

Rural Broadband Task Force

Friday, February 7, 2020

1:30 p.m. to 3:00 CDT

1526 Building, 1526 K Street, Lower Level Training Room
Lincoln, Nebraska

Videoconferencing will be available upon request by Task Force members.

Video Sites:

79225 Rye Valley Road, Callaway
Pinpoint Communications, 611 Patterson St., Cambridge
Homestead Bank, 619 Grand Street, St. Paul

Web streaming for up to 100 viewers will be available. Information for connecting via Zoom is included on the following page. Links to agendas, minutes, and meeting materials are available at ruralbroadband.nebraska.gov

Agenda

1:30	<p>Opening Business—<i>Ed Toner, Office of the Chief Information Officer</i></p> <p>Roll Call Notice of Posting of Agenda Notice of Nebraska Open Meetings Act Posting Approval of the Oct. 18, 2019 minutes*</p>
1:35	<p>Introduced Bills and Updates by Topic</p> <p>Overview of Introduced Bills</p> <ul style="list-style-type: none">• LB 898 Provide for the collocation of certain wireless facilities• LB 996 Create the Broadband Data Improvement Program• LB 992 Adopt the Broadband Internet Service Infrastructure Act and provide for certain broadband and Internet-related services <p>Public-Private Partnerships</p> <ul style="list-style-type: none">• LB 992 Adopt the Broadband Internet Service Infrastructure Act and provide for certain broadband and Internet-related services<ul style="list-style-type: none">○ Broadband Internet Service Infrastructure Act--Sections 1 to 5 (page 2, line 1 to page 10, line 26)○ State Broadband Coordinator--Section 6 (page 10, line 27 to page 11, line 18)○ Leasing Dark Fiber and Terminating Nebraska Internet Enhancement Fund—Sections 9-12 (page 12, line 13 to page 16, line 27)○ Rural Broadband Task Force Term Limits—Section 13 (page 16, line 30 to page 19, line 17)• LB 898 Provide for the collocation of certain wireless facilities <p>Digital Inclusion, Homework Gap, and Leveraging Funding</p> <ul style="list-style-type: none">• Updates—NUSF 117• Updates—Nebraska Library Commission• LB 992 Adopt the Broadband Internet Service Infrastructure Act and provide for certain broadband and Internet-related services<ul style="list-style-type: none">○ Regional Technicians, Nebraska Library Commission--Section 7 (page 11, line 19 to 31)○ Nebraska E-Rate Special Construction Matching Fund Program—Section 8 (page 12, line 1 to 12) <p>NUSF and Reverse Auction</p> <ul style="list-style-type: none">• Federal Updates—Rural Digital Opportunity Fund• Link: FCC Rural Digital Opportunity Fund Draft Report and Order-Jan. 9, 2020 NUSF Updates

	<p>Broadband Data and Mapping</p> <ul style="list-style-type: none"> • Update: Federal Broadband Data Act • LB 996 Create the Broadband Data Improvement Program
3:00	Adjourn

* Denotes action items.

The task force will attempt to adhere to the sequence of the published agenda, but reserves the right to adjust the order and timing of items and may elect to take action on any of the items listed.

Meeting announcement was posted on the Nebraska Public Meeting and Rural Broadband Task Force Website on Jan.15, 2020. The agenda was posted on the Rural Broadband Task Force website on Jan. 27, 2020.

[Nebraska Open Meetings Act](#)

Zoom Webinar Connection Instructions for General Public:

Please click this URL to join. <https://zoom.us/j/543468845>

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Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 646 558 8656

Webinar ID: 543 468 845

International numbers available: <https://zoom.us/u/aopEVDikH>

RURAL BROADBAND TASK FORCE

Friday, October 18, 2019 9:30 a.m. to 11:00 CDT
Varner Hall, Lower Level, Board Room
3835 Holdrege Street, Lincoln, Nebraska

Video Locations:

11306 Road 32, Sidney, NE 69162
Homestead Bank, 619 Grand St., St. Paul, NE 68873
Pinpoint Communications, 611 Patterson St., Cambridge, NE 69022
University of Nebraska at Omaha, EAB-008, 6001 Dodge St., Omaha, NE 68182

MINUTES

MEMBERS PRESENT:

