

AGENDA

Broadband Advisory Council Meeting

August 16, 2024

10:00 a.m. to 12:00 p.m.

In-Person Option:

Fredericksburg Branch Library Theater
1201 Caroline St
Fredericksburg, VA 22401

Virtual Option (via Microsoft Teams):

Join on your computer, mobile app or room device

Microsoft Teams [Need help?](#)

[Join the meeting now](#)

Meeting ID: 285 585 019 545

Passcode: wFXgFf

Dial in by phone

[+1 434-230-0065,,512300881#](#) United States, Lynchburg

[Find a local number](#)

Phone conference ID: 512 300 881#

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|-------|---|--|
| I. | Opening | |
| | a. Call to Order | Chairman |
| | b. Roll Call | DHCD Staff |
| II. | Consent Agenda | Chairman |
| III. | Welcome Remarks | Martha Hutzell, Regional Library Director
Dennis Clark, Librarian of Virginia
Bryan Horn, Director, DHCD |
| IV. | Approval of Minutes: January 9, 2024 Meeting | |
| V. | Overview of Discussion | Tamarah Holmes, Ph.D., Director,
Office of Broadband |
| VI. | Office of Broadband Updates | Office of Broadband Staff |
| | a. Construction Update of Current Awards, Project Risk Status | |
| | b. Overview of Virginia Make Ready Initiative | |
| | c. Broadband Equity, Access, and Deployment Update | |
| | d. Digital Opportunity Update | |
| VII. | Libraries' Roles in Digital Opportunity | Chris Glover, Asst. Director for I.T.,
Central Rappahannock Regional Library |
| VIII. | Public Comment | Chairman |
| IX. | New Business | Council Members |
| X. | Adjournment | Chairman |

BROADBAND ADVISORY COUNCIL
UNAPPROVED MINUTES

January 9, 2024

10:00 AM

Patrick Henry Building (Governor's Offices)
1111 E Broad Street,
East Reading Room, First Floor, Room 1035
Richmond, VA 23219
Virtual Option provided via Microsoft Teams

Members Present

Senator Jennifer Boysko, Acting Chair
Senator Ghazala Hashmi
Delegate James Leftwich
Secretary Matt Lohr
Ray LaMura
James Carr
Kristie Proctor
Casey Logan
Steve Sandy
Richard Schollman

Members Absent

Secretary Caren Merrick
Senator Lynwood W. Lewis
Delegate David Reid
Delegate Thomas Wright, Jr.
Christian Goodwin

Call to Order	Senator Jennifer Boysko, Acting Chair of the Broadband Advisory Council, called the meeting to order at 10:01 a.m.
Roll Call	Chandler Vaughan, Senior Policy Analyst at the Office of Broadband, called the roll and stated that a quorum was present.
Approval of Minutes: August 28, 2023 Meeting	A motion was made and properly seconded to approve the minutes of the December 8, 2023 meeting of the Broadband Advisory Council. The motion passed to adopt the minutes as presented.
Legislative Preview of 2024 Session	Acting Chair Boysko provided an opportunity for all General Assembly Members in attendance, both virtual and in-person, to come before the Broadband Advisory Council to discuss their potential to-be-introduced legislation. Senator David Marsden provided an overview of his to-be-introduced Make Ready/Pole Attachment legislation to the Broadband Advisory Council.
Discussion of 2024 Session Legislative Items	Council members discussed Senator Marsden's to-be-introduced legislation, including asking questions of Senator Marsden about the bill.

Office of Broadband Updates	Chandler Vaughan, Senior Policy Analyst in the Office of Broadband provided brief verbal updates on the Office's work, including continued engagement with the National Telecommunications and Information Administration (NTIA) on review and approval of Volume 2 of Virginia's Initial Proposal under the Broadband Equity, Access, and Deployment Program, ongoing work under the BEAD challenge process, a summary of FY2024 Virginia Telecommunication Initiative applications received, an update on guidelines released and soon to be released for public comment, and the posting of Virginia's Digital Opportunity Plan as submitted to NTIA.
Public Comment	Several representatives of Virginia's electric cooperatives spoke against potential legislation to be introduced in the 2024 General Assembly Session – addressing a wide variety of concerns on potential legislation in the 2024 General Assembly Session, as well as providing information regarding the operation of electric cooperative networks. These representatives include: Gary Wood of Central Virginia Electric Cooperative, John Hewa of Rappahannock Electric Cooperative, Chris Botulinski of BARC Electric Cooperative, Jeff Ahearn of Craig Botetourt Electric Cooperative, Jason Carter of Shenandoah Valley Electric Cooperative, Ron White of Southside Electric Cooperative, Kyle Allwine of Northern Neck Electric Cooperative, and David Lipscomb of Mecklenburg Electric Cooperative.
New Business	<p>Ray LaMura provided comment regarding the state requiring broadband providers to relocate infrastructure and the inappropriateness of requiring broadband providers to incur the cost of such state-required relocation.</p> <p>Steve Sandy provided comment that cellular deployment to areas without coverage should be considered for state investment.</p>
Adjournment	Upon a motion made and properly seconded, the meeting was adjourned.



