

# Rural Broadband Task Force

Friday, March 18, 2022

1:30-3:00 p.m. CT

Varner Hall, Lower Level, Board Room  
3835 Holdrege Street, Lincoln, Nebraska

Web streaming for up to 100 viewers will be available. Information for connecting via Zoom is at the bottom of the page. Links to agendas, minutes, and meeting materials are available at [ruralbroadband.nebraska.gov](http://ruralbroadband.nebraska.gov)

## Agenda

1:30	<b>Opening Business</b> — <i>Ed Toner, Office of the Chief Information Officer</i>  Roll Call Notice of Posting of Agenda Notice of Nebraska Open Meetings Act Posting <b>Approval of the <a href="#">October 18, 2021 minutes</a>*</b>
1:35	<b>Introduction of New Members</b> <ul style="list-style-type: none"><li>• Gwen Kautz</li><li>• Andrew Whitney</li></ul>
1:45	<b>Updates</b> <ul style="list-style-type: none"><li>• Legislative Updates</li><li>• PSC and Broadband Bridge Updates</li><li>• Federal Funding, Program and Mapping Updates</li></ul>
3:00	<b>Adjourn</b>

\* 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 March 4, 2022.

The agenda was posted on the Rural Broadband Task Force website on March 9, 2022.

[Nebraska Open Meetings Act](#)

Please click the link below to join the webinar:

<https://zoom.us/j/97700500613?pwd=S0l0V2lObXJOYWVxcmxMUKF5YWVvZz09>

Passcode: 819612

Or Telephone:

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

US: +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715

8592

Webinar ID: 977 0050 0613

Passcode: 819612

## **RURAL BROADBAND TASK FORCE**

Monday, October 18, 2021, 9:30 a.m.

Varner Hall, 3835 Holdrege Street

Lincoln, Nebraska

### **MEETING MINUTES**

#### **MEMBERS PRESENT:**

Ed Toner, Nebraska Information Technology Commission

Senator Bruce Bostelman, Nebraska Legislature

Mary Ridder, Nebraska Public Service Commission

Dan Curran for Tony Goins, Nebraska Department of Economic Development

Zachary Hunnicutt, Hunnicutt Farms

Tom Shoemaker, Pinpoint Communications

Daniel Spray, Precision Technology

Andrew Buker, University of Nebraska

Ron Cone, ESU 10

**MEMBERS ABSENT:** Senator Curt Friesen, Nebraska Legislature and Steve Wellman, Nebraska Department of Agriculture

#### **OPENING BUSINESS, ROLL CALL NOTICE**

The chair, Mr. Toner, called the meeting to order at 9:33 a.m. There were nine members present at the time of roll call. A quorum existed to conduct official business. The meeting announcement was posted on the Nebraska Public Meeting and Rural Broadband Task Force websites on July 8, 2021. The agenda was posted on the Rural Broadband Task Force website on October 4, 2021.

A copy of the Nebraska Open Meetings Act was posted on the south wall.

#### **APPROVAL OF THE SEPTEMBER 8, 2021 MINUTES\***

**Mr. Curran moved to approve the September 8, 2021 minutes as presented. Mr. Shoemaker seconded. Roll call vote: Toner-Yes, Ridder-Yes, Curran-Yes, Honeycutt-Yes, Shoemaker-Yes, Spray-Yes, Buker-Yes, and Cone-Yes. Results: Yes-8, No-0, Abstained-0. Motion carried.**

#### **UPDATES**

##### **NEBRASKA BROADBAND BRIDGE PROGRAM**

Cullen Robbin, Public Service Commission

The first round of Broadband Bridge grant applications were due October 1. Seventy-six applications were received from approximately 20 different providers. Funding requests totaled approximately \$31 million. There is a 50% match requirement. Notices of intent to challenge were due last week. Approximately 30 notices were received. Applicants have until November 5 to submit responses to challenges. Awards will be announced on January 4.

## INTERIM STUDIES

Andrew Vinton reported that two interim studies were introduced on topics related to rural broadband:

- **[LR 193](#) (Introduced by Senator DeBoer)**—Interim study to examine broadband mapping and broadband speed testing in Nebraska.
- **[LR 233](#) (Introduced by Senator Friesen)**—Interim study to review issues relating to the collection of agricultural data in precision farming.

Hearings have not yet been scheduled for these interim studies.

Mr. Vinton informed the Task Force that three broadband-related bills remain on general file and could be potentially heard in the upcoming session:

- **[LB 215](#) (Introduced by Senator Hughes)**—Change 911 service surcharge provision
- **[LB344](#) (Introduced by Senator Friesen)**—Change provisions of the One-Call Notification System Act and create the Underground Excavation Safety Committee
- **[LB 498](#) (Introduced by Senator DeBoer)**—Require the Public Service Commission to implement a broadband service testing and mapping program

## Federal Funding

Since the last meeting, the Department of the Treasury has released guidance on the American Rescue Plan Capital Projects Fund. Anne Byers provided a brief overview of the program. Nebraska has been allotted \$128.7 million. The deadline to request funding is December 27, 2021. The deadline to submit the grant plan for the use of the funding is September 24, 2022. There are three categories of presumptively eligible projects: broadband infrastructure projects, digital connectivity technology projects, and multi-purpose community facility projects.