Ed Toner, Chair, Nebraska Information Technology Commission
Senator Bruce Bostelman, Nebraska Legislature
Mary Ridder, Chair, Nebraska Public Service Commission
Zachary Hunnicutt, Farmer, Hunnicutt Farms
Isaiah Graham, Vice-President, Homestead Bank (Videoconferencing)
Daniel Spray, Owner, Precision Technology
Timothy Lindahl, CEO/General Manager, Wheat Belt Public Power District (Videoconferencing)
Andrew Buker, Executive Director of Infrastructure Services, University of Nebraska (Videoconferencing)
Ron Cone, Director of Network Information Services, ESU 10
Tom Shoemaker, President, Pinpoint Communications (Videoconferencing)
Steve Wellman, Nebraska Department of Agriculture

MEMBERS ABSENT: Senator Curt Friesen, Nebraska Legislature; Anna Turman, Catholic Health Initiative; Tony Goins, Nebraska Department of Economic Development

OPENING BUSINESS, ROLL CALL NOTICE OF POSTING OF AGENDA NOTICE OF NEBRASKA OPEN MEETINGS ACT POSTING

Ed Toner, Office of the Chief Information Officer

Mr. Toner called the meeting to order at 9:30 a.m. There were nine voting members present at the time of roll call. A quorum existed to conduct official business.

APPROVAL OF THE SEPTEMBER 20, 2019 MINUTES*

Mr. Spray moved to approve the September 20 meeting minutes as presented. Mr. Hunnicutt seconded. Roll call vote: Toner-Yes, Ridder-Yes, Hunnicutt-Yes, Graham-Yes, Shoemaker-Yes, Spray-Yes, Lindahl-Yes, Buker-Yes, and Cone-Yes. Results: Yes-9, No-0, Abstained-0. Motion carried.

DISCUSSION OF COMMENTS RECEIVED

Mr Toner noted that the task force had received comments from the following organizations since the last meeting on Sept. 20:

- Children's Hospital and Medical Center
- Nebraska Farm Bureau
- Nebraska Power Association
- Center for Rural Affairs
- Nebraska Rural Electric Association
- Windstream
- Nebraska Public Power District
- CenturyLink

- Nebraska Corn Growers Association
- Nebraska Cable Communications Association

Task force members had no additional questions or responses to the comments. Senator Bostelman and Mr. Wellman arrived.

RURAL BROADBAND TASK FORCE REPORT

Proposed Revision to the Definition of “Rural” and Prioritization*

Commissioner Ridder began the discussion regarding the definition of “rural.” The Rural Broadband Task Force had adopted the following definition Oct. 15, 2018:

***Rural areas** are defined as open countryside with population densities less than 500 people per square mile or places with fewer than 2,500 people.*

The Nebraska Public Service Commission’s uses a different definition of rural which could potentially cause confusion. Commissioner Ridder and Senator Friesen had proposed adopting the Public Service Commission’s definition of “rural” as the task force’s definition. The Nebraska Public Service Commission uses the following definition.

***Rural areas** are defined as areas which meet the following criteria:*

- *Census blocks that contains fewer than 20 households with a density below 42 households per square mile*
- *Census blocks not classified as a city or village per census*
- *Census blocks not within census-designated city limits*

After discussion, Ms. Ridder proposed that the task force retain its original definition but include additional information explaining the Public Service Commission’s definition of “rural.”

The task force's definition of rural recognizes that some efforts—particularly those involving public private partnerships and digital inclusion—may require the participation of both small communities and surrounding areas outside municipal boundaries. The definition also recognizes that some small communities may be unserved or underserved.

The Nebraska Public Service Commission allocates high cost funding from the Nebraska Universal Service Fund using a more specific definition of rural. The Nebraska Public Service Commission defines rural areas as areas which meet the following criteria:

- *Census blocks that contains fewer than 20 households with a density below 42 households per square mile*
- *Census blocks not classified as a city or village per census*
- *Census blocks not within census-designated city limits*

The use of this definition to distribute NUSF funds is consistent with the task force's prioritization.

Task force members agreed that this revision clarified the differences between the definitions of “rural” used by the task force and the Nebraska Public Service Commission.

Mr. Spray moved to approve the revision to the definition of “rural” and the prioritization of areas. Ms. Ridder seconded. Roll call vote: Toner-Yes, Ridder-Yes, Wellman-Yes, Hunnicutt-Yes, Graham-Yes, Shoemaker-Yes, Spray-Yes, Lindahl-Yes, Buker-Yes, and Cone-Yes. Results: Yes-10, No-0, Abstained-0. Motion carried.

