directly to the Executive Director of the Division of Economic Development. No powers or duties to change for the Office of Broadband, but the bill does charge the Executive Director of Economic Development with securing and safeguarding the data and trade secrets of broadband information. This bill becomes effective July 1, 2025.</p>
<p><b>4. Public Service Commission of West Virginia (Commission) Pole Attachment Task Force CASE NO. 24-0703-T-E-CTV-GI</b>  <a href="https://www.psc.state.wv.us/WebDocket/default.htm">https://www.psc.state.wv.us/WebDocket/default.htm</a></p> <p><b>5. Verizon to Acquire Frontier CASE NO 24-0853-T-PC</b></p>	<p><b>Jim Kelsh, Bowles Rice</b>  On August 23, 2024, the WV Public Service 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> <p>PSC staff filed a proposed procedural schedule, PSC adopted staff testimony due May 7, hearing June 3 at the PSC.</p> <p>Review of Kelly Workman's testimony filed on behalf of the Council; including timeliness, pole data collection database that could be implemented and built by the Office of Broadband, an annual report by each utility to find ways to correct any additional ways to improve the actions of pole owners in regard to attachments, to continue the task force on a quarterly basis.</p> <p><b>Jim Kelsh, Bowles Rice</b>  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> <p>A focus on the settlement will include ensuring that the Frontier system can accommodate the advancement of broadband throughout the state. The Council will file rebuttal testimony next week, and a hearing has been scheduled for June 12.</p>
<p><b>6. Ookla Speed Test Update</b></p>	<p><b>Jamie Hoffmann, Caleb Bryant, WV Office of Broadband</b></p>

	<p>The Office of Broadband provided an overview of Low Earth Orbit (LEO) Satellite service in WV, classified by the FCC as non-geostationary satellite. Starlink is the only LEO satellite provider in WV currently. The Office shared satellite performance data as determined by Ookla speed test data. The benefits include lower initial deployment investment in higher-cost locations, although LEO service does not work well in all areas and generally is not known to support data intensive operations. Fiber networks have a longer lifespan and greater capacity for scalable and high bandwidth, data intensive performance. Overall, fiber networks are best suited for business development, enterprise uses, and most business, manufacturing and data intensive network needs. Satellites have an average five-year lifespan and are best suited for light to moderate usage.</p>
<p><b>7. IJJA NTIA: Broadband Equity, Access and Deployment (BEAD) Update</b></p>	<p><b>Progress Report, Kelly Workman, WV Office of Broadband</b></p> <p>Key Bead Work in West Virginia was complete. The final items pending are:</p> <ul style="list-style-type: none"> <li>Incorporation of any Broadband Program Revision</li> <li>Release Final Proposal for Public Comment and Response</li> <li>Submit Final Proposal to NTIA</li> </ul> <p>As of the May meeting, West Virginia and all other states are anxiously awaiting BEAD program revisions, currently anticipated in June or July. When revisions are received, the Office of Broadband will update the state’s program to meet requirements and determine next steps. Contingency planning is already underway, and close consultation with NTIA is essential.</p> <p>As determined in the 2023 Statewide Broadband Survey, affordability and reliability were the two primary factors noted by West Virginians, in addition to access.</p> <p>The progression of broadband in West Virginia is evident in FCC and Ookla data. Director Workman provided a review of improvements in fiber deployment and broadband speeds from 2019 to 2024. FCC fiber infrastructure has shown a 240% increase over the period. Ookla Speed Test Data in 2019 compared to 2024, shows a 70% increase in median download speeds across WV within a two-year period, and a 189% increase in the median download speed within the four-year period. Similarly, upload speeds have increased 82% in two years, and 100% over the four-period.</p> <p><b>Effects of the BEAD Program Pause</b></p> <p>Director Workman detailed the key considerations related to the program pause. These include:</p> <ul style="list-style-type: none"> <li>• Competition for Investment, Labor, Contracting, Materials and Supplies</li> <li>• Increased Costs</li> <li>• Limited Bid Hold Periods</li> <li>• Business Uncertainty</li> <li>• Time and Resources</li> <li>• WV Continue to Lack Broadband</li> </ul>

<p><b>8. Resolution of the West Virginia Broadband Enhancement Council read by Chairman, Bill Bissett</b></p>	<p>The Council considered a resolution in support of the continued development of broadband infrastructure in West Virginia. The resolution recognizes the work completed to date and affirms the Council's mission is to expand broadband to all West Virginians. The Council resolution emphasizes that fiber infrastructure supports economic development and emerging technologies. Chairman Bissett read a draft resolution.</p> <p>Motion to approve by Micheal Holstine, second by Ron Pearson. The resolution was approved and shall be signed and submitted.</p>
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<p><b>Public Comment</b></p>	<p>Sign-In for Public Comment, no public comment.</p>
<p><b>Next Meeting / 10. Adjournment</b></p>	<p>Google Meet: June 12, 2025</p>