## DISCUSSION OF PUBLIC COMMENTS

No public comments were received.

## APPROVAL OF RURAL BROADBAND TASK FORCE REPORT

Mr. Toner asked members for any minor edits to the report. Andrew Buker had noted that his title has been changed and needed to be updated in the final version. No other minor edits were suggested by members.

Senator Bostelman proposed some edits to the findings and recommendations on broadband data and mapping. The proposed edits were included in the meeting materials. Senator Bostelman stated that his intention on the changes was to keep broadband mapping and speed testing in the forefront. There was no further discussion or comments from the Task Force members on the proposed changes to the broadband data and mapping findings and recommendations.

Members did not have any additional suggestions or edits to the report.

**Mr. Spray moved to approve the Rural Broadband Task Force report with the revisions to the broadband data and mapping findings and recommendations and the minor edit discussed earlier. Mr. Cone seconded. Roll call vote: Cone-Yes, Buker-Yes, Spray-Yes,**

**Shoemaker-Yes, Honeycutt-Yes, Curran-Yes, Ridder-Yes, and Toner-Yes. Results: Yes-8, No-0, Abstained-0. Motion carried.**

Mr. Toner thanked the task force members, Cullen Robbins, Anne Byers, Tom Rolfes, and Lori Lopez Urdiales for their dedication and work on the Task Force. The final report will be submitted to the Legislature and Governor Ricketts by November 1.

## **ADJOURNMENT**

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

The meeting was adjourned at 9:52 a.m.

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

## Federal Broadband Funding Programs

	American Rescue Plan Act Broadband Funding for States		Infrastructure Investment and Jobs Act/ Bipartisan Infrastructure Law
	State & Local Fiscal Recovery	Capital Projects	Broadband Equity, Access & Deployment Program
<b>Funding available</b>	<b>State of Nebraska:</b> \$1,040,157,440.40 <b>Counties:</b> \$375,736,074 <b>Metropolitan Cities:</b> 176,030,046 <b>Non-entitlement Units:</b> \$111,189,720	<b>U.S.:</b> \$10,000,000,000 <b>Nebraska:</b> \$128,740,178 <b>Each Tribal Government:</b> \$167,504	<b>U.S.:</b> \$42,450,000,000 <b>Nebraska:</b> \$100,000,000+
<b>Administrative/ Planning Funding Available</b>		5% or \$6.4 million	5% Pre-Deployment Planning 2% Administration of grant
Uses of Administrative/ Planning Funding		Costs of administering grant fund, providing technical assistance	<b>Pre-Deployment:</b> Research, data collection, outreach, technical assistance, employee training, broadband office
Areas eligible for broadband funding	<b>Final Rule:</b> Areas with identified need for additional broadband investment; Prioritize locations lacking reliable wireline 100/20 <b>Interim Final Rule:</b> Areas lacking reliable, wireline 25/3; Avoid locations with agreements to build wireline 100/20 by Dec. 2024	Areas without reliable wireline 100/20 (encouraged). If justified, can fund projects in areas with other funding commitments.	Unserved (lacking 25/3) and Underserved (lacking 100/20)
Eligible Uses	Public Health and Economic Impacts Premium Pay Revenue Loss Infrastructure Water and Sewer Broadband	Directly enable work, education and health monitoring & address critical needs Broadband Infrastructure Projects Digital Connectivity Projects Multi-Purpose Community Facility Projects	Unserved and underserved service projects Data collection and broadband mapping Connecting anchor institutions Service to multi-family buildings Broadband Adoption
Build out requirements	100/100 Mbps (unless not practicable) Or 100/20 but scalable if impracticable	100/100 Mbps- (unless impracticable) Fiber preference	100/20 Mbps
Application dates	—	<b>Deadline to Request Funding:</b> December 27, 2021 <b>Deadline to Submit Grant Plan:</b> September 24, 2022	Funding allocated after new FCC map available. Notice of Funding Opportunity issued 180 days after enactment inviting states to submit letter of intent. Letter of intent approved—get 5% for planning; must develop & submit broadband plan Initial proposal approved—get 20%+ Final proposal approved—get remaining \$
Required Completion/ Obligation Dates	Funds obligated by Dec. 31, 2024; Projects complete by Dec. 31, 2026	All funds must be expended by December 31, 2026	Broadband service to all customers 4 years after receipt of the subgrant
Match Requirements	None specified	None specified	25% except in high cost areas
<b>Notes</b>	Treasury encourages recipients to prioritize broadband networks owned, operated or affiliated with local governments, nonprofits, and cooperatives	Treasury encourages Recipients to prioritize broadband networks owned, operated or affiliated with local governments, nonprofits, and cooperatives.	States may not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility for grant funds.