APPROVAL OF RURAL BROADBAND TASK FORCE REPORT*

In addition to the revised definition of "rural," the Task Force members recommended spelling out the acronym ETC on page 30 of the report.

Mr. Lindahl moved to approve Rural Broadband Task Force Report with the revised definition of Rural and the recommended change to spell out the acronym ETC. Mr. Shoemaker seconded. Roll call vote: Toner-Yes, Ridder-Yes, Wellman-Yes, Hunnicutt-Yes, Graham-Yes, Shoemaker-Yes, Spray-Yes, Lindahl-Yes, Buker-Yes, and Cone-Yes. Results: Yes-10, No-0, Abstained-0. Motion carried.

NEXT STEPS

Interim Hearing on Wednesday, December 4 at 1:00

Tip O'Neill

On behalf of Senator Friesen, Mr. O'Neill thanked the task force as well as staff from the Nebraska Public Service Commission and NITC/Office of the CIO for their work and dedication to this effort. Senator Friesen is pleased with the direction the task force has taken. Interim study hearings on LR166 and LR175 will be held on December 4, 2019 at 1:00 p.m. Members of the public will be invited to provide testimony. After the hearing, a legislative bill which incorporates the task force's recommendations may be introduced.

Plans for Next Meeting Dates and Continuing the Work of the Task Force

After discussion, members agreed that the task force should meet after the conclusion of bill introduction by the Nebraska Legislature. Due to the legislative session, a recess day would work best. Subcommittees will continue to meet as needed.

CLOSING COMMENTS

Mr. Toner thanked the task force members, Anne Byers, Tom Rolfes, and Lori Lopez Urdiales from the NITC/OCIO, Cullen Robbins from the Nebraska Public Service Commission, and Tip O'Neill from the Nebraska Legislature for their efforts and work with the task force. Many members also served on more than one subcommittee. Task Force members would like to be informed when the report has been submitted.

ADJOURNMENT

Ms. Ridder moved to adjourn. Mr. Cone seconded. All were in favor. Motion carried.

The meeting was adjourned at 10:25 a.m.

Meeting minutes were taken by Lori Lopez Urdiales and reviewed by Anne Byers of the Office of the CIO.

FCC FACT SHEET^{*}
Rural Digital Opportunity Fund
Report & Order – WC Docket Nos. 19-126, 10-90

Background: Bringing digital opportunity to Americans living on the wrong side of the digital divide continues to be the Commission’s top priority. Without access to broadband, rural communities cannot connect to the digital economy and the opportunities it brings for better education, employment, healthcare, and civic and social engagement. In recent years, the Commission has made tremendous strides toward increasing the availability of broadband to all Americans, but more work remains. This Order would establish a new two-stage support mechanism—the Rural Digital Opportunity Fund—that would build on the success of 2018’s CAF Phase II auction.

What the Order Would Do:

- Establish the Rural Digital Opportunity Fund, using competitive bidding to target up to \$20.4 billion over ten years to support up to gigabit speed broadband networks in areas that lack access to 25/3 Mbps broadband service and connect the most Americans in a cost-effective manner;
- Allocate up to \$16 billion in Phase I for support targeting census blocks that Commission data show are clearly unserved by 25/3 Mbps broadband service and at least \$4.4 billion in Phase II for unserved locations in partially served census blocks and areas not won in Phase I;
- Encourage the deployment of networks that will stand the test of time, including those providing gigabit connections, by:
 - Increasing the minimum speed to 25/3 Mbps from the 10/1 Mbps used in the Connect America Fund Phase II auction;
 - Prioritizing support for services with faster speeds and low latency;
 - Once the reverse auction hits the clearing price, allocating support in each area to the bidder in the faster speed tier when there is more than one bid to serve that area;
- Require winning bidders in Phase I to offer the supported broadband and voice service to all eligible homes and small businesses within the awarded areas, subsequently identified by the Wireline Competition Bureau;
- Prioritize support going to areas entirely lacking even 10/1 Mbps broadband as well as rural Tribal areas.