# WEST VIRGINIA BROADBAND ENHANCEMENT COUNCIL

## APPROVED MEETING MINUTES/June 12, 2025

<b>Meeting Title</b>	WV Broadband Enhancement Council	Time	10:00 a.m.
<b>Chairman</b>	William D. 'Bill' Bissett, Chair	Location	Online Meeting
<a href="https://docs.google.com/forms/register">https://docs.google.com/forms/register</a> 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	William D. (Bill) Bissett Chairman	Large Scale Broadband	—	The Honorable Scott Edwards	Rural Business User, Congressional District 1
X	Michael J. Holstine Secretary-Treasurer	Rural Business User Congressional Dist. 3 / (Now Rural Residential User District 1)	—	Michael R. Graney	WVDED Acting Secretary
X	Roger Calhoun	Rural Residential User Congressional Dist. 3 / Now Urban Residential User (1 of 2)	X	Jeff Proctor	Vice Chairman Representing Secretary Graney
—	Michele Blatt Superintendent	WV Dept. of Education	—	Robert Cole	Rural Residential User Congressional Dist. 1/(Now 2)
X	Tim Conzett, WVDE Office of Data Management	Representing Michele Blatt	X	Honorable Ron Pearson	Rural Residential User Cong. Dist. 2/ Now Urban Residential User (2 of 2)
—	Heather D. Abbott Chief Technology Officer	WV Office of Technology	—	The Honorable Robert L. Morris, Jr.	WV Senate (R) (Ex-Officio/Advisory Member)
X	James Dixon Jeff Whitman	Representing Heather Abbott	X	The Honorable Jarred Cannon	WV House (R) (Ex-Officio/Advisory Member)
—	Matt Turner Vice Chancellor	WV Higher Education Policy Commission HEPC	—		WV Senate (D) (Ex-Officio/Advisory Member)
X	Steve White Director, WVNET	Representing Matt Turner	—		WV House (D) (Ex-Officio/Advisory Member)
—	<b>Representative</b>	<b>Agency</b>		<b>Representative</b>	<b>Agency</b>
—	Kelly Workman, Jamie Hoffmann  Jim Kelsh, Peter Markham	WVDED - Office of Broadband  Bowles Rice Legal Counsel	—	Steffani Sanders Chris Campbell Andrew Joseph	Tilson Technology Management

COUNCIL VACANCIES: Urban Business User (2 Members, Any District) and Rural Business User, District 2

Agenda Item	Details/Minutes
1. Call to Order; Roll Call; Opening Remarks	Quorum met

<p><b>2. Approval of May 2025 Meeting Minutes, and Financial Statement</b></p>	<p>Michael Holstine Approved, Jeffrey Proctor seconded. May 2025 Minutes to be filed.</p> <p>Financial Statement by Sabrina Stollings  Beginning Balance May 1 2025: \$746,901.58  Tilson Invoice: \$562.50  Ookla Invoice: \$196,965.00  ESRI: \$1,200.00  Total Expenses for May: \$198,727.50  Ending Balance for May 2025: \$548,174.80  No questions.  Motion from Roger Calhoun, second by Michael Holstine.  Financial Report Approved,</p>
<p><b>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).</b>  <a href="https://www.psc.state.wv.us/WebDocket/default.htm">https://www.psc.state.wv.us/WebDocket/default.htm</a></p>	<p>Peter Markham, Bowles Rice  On August 23, 2024, the WVPSC 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"> <li>● Final Report Issued January 31, 2025</li> <li>● Pole Attachment Rules Task Force Order April 29, 2025</li> <li>● Pole Attachment Rules Task Force Hearing June 3, 2025</li> </ul> <p>Evidentiary Hearing, the PSC has adopted several recommendations from the Task Force's Final Report, such as the informal dispute process, rule revisions that mirror some FCC rule updates.</p> <p>First, require pole owners to do their pole audits with more detail. Second, the Council has suggested the creation of a database for pole permitting throughout the state. Third, Pole owners report annually. Lastly, the Council asked the PSC to continue working group to help address recurring issues, make ready issues and monitor updates as rules may change in the future. The PSC is moving expeditiously on this issue.</p> <p>In a separate matter, another company, DQE, advocated temporary attachments to speed up their projects. A decision on this matter will be included with the consolidated order to be issued soon.</p> <p>The Council and the Office appreciate the Commission's thorough review of this matter and recent progress in favor of broadband expansion.</p>
<p><b>4. Verizon to Acquire Frontier</b>  CASE NO 24-0853-T-PC:  <a href="https://www.psc.state.wv.us/WebDocket/default.htm">https://www.psc.state.wv.us/WebDocket/default.htm</a></p>	<p>Peter Markham, Bowles Rice  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.</p> <ul style="list-style-type: none"> <li>● Evidentiary/Settlement Hearing June 12, 2025</li> </ul> <p>If the PSC approves the acquisition of Frontier by Verizon, the PSC can attach certain conditions. The Council offered input on some conditions.</p> <p>Under the settlement agreement, Verizon would be required to collect the uniform pole inspection data and report it to be placed in the proposed pole permit tracker/database.</p> <p>Also, Verizon would be required to continue both grant funded and non-grant funded projects with Frontier to make sure that all progress moves forward.</p> <p>Other conditions are that Verizon offer low-income packages in WV, and that they report the outcomes of those programs, and that they</p>

