Broadband Advisory Workgroup
Draft Meeting Notes
Tuesday, May 4, 2021
6:00pm – 7:30pm
Zoom

Workgroup Members in attendance:	Maximillian Carper Linda Fels Kristopher Keillor Michelle Kopcha	Milissa Miller Spencer Moore Steve Spitzer RB Tewksbury
Ex Officio Members in attendance:	Atul Deshmane Terry Davis David Brinn Michael Gann	Kurt Gazow David Namura Gina Stark Allen Meeks
City Staff and Facilitator in attendance:	Eric Johnston, Public Works Director Marty Mulholland, City Information Technology Director Rush Duncan, Public Works Webinar Support David Roberts, Peak Sustainability Group, Facilitator	

1. **Welcome & Approval of Notes**

   David Roberts started the meeting at 6:00 PM.

2. **Administrative and Technology Items Update**

   Eric Johnson had no updates at this time. Marty Mulholland noted that the links on the website are all up to date. Regarding the Federal Broadband Benefits Program, when the application becomes available, the City will post links for the public on its website and on City social media.

3. **Follow-up questions for last meeting's speakers**

   The workgroup had the following questions for presenters at the last meeting:

   What did the Port of Bellingham consider were pros & cons for a full-service model in terms of retail service?
   Gina Stark (GS): The legislature passed 2 bills that provided retail service authority, but the port is not seeking this due to existing service providers in our community. To do retail service it takes infrastructure (service, electricity, etc.) which the port does not currently have or seek to do. It could potentially come into play in the future.

   How will the rural network interface with the City's network? Are there shared interests?
   GS: I hope on a policy level that our networks will work together in terms of accessibility and how they serve the unserved and the underserved – on an infrastructure level, I hope our networks link up. The networks will eventually connect into one big Whatcom County network.

   Regarding the financial models for connecting the rural community from a cost benefits standpoint – you said Whatcom County was not considered a rural community. How come the Port of Bellingham is reaching out to Glacier for fiber?

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GS: The rural part is defined by state statue – the Office of Financial Management – which is beyond our control. It is defined by population. We are building out to Glacier because an assessment identified it as one of the highest needs area. There was an attempt previously to build fiber out there – we are completing a promise to the community to finish the work. That's how Glacier was decided to be 1st.

The financial model is taking access all the way to Glacier – how are you balancing revenue vs. cost if you are not in the retail business – grants?
GS: A lot of it is done by grants, also by loans – this is not a revenue maker, if it was our ISPs would be doing it. We want it to be a sustainable model. Our economic development is county-wide, we build infrastructure, we have engineering knowledge, our tax boundary is beyond the city limits, and we were granted authority.

If you hit the ground running vs taking time and learning - what is the biggest lessons you could share with us?
GS: There are many. Infrastructure costs a lot more than one would ever think – it is more intricate than one would think – it takes partnerships – funding is complex – it looks deceptively simple on the surface.

What is the average age of the fiber in our municipal networks right now?
Eric Johnson (EJ): believe the first strand was in the 1980's, probably 2005 for the bulk of it – but that is a total guess.
Gina Stark: I agree, probably about 20 years, but some that is newer depending on where you look.

Does the age affect the quality of the service?
EJ: the glass does not degrade but the technology to push it through the tube does change. Root intrusion and dig-ups are the biggest issues without forethought for infrastructure. Existing conduit – it is rare to be able to pull fiber through it 20 years later – it is often cracked, damaged or full of tree roots. The age of the equipment that drives the signals is the key.

What is a possible solution for the despair that you paint?
EJ: Don't mean it to sound depressing - the same is true of any City system and we replace it when it needs to be done – the system works for what it was intended to do – in most cases, a new conduit would have to be installed for additional fiber. Don't think the City's fiber system is failing – it is not – but we can't say how it would be able to be served for another purpose – but it is not ready for a full retail model. We are working together with the Port and the PUD on development and infrastructure on several upcoming projects – conversations are ongoing.