Broadband Advisory Council Meeting

August 16, 2024



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Call to Order



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Roll Call



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Consent Agenda



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Welcome Remarks

Martha Hutzel, Director, Central Rappahannock Regional Library

Dennis Clark, Librarian of Virginia

Bryan Horn, VA Department of Housing and Community Development (DHCD)



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Approval of Minutes: January 9, 2024 Meeting



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Overview of Discussion

Tamarah Holmes, Ph.D, Director, Office of Broadband



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Office of Broadband Updates

In Order of Presenting:

Tamarah Holmes, Director
Caroline Luxhoj, Program Manager, Virginia Telecommunication Initiative
Chandler Vaughan, Associate Director
Cameron Lewis, Digital Opportunity Coordinator



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Who & What of Broadband Advisory Council

17 Members

- 3 Senators
- 4 Delegates
- 6 Citizen Members/Association Representatives
- 4 Ex Officio Members

Staffed by the Dept. of Housing and Community Development's Office of Broadband

Purpose:

The purpose of the Council shall be to advise the Governor on policy and funding priorities to expedite deployment and reduce the cost of broadband access in the Commonwealth.



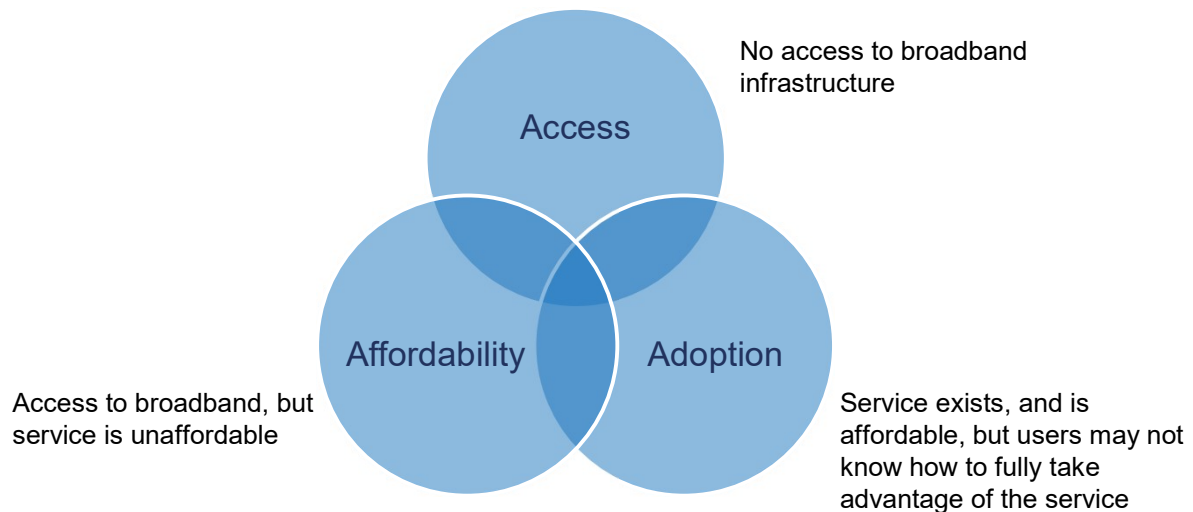
What is “Broadband”?

What does it mean when I’m “Unserved”?

- Broadband, per Webster, is transmission of wide bandwidth data over a high-speed internet connection
- You have “broadband” if you have access to internet speeds at or above 100 Megabits per second download and 20 Megabits per second upload (100/20)
 - Download means receiving data
 - Upload means sending data
- A location is “unserved” if does not have the ability to access internet at or above 100/20 Mbps.