	<p>continue work on pole attachments per set guidelines as a member of the working group, as approved and applicable.</p> <p>The settlement also includes assurances that if the acquisition goes through, Verizon is required to honor Frontier’s commitments and also continue to build out a robust broadband program.</p>
<p><b>5. ARPA Project Update</b></p>	<p>Progress Report: Jamie Hoffmann</p> <p>Nearing the deadline to disburse all funds within our ARPA portfolio which is over \$200 million in infrastructure.</p> <p>As of May 2025, nearly 6,000 locations served, with 39,000 as the goal. Progress is slower than planned due to pole attachment issues. Our goal is to close all pole make-ready by the end of 2025, that way 2026 will be a good platform to complete all projects. Striving to get the live dashboard for when service is available in their area.</p>
<p><b>8. IJJA NTIA: Broadband Equity, Access and Deployment (BEAD) Update</b></p>	<p>New NTIA BEAD Program Notice Issued June 6:</p> <p>Chris Campbell</p> <p>Major development from NTIA policy notice with significant changes to the BEAD program. Presentation to explain rough outline of requirements by the Office of Broadband to conform to the policy notice changes.</p> <p>Released June 6, 2025, Required: Initial Proposal Correction within 30 days of June 6, Revised list of Target Locations for additional application round, Final Proposal submission with updated award recommendations due within 90 days, September 3,2025.</p> <ol style="list-style-type: none"> <li>1. Target Location Revisions - WVDED must remove to match the latest FCC Broadband Serviceable Locations Fabric, previously at version 2, now at version 6.</li> <li>2. Eliminated/Reduced Requirements - States must rescind all preliminary and provisional subaward selections. NTIA rescinds approval for all non-deployment activities, future guidance to come from NTIA. Policy Notice reduced requirements: labor, employment and workforce development; climate change, Open access, local coordination and stakeholder engagement, non-traditional broadband providers, middle class affordability, explicit rates for a low-cost service option.</li> <li>3. Permitting - NTIA Goal: NEPA approvals within 2 weeks for 90% of projects, WVDED must use the ESAPPT Tool within NTIA Grant Portal, ESAPPT will identify applicable categorical exclusions, retain project records from subgrant award data, track subrecipient milestone schedules.</li> <li>4. Application Changes - “Priority Broadband Projects” Previously defined from end-to-end fiber projects, to now: 100/20 Mbps, Latency less than or equal to 100 milliseconds and can easily scale speeds over time, regardless of technology used.</li> <li>5. Revised Scoring - WVDED must conduct one additional round of subgrantee selection for every location, reopen pre-application portal for new applicants, rescore all applications prioritizing low-cost projects, no specific maximum per location cost for projects, competing proposals to be compared by assessing total BEAD funding and cost to the Program per location.</li> </ol>

	<p>6. Existing Applicants - they can elect to maintain applications already submitted or submit revised project costs, do not need to resubmit pre-application, all applications will be rescored with updated criteria, can submit revised proposals due to the removal of some project costs, applicants can also propose to exclude locations that are considered "high-cost"</p> <p>7. Alternative Technologies - Any technology that meets speed, latency and scaling standards, NTIA has rescinded prior guidance on Alternative Technologies, BEAD subgrants awarded to LEO (low earth orbit) will be considered LEO Capacity Grants, WVDED would reserve sufficient capacity from the LEO provider to deliver service in the area.</p> <p>8. LEO Capacity Subgrants - Service within 4 years, 10 years performance, options for reimbursements in installments and advances, Opportunity to reduce Letter of Credit in proportion to subscription rates, consumer premise equipment at no cost.</p> <p>9. Next Steps - Immediate steps to comply with NTIA Policy Notice required timeline, Target location revision, will issue 2 notices to ISPs and an information request.</p>
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<b>9. Public Comment</b>	Sign-In for Public Comment, No public comment
<b>Next Meeting / 10. Adjournment</b>	Google Meet: July 10, 2025 (Note, the July and August meetings were cancelled.)



# WEST VIRGINIA BROADBAND ENHANCEMENT COUNCIL

## APPROVED MEETING MINUTES: September 11, 2025

<b>Regular Meeting</b>	<b>WV Broadband Enhancement Council</b>	<b>Time</b>	<b>10:00 a.m.</b>
<b>Chairman</b>	<b>William D. 'Bill' Bissett, Chair</b>	<b>Location</b>	<b>Online Meeting</b>

<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

	Council Member	Representing		Council Member	Representing
X	William D. (Bill) Bissett Chairman	Large Scale Broadband Users	-	The Honorable Scott Edwards	Rural Business User Congressional District 1
X	Michael J. Holstine Secretary-Treasurer	Rural Residential User Congressional District 1	-	Todd Hooker	WVDED Executive Director
X	Roger Calhoun	Urban Residential User (1 of 2)	X	Jeff Proctor	Vice Chairman Representing Director Hooker
-	Michele Blatt Superintendent	WV Dept. of Education	-	Robert Cole	Rural Residential User Congressional District 2
X	Tim Conzett, WVDE Office of Data Management	Representing Michele Blatt	X	Honorable Ron Pearson	Urban Residential User (2 of 2)
-	Heather D. Abbott Chief Technology Officer	WV Office of Technology	X	Honorable Robert L. Morris, Jr.	WV Senate (R) (Ex-Officio/Advisory Member)
X	James Dixon Jeff Whitman	Representing Heather Abbott	-	Honorable Jarred Cannon	WV House (R) (Ex-Officio/Advisory Member)
-	Matt Turner Vice Chancellor	WV Higher Education Policy Commission HEPC	-		WV Senate (D) (Ex-Officio/Advisory Member)
X	Steve White Director, WVNET	Representing Matt Turner	-		WV House (D) (Ex-Officio/Advisory Member)
-	<b>Representative</b>	<b>Agency</b>		<b>Representative</b>	<b>Agency</b>
-	Kelly Workman Jim Kelsh, Peter Markham	WVDED - Office of Broadband  Bowles Rice Legal Counsel	-	Chris Campbell, Steffani Sanders Jeff Hartley	Tilson Technology Management  The Thrasher Group

**COUNCIL VACANCIES:** Urban Business User (2 Members, Any District) and Rural Business User, District 2

Agenda Item	Details/Minutes
<b>1. Call to Order; Roll Call; Opening Remarks</b>	<p>Chairman Bissett opened the call with a welcome to our Cabinet Secretary Matt Herridge and expressed enthusiasm for broadband developments in West Virginia and the state's future.</p> <p>Quorum met, approved by Michael Holstine, seconded by Jeff Proctor.</p>