4. Presentation: Atul Deshmane with PUD efforts at supporting broadband development + Q&A	Commissioner Atul Deshmane shared a presentation outlining the PUD's goals and history of working on broadband issues. The PUD's original resolutions recognized the need for fiber optic broadband services in our community. Atul feels that fiber is the most energy efficient, affordable, resilient, and future-proof infrastructure for communications. He identified several obstacles to getting broader fiber in the County. The first is the need for collaboration between the public and private sector. Atul feels that we need to do that to best serve the public. He also identified the public sector's willingness to make investments as an obstacle. Substantial amounts of money are being provided. Finally, Atul identified the lack of information on the current fiber system in our county as an issue. He doesn't disregard proprietary information but recognizes what a problem that presents. He feels that to be resource efficient, we need to know

where the fiber is. Atul acknowledges the need for a sufficient level of trust among all participants in the market that which takes time.

Atul stated that providing retail (services) is not fun. There is a lot of hesitancy (in staff) to embrace the idea. He feels a dark fiber model makes more sense. He regrets that more work has not gone into planning a year or two ago. The new funding is coming quickly, and we lack shovel-ready projects.

Atul wants to recommend to the City Council that a county-wide fiber map be created that attempts to show all the available fiber. Not just where it is, but also under-served areas compared to national standards of what data should cost. He feels we need that kind of tool. He also feels we need to get the backbone system built with redundancy connections and the time for that is now so the County can take advantage of the money coming from the federal and state level.

Questions:
There is a valid concern about sharing a fiber map because it opens up the possibility of sabotage. Did you consider that when you encourage a public fiber map?
Atul Deshmane (AT): It is a valid concern. We deal with all sorts of issues at the PUD. Power lines are more dangerous than fiber. We manage to survive as a civil society. I don't want to live in fear.

In the first collaboration (with the City), why did it fail?
AT: In 2005 the PUD decided to sell the assets to the City. The reason was because it was not generating the projected revenue to cover the expenditures.

If there was a more collaborative effort, would the PUD be open to a partnership now?
AT: The PUD is very open.

There is nobody on this committee that is representing the County Council?
AT: No, but I have reached out to the County Executive and County Council members to encourage participation.
Eric Johnson (EJ): This group is advising the City Council, and collaboration with the other entities will occur outside of this group. Commissioner Deshmane represents the County in this group to advise the City. He has a dual function.
AT: The County has dedicated money to support fiber.
Steve Spitzer: I agree (with Maximillian) that to get the private sector to cooperate will be quite difficult. But if we look back on the COVID vaccine with two major pharmaceutical companies able to cooperate, I hope that private enterprises could get a waiver or non-disclosure agreement so they can operate in the City of Bellingham.

What are some of the challenges between public – public and public – private partnerships?
What are some of the restrictions in state law for these partnerships?

AT: There are numerous laws pertaining to public services use, interlocal agreements, private use contracts. There could be the creation of a public – private consortium. Nothing is inherently a problem. The maps are the most challenging part. Note that the resolution of the map can be sufficiently low that exact details and precise coordinates are not noted. It is more of the 811 level of info to identify which players control which block for layers of potential service.

What public entity would be best to provide retail authority? The PUD is most technical with infrastructure and power-related specialties, but which do you think is most suited for retail authority?
AT: My feeling is the cities are in the best place when a private sector is not available to provide affordable service. In Whatcom County, many businesses have approached PUD for electrical service, but practically none ended up being serviced by the PUD. It allowed for a monopoly provider to allow better negotiations for improved pricing. Unnatural barriers in a market are taken advantage of by the private sector. They are in the business of making money.

What about outside of City limits?
AT: In the County, for a healthcare clinic for example, it is my opinion that the PUD would be a better provider of retail services (over the Port).

As far as suggestion of creating a county-wide map, [Find Internet Providers in Your Area | BroadbandNow.com](#) is a website that has data could let us create a rough outline of a map, and I would volunteer to get that started.
AT: At some point in this year, we will have to encourage all of our friends to use the speed test and complete surveys to map the county.