Holistic Digital Divide



Broadband Access

Broadband Access: No broadband infrastructure is present to provide service to a location

Existing Resources:

- Virginia Telecommunication Initiative
- Line Extension Customer Assistance Program
- Federal Funding Programs
- Broadband Equity, Access, and Deployment Program



Broadband Affordability

Broadband Affordability: Access to broadband is available, but service is unaffordable

Existing Resources:

- **EXPIRED** - Federal Affordable Connectivity Program (ACP)
 - \$30/month subsidy towards the cost of broadband or cellular services
- Many broadband providers offer a low-cost plan
- Office of Broadband exploring partnership opportunities with high-capacity organizations to address affordability through hotspot and device programs.



Broadband Adoption

Broadband Adoption: Broadband is available and affordable, but not understood or fully utilized.

Existing Resources:

- Some broadband providers offer online platforms on digital skills
- Virginia Libraries have performed digital literacy programs for years
- Digital navigator pilot programs ongoing across the state
- Broadband Equity, Access, and Deployment Program – Non Deployment Funding

Key Point: Broadband adoption already takes place through a number of informal channels, but could be targeted and focused

- Cooperative extension agents helping farmers access best management practices digitally, in-field
- Libraries assisting seniors access telehealth programs
- Organizations helping underserved populations create a bank account and accessing it online



What is Virginia doing about it?

- Funding for private-public partnerships to extend infrastructure to the unserved
- Ongoing monitoring and evaluation of funded projects
- Assist communities with broadband planning to receive and implement funds
- Leverage federal grant opportunities to complement state funded efforts
- Study and propose plans/programs for broadband affordability and adoption



VATI Funding Rounds

**FY17-
FY23**

235 Applications
Over \$1.2 billion requested

\$935 million awarded
\$1.2 billion leveraged

Over 388,000 Locations in Project Areas
87 projects awarded across 80 localities

FY23

35 Applications from 50 localities
\$302.1 million requested

\$59.5 million awarded (including letter of intent)
\$118.6 Million leveraged

5 Localities with No Previous VATI
27,771 connections

FY24

25 Applications from 39 localities
\$137.6 million requested

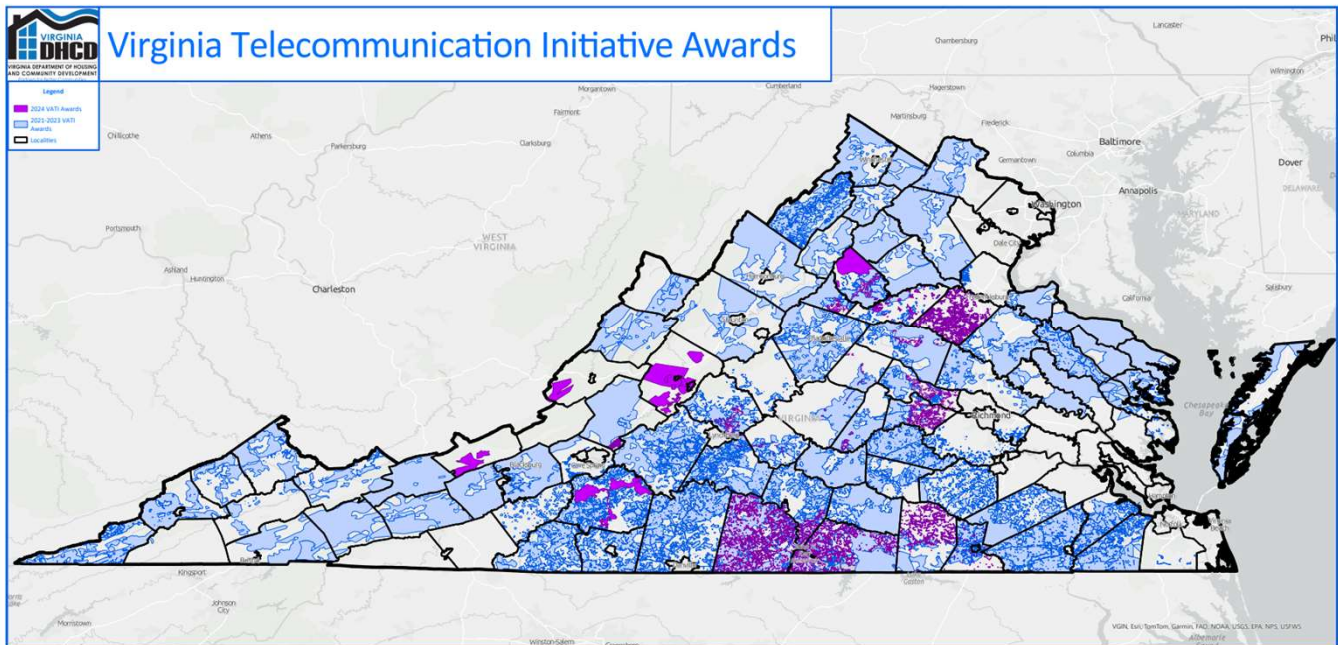
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\$41.6 million awarded
\$75.7 million leveraged