<p><b>2. Approval of June 2025 Meeting Minutes, and Financial Statement</b></p>	<p>Financial Statement was missed in this meeting.</p> <p>June 2025 Minutes reviewed, Michael Holstine first, Jeff Proctor second. Minutes approved.</p>
<p><b>3. Public Service Commission of West Virginia (Commission) Pole Attachment Orders</b>  <a href="https://www.psc.state.wv.us/WebDocket/default.htm">https://www.psc.state.wv.us/WebDocket/default.htm</a></p>	<p><b>Peter Markham, Bowles Rice</b></p> <p><b>1. Pole Attachment Task Force, CASE NO. 24-0703-T-E-CTV-GI.</b>  June 27 the PSC hard order, lists at least 8 issues for Broadband in WV.</p> <ol style="list-style-type: none"> <li>1. Pole attachment working group, PSC directed the working group to meet at least quarterly.</li> <li>2. Organization of pole attachments with a database.</li> <li>3. Requires pole owners to supply uniform information, such as estimated costs.</li> <li>4. Requires pole owners to file annual reports.</li> <li>5. Rule making to efficiently handle temporary poles and attachments.</li> <li>6. Dial up or cable for use where appropriate</li> <li>7. Pole owners 60 days notice required for work on major projects.</li> <li>8. Apply FCC compliance and cost share or allocation.</li> </ol> <p>The next working group meeting will be held in November 2025.</p> <p><b>2. Comcast v. APCO-CASE NO. 25-0463-CTV-E-POLE</b>  Comcast filed a complaint against APCO's policy of shifting pre-existing pole violation costs to new attachers. The commission ruled against Appco, finding their policy violated pole attachment rules by denying access, charging for pre-existing violations, and delaying make-ready construction. APCO and Comcast were ordered to complete make-ready construction by January 31, 2026, and pole replacements by October 31, 2025, and January 21, 2026, respectively.</p> <p><b>3. Citynet v. Monongahela Power Company and FirstEnergy</b>  Citynet alleges unlawful charges for make-ready construction and pre-existing violations, seeking a \$12 million refund. Citynet also claims that competitors are allowed unsafe attachments, creating an unfair advantage. An evidentiary hearing is scheduled for October 16, with a commission order expected in late fall or early winter.</p> <p><b>4. Verizon to Acquire Frontier, CASE NO 24-0853-T-PC</b>  June 2025, the parties offered an agreement to settle. Settlement still pending. Verizon will continue Frontier's projects, and state that they will continue high speed fiber projects in WV.</p>
<p><b>5. ARPA Project Update</b></p>	<p><b>Progress Report: Jeff Hartley, The Thrasher Group</b>  over \$25 million in funding has been allocated, and five additional projects were awarded, bringing the total to 47. The total investment is nearly \$247 million, with \$20.6 million in state and local physical recovery funds and \$15.1 million in capital projects funds reimbursed to providers. Currently, 8,765 locations have received service, 22</p>

	<p>projects are in active construction, and 10 of the 16 projects in permitting and design are expected to begin construction in October.</p> <p><b>ARPA Project Progress and Challenges:</b> While 22 projects are in active construction, pole permitting remains the biggest delay, with some projects waiting six months for permits. Providers are focusing on fiber deployment before winter, with splicing to occur during the winter months, leading to a delay in updated address numbers until fiber is lit. Senator Robbie Morris clarified that ARPA is a reimbursement program, meaning the \$247 million is allocated but only \$35 million has been disbursed to companies so far.</p>
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<p><b>8. IJIA NTIA: Broadband Equity, Access and Deployment (BEAD) Update</b></p>	<p><b>Progress Report: Chris Campbell, Tilson</b>  Final proposal for deployment submitted.  BEAD Restructuring Notice from NTIA June 2025.</p> <p>Initial locations BEAD eligibility, 114,1478 locations in original application. 40,618 locations from the original list were not awarded for various reasons, primarily because they were identified as not broadband serviceable locations (BSLs) in later fabric versions or had become served by other projects. Many are now already served or included in funded projects. 5 new ARPA projects were awarded, so these locations were also removed from BEAD. 73,560 locations are now considered eligible (subject to revision). 9 ISPs were provisionally selected to serve these locations. CityNet and Frontier awarded the two largest amount of by locations.</p> <p>A story map is available on the Council website:  <a href="https://storymaps.arcgis.com/stories/a40af24f225b4d04a2702b113121c502">https://storymaps.arcgis.com/stories/a40af24f225b4d04a2702b113121c502</a></p> <p>Upon NTIA approval, executed agreements will likely begin in 2026, and companies typically have four years to complete projects, with a possibility for a one-year extension.</p>
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<p><b>Public Comment</b></p>	<p>Sign-In for Public Comment</p>
<p><b>Next Meeting / 10. Adjournment</b></p>	<p>Google Meet: October 9, 2025 Motion for adjournment: Michael Holstine, first, second _____?</p>

# WEST VIRGINIA BROADBAND ENHANCEMENT COUNCIL



## APPROVED MEETING MINUTES: October 9, 2025

<b>Regular Meeting</b>	WV Broadband Enhancement Council	<b>Time</b>	<b>10:00 a.m.</b>
<b>Chairman</b>	William D. 'Bill' Bissett, Chair	<b>Location</b>	<b>Online Meeting</b>