I understand why the PUDs have been given access to do retail. Did you know you can already get dark fiber which is redundant from many providers? It is all available already. I hope our other ex-Officios will speak and share the maps.
AT: That speaks to the necessity of open and accessible information.
Marty Mulholland: A conversation under a non-disclosure agreement will get you that information. It is there and available with any organization. I encourage you to reach out and get that information.
Gina Stark: The Port is looking at using this infrastructure to avoid spending public dollars where not necessary.
AT: The PUD policy is not as well established.
Milissa Miller: It is much easier and less expensive to build above ground than underground. Look for orange fiberoptic tags on poles in Bellingham. They are all over the place. Many of the poles are overloaded with infrastructure.

To the City, you have always been in retail, one more service in the retail toolbox is not that difficult.
EJ: There is a huge difference between retail service and City service. Property owners are compelled to pay water, sewer, and utility service. They still get a bill for sewer even if they are not connected to it.

What if broadband were framed as an essential service?
EJ: That would require changing the State Constitution and State Law. It would take a fundamental change. The capture rate on customer base is crucial for any financial model. Cities do not have the ability to discount rates.
AT: To clarify, Whatcom PUD currently has under 50 industrial customers with electricity and water service.

Regarding the laws, is there a resource to look at how those laws prevent the City from declaring "broadband is a God-given right." Are you talking about a regulated vs. unregulated monopoly?
EJ: The telecommunications world is ruled by the federal government which addresses interstate commerce. I don't have the exact info, but we as a City, without an act of Congress, could not exclude all the other providers without paying for their franchise loss and future loss of revenues. This is projected to be hundreds of billions of dollars.

Would writing your congressperson make a difference? Should the committee do a letter writing campaign to make the change in state law?
EJ: The ability to create the network is not impeded. We can compel you to pay your water and sewer as a public health issue vs. an optional retail service. If you cannot achieve a number of customers you go bankrupt, as the PUD illustrated.

Should we consider the internet an essential right?
EJ: That is the key issue the City can weigh into and the City Council has said yes. To the degree it gets reinforced at the Federal level would be interesting. I think it should be.

Is it within the bounds of this group to say that is a right?
EJ: Our mandate is to advise the City Council. We can advise them to go in that direction, to engage with Congress.

5. Definitions Discussion

The Workgroup continued their efforts to define key definitions. At this meeting they discussed affordability and developed the following definition.

Affordability:

"Every Bellingham household and business should be able to afford high-speed Internet that meets their financial criteria and is sufficient for the respective welfare needs (telehealth, remote learning, remote work, business web apps, teleconferencing). It is cost-competitive with reasonable rates based on those achieved by other comparable US cities."

At the end of the discussion, all members acknowledged that each of the definitions developed to date may need to be revisited after presentations from the consultant and presentations from other jurisdictions and officials.

6. Items for next meeting

Agenda items for June 1st

- Other Ex-Officio presentations, please contact Iris
- Definitions

Agenda Planning Team: Linda Fels, Michelle Kopcha, Spencer Moore

7. Check-in on if meetings are meeting your expectations?	David Roberts asked for feedback regarding the meetings and following the Workgroup ground rules. Maximillian expressed frustration with the need to raising hands for each question. He felt that it becomes cumbersome and breaks up the flow of relevant info in a timely manner. Kristopher Keillor shared the sentiment and asked that David consider a hand signal. A raised hand symbol could be a new topic. David responded that we can give it a try. We need to avoid to many people talking at once and make sure to make progress in the meeting without getting into a bunch of little discussions. He asked that people just raise their finger if you have a quick comment pertaining to the current topic. He also asked that everyone be conscious of how much time taken to make comments so everyone can contribute. Meeting was adjourned at 8:05 pm.

Next meeting scheduled for Tuesday, June 1st at 6:00pm via Zoom