\$137.6 million requested
18,554 locations

2024 VATI Awards

Applicant	Partner	Localities
Southside PDC	Empower	Brunswick, Halifax, Mecklenburg, Charlotte, Greenville
Franklin County	ZiTEL	Franklin
Orange County	FiberLync	Orange
Botetourt County	Comcast	Botetourt
Thomas Jefferson PDC	Firefly	Amherst, Appomattox, Buckingham, Campbell, Cumberland, Fluvanna, Goochland, Greene, Louisa, Madison, Powhatan
Spotsylvania County	Port 80	Spotsylvania
Rockbridge County	BrightSpeed	Rockbridge
Rockbridge County	BARC Connects	Rockbridge
Alleghany County	Craig Botetourt Electric Cooperative	Alleghany
Shenandoah County	PemTel	Giles

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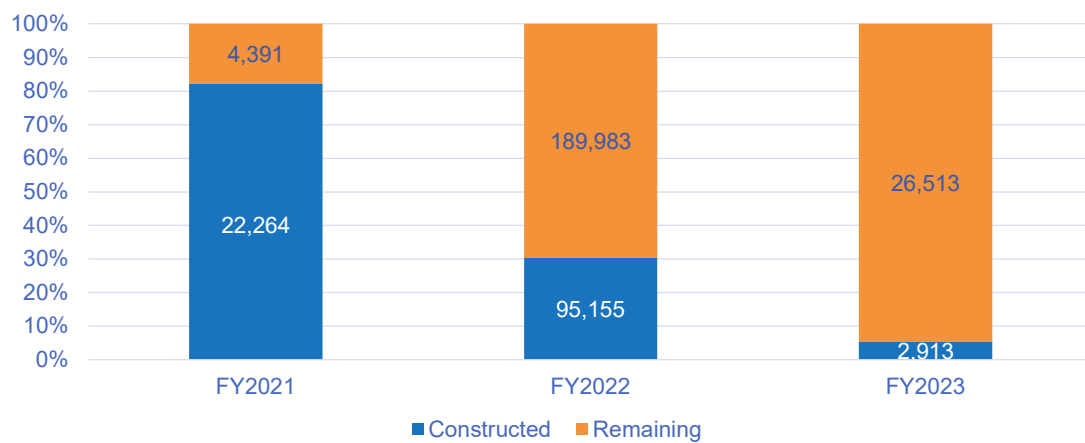
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Current Portfolio of VATI Projects

Funding Year	Open	Construction Complete	Pre Contract	Total
2017	0	5		
2018	0	3		
2019	0	10		
2020	0	13		
2021	7	9		
2022	36	4		
2023	14	0		
2024	0	0	10	
Total	57	44	10	111

How are the Projects Going?

VATI Project Progress FY21-FY23 as of July 2024





VATI Spotlights

City of Chesapeake/Cox

- 1st ARPA-funded project to close.

Stafford County/Comcast

- Contracted at 634 passings, closed with 682 passings.

Floyd County/Citizens Telephone Cooperative

- Finished extending fiber throughout the county.

Thomas Jefferson PDC/Firefly

- 13 counties, 36,225 total passings
- On track. 13,059 passings as of July



Risk Determination

- New language added to the FY2025 and FY2026 biennium budget:
- Established the Virginia Make Ready Initiative
- Directed the Office of Broadband to issue corrective action plans for any ARPA-funded project determined to be at-risk.
- Outlined options available to these projects to ensure no locations are left without broadband access and without a funding opportunity.

Options

- | | |
|--|---|
| ✓ Complete project surrender | ✓ Passing transfer to another VATI funded project |
| ✓ Partial project surrender, by contiguous area | ✓ Another solution as approved by the Office of |
| ✓ Project transfer to another private sector partner | Broadband |