<a href="https://docs.google.com/forms/register">https://docs.google.com/forms/register</a> Call information available upon registration.	Register for public comment. Hold comments until public comment portion of agenda.	P = Present; TC = Teleconference; VC = Videoconference; _ = Absent
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	Council Member	Representing			Council Member	Representing
—	William D. (Bill) Bissett Chairman	Large Scale Broadband Users	—	—	The Honorable Scott Edwards	Rural Business User Congressional District 1
X	Michael J. Holstine Secretary-Treasurer	Rural Residential User Congressional District 1	—	—	Todd Hooker	WVDED Executive Director
X	Roger Calhoun	Urban Residential User (1 of 2)	X	—	Jeff Proctor	Vice Chairman Representing Director Hooker
—	Michele Blatt Superintendent	WV Dept. of Education	—	—	Robert Cole	Rural Residential User Congressional District 2
X	Tim Conzett, WVDE Office of Data Management	Representing Michele Blatt	X	—	Honorable Ron Pearson	Urban Residential User (2 of 2)
—	Heather D. Abbott Chief Technology Officer	WV Office of Technology	X	—	Honorable Robert L. Morris, Jr.	WV Senate (R) (Ex-Officio/Advisory Member)
X	James Dixon Jeff Whitman	Representing Heather Abbott	—	—	Honorable Jarred Cannon	WV House (R) (Ex-Officio/Advisory Member)
—	Matt Turner Vice Chancellor	WV Higher Education Policy Commission HEPC	—	—		WV Senate (D) (Ex-Officio/Advisory Member)
X	Steve White Director, WVNET	Representing Matt Turner	—	—		WV House (D) (Ex-Officio/Advisory Member)
—	<b>Representative</b>	<b>Agency</b>	—	—	<b>Representative</b>	<b>Agency</b>
—	Kelly Workman Jim Kelsh, Peter Markham	WVDED - Office of Broadband Bowles Rice Legal Counsel	—	—	Chris Campbell, Steffani Sanders Jeff Hartley	Tilson Technology Management  The Thrasher Group

**COUNCIL VACANCIES:** Urban Business User (2 Members, Any District) and Rural Business User, District 2

Agenda Item	Details/Minutes
<b>1. Call to Order; Roll Call; Opening Remarks</b>	Jeffrey Proctor chaired the meeting in Chairman Bissett's absence and called the meeting to order, noting Chairman Bissett's indisposition. A quorum was established.

<p><b>2. Approval of September 2025 Meeting Minutes, and Financial Statement</b></p>	<p>Jeffrey Proctor sought a motion to approve the minutes, which Michael Holstine moved and Ronald Pearson seconded. Michael Holstine raised a point of discussion regarding name spellings in the minutes, which Jeffrey Proctor confirmed would be corrected for the final approval. The minutes were approved with the noted correction.</p> <p>Sabrina L Stollings provided a financial update, reporting a September 1st beginning balance of \$482,183.33, with two invoices paid to Bowles Rice totaling \$1,306. The ending balance for September was \$480,877.33.</p>
<p><b>3. Public Service Commission of West Virginia (Commission) Pole Attachment Orders</b>  <a href="https://www.psc.state.wv.us/WebDocket/default.htm">https://www.psc.state.wv.us/WebDocket/default.htm</a></p>	<p><b>Peter Markham, Bowles Rice</b>  <b>Pole Attachment Task Force</b>, CASE NO. 24-0703-T-E-CTV-GI.</p> <p>Update on four PSC cases, focusing on the general pole attachment rules task force case. Mr. Markham reported on the filing made September 25th regarding the status of the pole inspection database creation, as mandated by a June 27, 2025 order. The West Virginia Department of Economic Development requested funding for the database from the United States Department of Commerce as part of the state's BEAD program proposal, with a decision expected within 90 days of the September 3rd filing. Peter Markham detailed collaborations with various entities, including West Virginia University and Marshall University, to design and budget the West Virginia Pole Inspection Database and permitting tracking system, with an estimated cost of approximately \$8 million for establishment, operation, maintenance, and security from 2025 to 2031. This estimate includes \$955,000 for technical development, \$6,250,000 for data acquisition, and \$865,000 for additional resources and technical assistance, with a goal for the map-based data platform to be operational by early 2026 and a fully integrated dashboard by mid-2026.</p> <p><b>Pole Replacement Cost Allocation and Other Cases</b></p> <p>The West Virginia Cable Telecommunications Association and Citynet filed a petition seeking clarification of the PSC's August 26th order regarding cost allocation for pole replacements. The order states utility actions on pole replacements must be just, reasonable, and non-discriminatory, with costs shared proportionally among benefiting parties unless necessitated solely by a third-party attacher. Appalachian Power, Wheeling Power, and Mon Power and Potomac Edison argued against the need for clarity, stating the order is unambiguous.</p> <p>Comcast versus Appalachian Power Company, noting no new substantive developments since the PSC's July order that precluded APCO from enforcing a policy shifting costs of pre-existing pole violations to new attachers. In the Citynet versus Mon Power and First Energy case, an evidentiary hearing is scheduled for October</p>

16th concerning alleged unlawful charges for Make Ready construction and competitive advantages.

**Verizon – Frontier Acquisition**

The Verizon acquisition of Frontier case is awaiting PSC approval of a joint stipulation and agreement for settlement, which includes commitments by Verizon to honor Frontier's broadband development pledges in West Virginia, extend fiber to at least 35,000 additional addresses, or invest \$30 million within two years of closing, and report annually to the PSC for five years.

**4. FCC RDOF Program Update**

**Update by Caleb Bryant and Andrew Joseph**

**Background: Overview of RDOF**

The Rural Digital Opportunity Fund (RDOF), allowed ISPs to apply for ten years of monthly support to deploy broadband specific eligible locations. All awardees must meet deployment milestones.

**WV: Winners, Defaults and Current Awards**

Of the 9 ISPs that were selected, the total for WV would have been \$362,066,660.20 and serving 119,267 locations, with defaults from certain ISPs of \$14,449,944.70 and 10,682 less locations, the awards to date stand at \$347,616,715.40 with 108,585 locations with only 5 ISPs remaining.

**WV: Reporting Milestones**

The team reviewed each ISP's dates of milestone reporting due through 2028-2029.

**WV: Visual Walkthrough of Status**

The team reviewed state map by RDOF Funding locations. Currently completed projects, by ISP. All of these locations are being deployed with Fiber.