## Digital Inclusion and Middle Mile Grant Programs (Infrastructure Investment and Jobs Act)

	State Digital Equity Capacity Grant Program Planning Grants	State Digital Equity Capacity Grants	Digital Equity Competitive Grant Program	Middle Mile Grants	Affordable Connectivity Fund
<b>Funding available</b>	<p><b>Appropriation:</b> \$60,000,000</p> <p><b>Minimum State Award:</b> \$300,000 (.5 percent of total)</p>	<p><b>Appropriation:</b> \$240,000,000 for fiscal year 2022 \$300,000,000 for fiscal years 2023-2026</p> <p><b>Minimum award:</b> \$1,200,000 year 1 \$1,500,000 in fiscal years 2023-2026 \$7.2 million minimum over 5 years 3% Administration</p>	<p><b>Appropriation:</b> \$250,000,000 a year for first five fiscal years</p>	<p><b>Appropriation:</b> \$1,000,000,000 for fiscal years 2022 through 2026</p>	<p><b>Appropriation:</b> \$14 billion (from news reports)</p> <p>Amends the Emergency Broadband Benefit Fund to the Affordable Connectivity Fund.</p> <p>Provides \$30 a month subsidy for broadband</p>
<b>Eligible Uses/Other Requirements</b>	<p>States receiving a planning grant will be required to develop a State Digital Equity Plan one year from the date of the award.</p>	<ul style="list-style-type: none"> <li>Implement the State Digital Equity Plan and pursue digital inclusion activities consistent with the State Digital Equity Plan</li> <li>Evaluate the efficacy of the digital inclusion efforts</li> </ul>	<ul style="list-style-type: none"> <li>Develop and implement digital inclusion activities</li> <li>Implement training programs that cover basic, advanced, and applied skills—or other workforce development programs,</li> <li>Make available equipment or digital network technology for broadband services</li> </ul> <p>Requires 10% match</p>	<p>Middle-mile infrastructure is any broadband infrastructure that does not connect directly to an end-user.</p> <p>Requires 30% match</p>	<p>Amends the Emergency Broadband Benefit Fund to the Affordable Connectivity Fund</p> <p>Provides \$30 a month subsidy for broadband for individuals with low incomes.</p> <p>Provides a \$100 subsidy for devices (not smartphones).</p>
<b>Timing</b>	<p>Beginning in the first fiscal year after enactment, the NTIA will award planning grants.</p> <p>State must apply no later than 60 days after the NOFA is issued.</p>	<p>Capacity grants will be awarded not later than 2 years after planning grants are awarded</p> <p>States must apply no later than 60 days after the NOFA is issued. States have five years to spend their grant awards.</p>	<p>Grants are to be used for no more than 4 years</p>	<p>NTIA has 6 months to issue a notice of funding opportunity about the new program. Awardees must complete construction within five years.</p>	

<b>Competitive Grant/Loan Program—Federal</b>				
	<b>USDA Reconnect</b>	<b>NTIA Broadband Infrastructure Program</b>	<b>Tribal Broadband Connectivity Program</b>	<b>Connecting Minority Communities Pilot Program</b>
<b>Funding available</b>	<b>U.S.: \$1.15 Billion</b>	<b>U.S. \$288 Million</b>	<b>U.S.: \$980,000,000</b> NTIA will allocate up to \$500,000 to each of the Federally Recognized Tribes	<b>U.S.: \$268,000,000</b>
Eligible Entities	Corporations, LLCs and LLPs, cooperatives, state or local governments, Indian Tribes	Public-Private Partnerships	Eligible Native American, Alaska Native and Native Hawaiian entities	1) a historically Black college or university (HBCU); (2) a Tribal College or University (TCU); (3) a Minority-serving institution (MSI); or (4) a consortium
Areas eligible for broadband funding	Areas lacking 100/20 Areas lacking 25/3 score higher Can be used in RDOF areas. Points awarded for areas with low pop density, economic need, socially vulnerable communities, tribal lands, and non-telco applicants	A census block in which 25/3 Mbps broadband service is not available at one or more households or businesses in the census block. No broadband provider has been selected to receive enforceable support to build out 25/3 broadband	Tribal areas lacking 25/3 Mbps broadband A Tribal government may certify whether an area within its own "Tribal Lands" is "unserved," in lieu of using a non-tribal coverage/speed data set such as FCC 477 carrier sourced data.	
Eligible Uses	Broadband infrastructure projects	Broadband infrastructure projects	1. Broadband infrastructure deployment 2. Affordable broadband programs	Build the broadband and IT capacity of eligible institutions; Provide broadband education, awareness, training, access, equipment, and support; Provide subsidized broadband access and equipment
Build out requirements	100/100 Mbps	100/20 Mbps	NTIA encourages the submission of project proposals that deploy future-proof infrastructure to the extent feasible, e.g. fiber.	
Application dates	Application Period: Nov. 24, 2021-feb. 22, 2022	Applications due: August 17, 2021	Applications due: Sept. 1, 2021	Applications due: Dec. 1, 2021
Required Completion/Obligation Dates		1 year after receipt of grant funds	1 year after receipt of grant funds	2 years from receipt of grant funds
Match Requirements	25% for grants 50% for loan grants	None Scoring bonus for match of 10% or more	None	None

	0% for tribal areas and socially vulnerable communities			
Notes		No Nebraska applicants		