^{*} This document is being released as part of a “permit-but-disclose” proceeding. Any presentations or views on the subject expressed to the Commission or to its staff, including by email, must be filed in WC Docket Nos. 19-126 and 10-90 which may be accessed via the Electronic Comment Filing System (<https://www.fcc.gov/ecfs/>). Before filing, participants should familiarize themselves with the Commission’s ex parte rules, including the general prohibition on presentations (written and oral) on matters listed on the Sunshine Agenda, which is typically released a week prior to the Commission’s meeting. See 47 CFR § 1.1200 et seq.

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For Immediate Release**FCC ESTIMATES SIX MILLION RURAL HOMES AND BUSINESSES
COULD BENEFIT FROM THE RURAL DIGITAL OPPORTUNITY
FUND*****Preliminary List Shows Number of Locations Eligible for Bidding in Each State for
High-Speed Broadband Through Phase I of the \$20.4 Billion Fund***

WASHINGTON, January 14, 2020—Federal Communications Commission Chairman Ajit Pai announced initial estimates of how many homes and businesses in each state could benefit from Phase I of the \$20.4 billion Rural Digital Opportunity Fund. In total, about 6 million rural homes and businesses could be eligible for bidding in an auction slated for later this year to receive funding for high-speed broadband. This state-by-state list is for Phase I funding, which would target a total of \$16 billion to census blocks with no broadband service at all meeting the Commission’s minimum speed standards. The remainder of the funding would be disbursed during Phase II. As recently [announced](#), the FCC will vote January 30 on launching the Rural Digital Opportunity Fund.

“The digital divide affects many people in many rural communities. I’ve said that the Rural Digital Opportunity Fund would be our boldest step yet to bridge this divide, and today we get a glimpse of the broad impact this investment in rural America would have across the country,” said Chairman Pai. “Our staff’s initial estimate shows that in 25 states there would be more than 100,000 locations that would be eligible for Phase I of the Fund, and the benefits would be felt from the Pacific Coast to the Great Plains, and from Appalachia to the Gulf Coast. The Rural Digital Opportunity Fund is critical to bridging the digital divide. I hope that my colleagues will join me in voting for it on January 30.”

The preliminary state-by-state list is below.*

State	Bid-Eligible Locations
Alabama	211,000
Arizona	147,000
Arkansas	222,000
California	421,000
Colorado	99,000
Connecticut	4,000
Delaware	8,000
Florida	143,000
Georgia	197,000
Hawaii	17,000
Idaho	76,000
Illinois	246,000
Indiana	202,000
Iowa	68,000
Kansas	63,000
Kentucky	108,000
Louisiana	188,000
Maine	35,000
Maryland	49,000
Massachusetts	34,000
Michigan	286,000
Minnesota	134,000
Mississippi	231,000
Missouri	236,000

State	Bid-Eligible Locations
Montana	50,000
Nebraska	54,000
Nevada	34,000
New Hampshire	21,000
New Jersey	14,000
New Mexico	74,000
North Carolina	169,000
North Dakota	5,000
Ohio	215,000
Oklahoma	162,000
Oregon	91,000
Pennsylvania	197,000
Rhode Island	5,000
South Carolina	120,000
South Dakota	14,000
Tennessee	182,000
Texas	381,000
Utah	16,000
Vermont	26,000
Virginia	217,000
Wisconsin	271,000
Washington	115,000
West Virginia	130,000
Wyoming	21,000

The Rural Digital Opportunity Fund would allocate \$20.4 billion through a reverse-auction format to connect millions of rural homes and small businesses to high-speed broadband networks. The Fund would target areas that lack access to 25/3 Mbps broadband services in two stages. During Phase I, the FCC would target \$16 billion to areas that are wholly unserved by such broadband (where there is no 25/3 Mbps service at all). For Phase II, the FCC would use its new granular broadband mapping approach, called the Digital Opportunity Data Collection, to target unserved households in areas that are partially served by such broadband (areas where some households have access to 25/3 Mbps service but others do not). Phase II would also include areas that do not receive winning bids in Phase I.

** Commission staff's initial estimate is that approximately six million model-determined locations would be eligible for bidding in Phase I of the Rural Digital Opportunity Fund. This figure is subject to change for a variety of reasons, including updated data regarding broadband deployment and construction as well as any modifications made to Chairman Pai's draft rules. Locations in Alaska and New York are not eligible for RDOF because of previously established programs to fund rural broadband in these states.*

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).