All of this information is also available on our website: [broadband.wv.gov](http://broadband.wv.gov)

**Progress Report: Jeff Hartley, The Thrasher Group**

All 47 projects are expected to receive a notice to proceed with construction before the end of 2025. Noting that Hardy Telecommunications two projects are fully built and in closeout, and Citynet's six projects are in active construction. 18 projects still need to receive a notice to proceed, with seven currently under review, and we anticipate strong construction success reports for Q3 due October 7th. Of the 25 projects in construction, at least five are expected to be completed by the end of November and an additional four by year-end, signaling significant progress despite initial hurdles with pole permitting.

<p><b>6. IJJA NTIA: Broadband Equity, Access and Deployment (BEAD) Update</b></p>	<p><b>Progress Report:</b>  Kelly Workman provided a BEAD program update, acknowledging the contributions of Andrew Joseph, Caleb Bryant, and Jeff Hartley. They are working with NTIA on programmatic and data curing for the BEAD process, which involves reviewing West Virginia's subgrantee selection and program aspects, as well as location-specific data. Support from Governor Morrisey and Senator Capito for West Virginia's broadband expansion plan is appreciated. She mentioned NTIA's 90-day approval phase, placing final approval around December 3rd, and expressed confidence in reaching the final approval stage to roll into 2026 with BEAD approval.</p>
<p><b>7. Contracting and Annual Report</b></p>	<p><b>Contract Renewal with ITG</b>  Jeffrey Proctor discussed the upcoming renewal of the contract with Communications, formerly Tilson, in November, highlighting their integral partnership in West Virginia's broadband expansion.</p> <p>Kelly clarified that this is the fourth and final renewal of the contract, after which an RFP process will be needed by summer 2026 to rebid the contract.</p> <p>Michael Holstine motioned to renew the contract with ITG Communications, which Ronald Pearson seconded, and the motion passed unanimously.</p> <p><b>Aligned Broadband Partners</b>  Jeffrey Proctor proposed continuing to utilize Chris Campbell's services, who has transitioned from ITG to his own business, Allied Broadband Partners.</p> <p>Kelly Workman explained that an agency-delegated agreement up to \$50,000 can be executed within the West Virginia Department of Commerce to retain services from Allied Broadband Partners, which includes Chris Campbell and Stephanie Sanders. She recommended that the council pursue this agreement, as it would provide valuable consistency and leverage Chris Campbell's extensive knowledge and experience in West Virginia's broadband initiatives, further noting that the Office of Broadband has already executed a similar agreement.</p> <p>Ronald Pearson motioned to enter into an agency-delegated agreement with Allied Broadband Partners, which Roger Calhoun seconded, and the motion passed unanimously.</p>
<p><b>Public Comment</b></p>	<p>Jeffrey Proctor opened the floor for public comments, but none were raised.</p>
<p><b>Next Meeting / 10. Adjournment</b></p>	<p>Michael Holstine motioned to adjourn the meeting, with the next meeting scheduled for November 13th</p>



# WEST VIRGINIA BROADBAND ENHANCEMENT COUNCIL

## APPROVED MEETING MINUTES: November 19, 2025

<b>Regular Meeting</b>	<b>WV Broadband Enhancement Council</b>	<b>Time</b>	<b>10:00 a.m.</b>
<b>Chairman</b>	<b>William D. 'Bill' Bissett, Chair</b>	<b>Location</b>	<b>Online Meeting</b>
<a href="https://docs.google.com/forms/register">https://docs.google.com/forms/register</a> Call information available upon registration.		Register for public comment. Hold comments until public comment portion of agenda.	P = Present; TC = Teleconference; VC = Videoconference; _ = Absent
<b>X</b>	<b>Council Member</b>	<b>Representing</b>	<b>X</b>
	William D. (Bill) Bissett Chairman	Large Scale Broadband Users	
<b>X</b>	<b>Council Member</b>	<b>Representing</b>	<b>X</b>
	Michael J. Holstine Secretary-Treasurer	Rural Residential User Congressional District 1	
<b>X</b>	<b>Council Member</b>	<b>Representing</b>	<b>X</b>
	Roger Calhoun	Urban Residential User (1 of 2)	
—	<b>Council Member</b>	<b>Representing</b>	—
	Michele Blatt Superintendent	WV Dept. of Education	
<b>X</b>	<b>Council Member</b>	<b>Representing</b>	<b>X</b>
	Tim Conzett, WVDE Office of Data Management	Representing Michele Blatt	
—	<b>Council Member</b>	<b>Representing</b>	<b>X</b>
	Heather D. Abbott Chief Technology Officer	WV Office of Technology	
<b>X</b>	<b>Council Member</b>	<b>Representing</b>	—
	James Dixon Jeff Whitman	Representing Heather Abbott	
—	<b>Council Member</b>	<b>Representing</b>	—
	Matt Turner Vice Chancellor	WV Higher Education Policy Commission HEPC	
<b>X</b>	<b>Council Member</b>	<b>Representing</b>	—
	Steve White Director, WVNET	Representing Matt Turner	
—	<b>Representative</b>	<b>Agency</b>	<b>Representative</b>
	Kelly Workman Jim Kelsh, Peter Markham	WVDED - Office of Broadband  Bowles Rice Legal Counsel	<b>Agency</b>
			Chris Campbell, Steffani Sanders Jeff Hartley Kaitlin Bolin
			Aligned Broadband Partners  The Thrasher Group ITG Communications
<b>COUNCIL VACANCIES:</b> Urban Business User (2 Members, Any District) and Rural Business User, District 2			
<b>Agenda Item</b>		<b>Details/Minutes</b>	
<b>1. Call to Order; Roll Call; Opening Remarks, New Staff Introduction</b>		Quorum was met. Bill Bissett called the meeting to order. Kelly introduced Jessica Kirk-Perry as the new ARPA Program Manager.	

<p><b>2. Approval of October 2025 Meeting Minutes, and Financial Statement</b></p>	<p>October meeting minutes and October financial statement, Michael Holstine moved to approve both documents, and was seconded by Ron Pearson.</p>
<p><b>3. Public Service Commission of West Virginia (Commission) Pole Attachment Orders</b>  <a href="https://www.psc.state.wv.us/WebDocket/default.htm">https://www.psc.state.wv.us/WebDocket/default.htm</a></p>	<p>Peter Markham, Bowles Rice</p> <ul style="list-style-type: none"> <li>● Pole Attachment Task Force, CASE NO. 24-0703-T-E-CTV-GI. October 15, 2025 PSC order clarified that pole owners must share the cost of new poles among all benefiting attachers, but poles needing replaced due to age, deterioration, or safety violations must be replaced at the pole owner’s expense. A petition for clarification and reconsideration was filed by AE and Wheeling Power, arguing that the order muddies the make-ready pole replacement cost allocation.</li> <li>● Citynet v. Monongahela Power Company and FirstEnergy Challenging make ready invoices and alleging unlawful charging for construction to remedy pre-existing violations. <ul style="list-style-type: none"> <li>● Status Conference Nov. 21, 2025</li> <li>● Hearing Dec. 8, 2025</li> </ul> </li> <li>● Verizon-Frontier Acquisition, CASE NO 24-0853-T-PC <ul style="list-style-type: none"> <li>● Approved Oct. 24, 2025</li> </ul> </li> </ul> <p>The PSC imposed additional conditions on the Verizon acquisition, requiring Verizon to focus on improving the quality and maintenance of old telephone service via copper or alternative methods. Verizon must allocate a minimum of \$60 million to an escrow account for upgrades, replacements and maintenance.</p> <p>Please find Peter Markham’s full presentation attached.</p>
<p><b>4. Council-Office Annual Report</b></p>	<p>Kaitlin Bolin, ITG Communications</p> <p>RDOF program update, noting that Citynet and Prodigy have met their three year service milestones, and Frontier and Micrologic are on track to meet theirs by the end of the year.</p> <p>Progress in USDA Reconnect and Community Connect infrastructure projects in 3 counties and 8 broadband infrastructure projects completed or in progress through the US Department of Housing and Urban Development’s Community Development block grant program. 5 additional projects awarded under the LEAD program through ARPA, investing nearly 30.8 million to connect over 2,800 locations with 287 miles of fiber infrastructure.</p> <p>West Virginia is the 3rd least connected state when assessing household internet subscriptions, but also consistently the most improved. Since 2023, connected households increased by 2.6% in 2024, the highest improvement in the nation and the number of West Virginians with internet subscriptions increased by over 13% since 2017. Fiber locations have seen a 245% increase in WV over the last 5 years.</p>
<p><b>5. ARPA CPF and SLFRF Project Update</b></p>	<p>Progress Report: Jeffrey Hartley, The Thrasher Group</p> <p>Detailed update provided of physical completion status of ARPA Projects</p>

	across all of the Internet Service Providers, (ISPs). All projects for Armstrong, Citynet, Comcast, Prodigy, Shentel, are expected to be under construction by the end of the year, with several projects from other ISPs nearing completion. These projects have impacted a total of 10,058 locations.
<b>6. IJJA NTIA BEAD Final Proposal Update</b>	Progress Report: Kelly Workman, WVDED Office of Broadband or Chris Campbell, Aligned Broadband Partners, LLC NTIA approved 18 final proposals for other states and territories which is encouraging for WV's anticipated approval. The state's continued work with NTIA and commitment to expanding broadband with efforts focused on getting ARPA projects to construction to be ready for BEAD implementation in 2026.

<b>Public Comment</b>	Sign-In for Public Comment, no public comments
<b>Next Meeting / Adjournment</b>	Google Meet: December 11, 2025 Meeting adjourned.

## Presentation – WV Broadband Enhancement Council Meeting (November 19, 2025)

### I. Pole Attachment Rules Task Force Case (WV PSC Case No. 24-0703-T-E-CTV-GI)

- On October 15, 2025, the PSC entered a Commission Order clarifying and explaining its August 26, 2025 Order addressing poles that require replacement that have not been timely red-tagged.
- You'll recall that I reviewed the August 26 Order previously. It provides that:
  - Utility actions relating to pole replacements must be just, reasonable, and non-discriminatory.
  - Pole owners should institute procedures to fairly share the cost of new poles among various attachers.
  - Parties benefitting from a pole modification must share proportionately, unless the modification was “necessitated solely” by the 3rd party attacher.
    - The August 26 Order stressed that a modification is not “necessitated solely” if it is required by law; required by field engineering standards; required by changes in construction standards; required by prescheduled replacement, etc.
- In the October 15 clarifying Order, the PSC explains that its August 26 Order did not implement new rules. Rather, its intent was to highlight that the PSC's Pole Attachment Rules require a pragmatic, balanced, and reasonable approach to the allocation of pole replacement costs and a cost recovery rate mechanism in the context of pole attachment applications.
- The October 15 Order highlights that West Virginia law requires cost-sharing among all attachers and the owner of the pole when the pole is replaced. Accordingly, “net pole investment costs incurred by owners should be included in pole attachment rental rates in accordance with [the PSC's] cost allocation rules and pole attachment agreements.”
- However, poles that are red-tagged, require replacement due to age, deterioration, safety violations, accident, or any other cause must be replaced at the cost of the owners. In those instances, the pole replacement would not have been “necessitated solely” by a 3rd party attacher.
- AEP and Wheeling Power filed a “Petition for Clarification and Reconsideration of the October 15 Order” on October 27, 2025, arguing that it muddies the waters with respect to make-ready pole replacement cost allocation. One issue that these utilities and, subsequently, Frontier focus on is the PSC's statement that “we did not intend to authorize a one-time charge that was not clearly required by the Pole Attachment Rules.”

The utilities want the PSC to clarify, among other things, that where is new attacher is not the “cost-causer,” pole owners may assess ordinary up-front make ready costs on attachers.

- CityNet and WVCTA—the Internet and Television Association opposed the Petition for Clarification on November 6, 2025. They argue, among other things, that the October 15 Order is clear and provides helpful and unequivocal clarification that a new attacher is not required to pay any upfront costs for pole replacements needed to address preexisting violations, except in the very specific circumstances set out in the Pole Attachment Rules.
- We will keep you posted on how these arguments play out. They certainly are being thoroughly briefed.

## **II. CityNet v. Monongahela Power, FirstEnergy, and Frontier (WV PSC Case No. 25-0640-T-E-POLE)**

- This is the case that CityNet commenced in the PSC in July of 2025. It challenges Mon Power’s and FirstEnergy’s make-ready invoices to Citynet under the Commission’s Pole Attachment Rules.
- CityNet specifically alleges that it is being charged unlawfully for make-ready construction to remedy preexisting violations on utility poles. CityNet also alleges that Mon Power and FirstEnergy allow CityNet’s competitor, Frontier, to use unsafe attachments, giving Frontier a competitive advantage over CityNet. Citynet demands, among other things, millions of dollars in refunds.
- An evidentiary hearing was scheduled to occur in the case on October 16, 2025.
- However, on October 14, 2025, CityNet, Mon Power, and First Energy jointly moved the PSC to continue the hearing for 30 days, maintaining that the parties planned to meet, discuss the matters in controversy, and attempt to reduce the number of issues in dispute.
- Frontier opposed the joint motion, arguing, among other things, that it was skeptical that CityNet, Mon Power, and First Energy could reach any agreement that would result in narrowing the issues in dispute. Frontier asserted that continuing the case would allow CityNet more time to expand the issues in dispute beyond what it initially alleged in the Complaint.
- On October 28, 2025, the PSC entered a Commission Order granting the joint motion to continue.
- The new evidentiary hearing date is December 8, 2025.
- By subsequent Order, a pre-hearing Status Conference is scheduled to occur this Friday, November 21, 2025. The Parties have been discussing the issues in dispute, reviewing

the contested invoices together, and discussing a potential settlement. The PSC directed the parties to be prepared to discuss the status of those settlement negotiations. The deadline for the parties to file their joint stipulations of fact also is this Friday.

- We will stay abreast of developments in this case and we'll let you know how it unfolds during the December Council meeting.

### **III. Verizon Acquisition of Frontier (WV PSC Case No. 24-0853-T-PC)**

- The PSC approved Verizon's acquisition of Frontier Communications Parent, Inc. and its subsidiaries ("Frontier") by Commission Order entered on October 24, 2025.
- In approving the acquisition, the PSC concluded that the terms of the parties' Joint Stipulation are reasonable and properly balance the interests of the parties and of the State.
- You'll recall that in the Joint Stipulation, the Council obtained certain concessions after engaging in settlement negotiations with Verizon. For example,
  - Verizon agreed to honor all commitments Frontier has made related to federal or state-subsidized broadband grants, including BEAD awards.
  - Verizon agreed to extend fiber to at least 35,000 additional addresses in WV within two years of closing or invest \$30 million of its own funds within two years of closing to make high speed broadband service available to additional addresses.
  - Verizon agreed to report to the PSC annually for at least five years following closing on its fiber-to-the-premises deployment activities in WV, highlighting the number of miles added, number of subscribers, and number of locations where its fiber is available.
  - Verizon committed to being the Carrier of Last Resort, *i.e.*, responsible for maintaining facilities "necessary to provide service to all customers who make a reasonable request for such service within Frontier's designated service area and service offerings."
  - Verizon also agreed to participate in good faith in the Pole Attachment Working Group going forward, to the extent its work is continued by the PSC.
- The PSC accepted the Joint Stipulation as a full resolution of the case, subject to certain additional conditions imposed in the Commission Order.
- The PSC noted that the Joint Stipulation emphasized broadband expansion, but did not address the immediate need for maintaining copper networks until broadband is

universally available. The PSC made findings that Frontier's copper network has not provided fair or adequate service to consumers, which creates health and safety issues.

- Accordingly, the Commissioner Order requires Verizon to focus on improving the quality and maintenance of plain old telephone service in West Virginia through copper or alternative methods. Significantly, the Order also requires Verizon to allocate a minimum of \$60M to fund an escrow account, to be used to improve copper service for customers subscribed to traditional wireline telephone service. The \$60M fund shall be dedicated exclusively to upgrades, replacements, and maintenance of copper infrastructure, which may include additional alternative technologies to copper upgrades where Verizon determines it is economical to make such upgrades.
- The Order makes it clear that Verizon has the discretion to migrate customers to alternative technologies, like fiber, VOIP, and wireless cellular, so long as the customer's regulated status is not altered and their rate treatment for voice service is not altered.
- Migrated customers may be charged only the tariff rate for basic landline service. Non-tariffed surcharges, conversion fees, or equipment rental charges are not permitted for migrated customers that must switch to alternative technologies because of Verizon's abandonment of copper service.
- The Order further requires, among other things, Verizon to file quarterly reports detailing proposed escrow disbursements, project status, completed work, and the remaining balance of escrow funds.
- The last thing I want to highlight is that this pro-broadband Commission Order is the direct result of the focused work of this Council and its consultants and the testimony of the director in this proceeding.