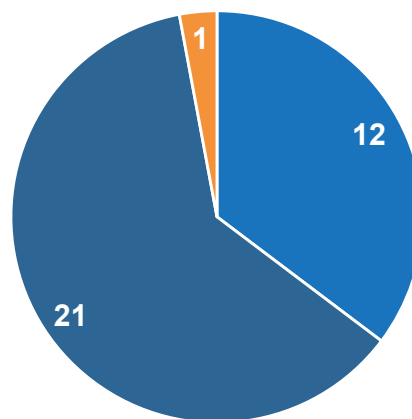
Risk Determination Methodology

Risk Category	Methodology
No-Risk	<ul style="list-style-type: none"> The grantee has not requested a timeline extension beyond the originally approved contract end date; and, Based on the sole determination of the Office of Broadband, the grantee is not significantly behind the current approved milestone timeline; and, The timeline for that project does not have an end date in 2026.
Low-Risk	<ul style="list-style-type: none"> The grantee has requested a timeline extension beyond the originally approved contract end date; or, Based on the sole determination of the Office of Broadband, the grantee is significantly behind the current approved milestone timeline and has not yet requested a timeline extension from the original completion date.
High-Risk	<ul style="list-style-type: none"> The grantee's contractual end date is in 2026, regardless of if that end date reflects the original contractually established end date or is a result of an extension.

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FY22 VATI Projects



■ No Risk ■ Low Risk ■ High Risk

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Risk Letters

- Risk letters sent in June.
- 22 projects received a risk determination letter.
- 20 projects reaffirmed project delivery by the contract end date.
- Waiting on responses from 2 projects.

Options

- ✓ Reaffirm project delivery by the contract end date
- ✓ Complete project surrender
- ✓ Partial project surrender, by contiguous area
- ✓ Project transfer to another private sector partner
- ✓ Passing transfer to another VATI funded project
- ✓ Another solution as approved by the Office of Broadband



Other Initiatives – Streamlining Federal Project Delivery

- The Office of Broadband leads the nation in leveraging the FCC's 214 Process
- Staff recently supported the transition of FCC CAF-2 awards in Brunswick Mecklenburg and Halifax Counties to Empower Broadband, the local VATI awardee
- At least 5 other transfers for CAF-2 and RDOF projects are in the works that the Office of Broadband supports
- As other CAF-2 and RDOF awards default in other states, Virginia's state broadband investments have led to leveraging this transfer process to keep federal dollars in Virginia and deliver connectivity to unserved regions

■ Virginia Make Ready Initiative Overview

Summary of Key Budget Language:

- \$30 million to provide supplements to eligible FY2022 VATI projects for make-ready costs
 - Applicants must be determined to be at-risk for completion by Dec. 31, 2026 to be eligible
- No more than \$30,000 per mile may be awarded for pole replacements, mid-span pole installations, and undergrounding in certain instances
- Program must be up and running by September 2024
- Funds must be expended by June 30, 2025 by grantees

■ Virginia Make Ready Initiative Overview

Summary of Adopted Program Guidelines – Key Provisions:

- \$7.5 million available monthly from September to December
- First Rolling Application Deadline is September 12th. anticipate awards made by September 30th
- 25% match minimum
- Requests or Awards cannot exceed 10% of the original VATI award. Waiver requests may be considered
- Opportunity to gain prior approval to underground infrastructure, then apply for reimbursement of such undergrounding, with risk of not being selected for an award



GOVERNOR YOUNGKIN CELEBRATES

APPROVAL OF VIRGINIA'S BEAD INITIAL PROPOSAL VOLUME 2

*Approval provides access to Virginia's \$1.4 billion
BEAD allocation to close the digital divide*



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What is BEAD?

Infrastructure and Investment Jobs Act (IIJA) Broadband Equity, Access and Deployment Program

OVERVIEW	PROGRAM PRIORITIES	OTHER KEY FEATURES
<p>Official name: Broadband Equity, Access and Deployment Program</p> <p>Funding pool: \$42.45B</p> <p>Type of program: State and Territory formula program</p> <p>Program objective: to close the availability gap, as Congress finds that "access to affordable, reliable, high-speed broadband is essential to full participation in modern life in the United States."</p>	<ol style="list-style-type: none"> 1 Unserved locations No access to 25/3 Mbps 2 Underserved locations No access to 100/20 Mbps 3 Community anchor institutions Without gigabit connections <p>Eligible entity must also prioritize</p> <ul style="list-style-type: none"> • Persistent poverty / high-poverty areas • Speed of proposed network • Build time • Demonstrated record on compliance with federal labor & employment laws 	<p>Quality requirements Specific network requirements are included e.g., speeds of at least 100/20 Mbps</p> <p>Matching requirement Eligible entities must ensure that they or a subgrantee provide at least 25% match (unless waiver granted)</p> <p>Low-cost plan requirement Required to offer a low-cost plan to eligible subscribers (to be determined by NTIA)</p>

Contents from National Telecommunications and Information Association (NTIA)



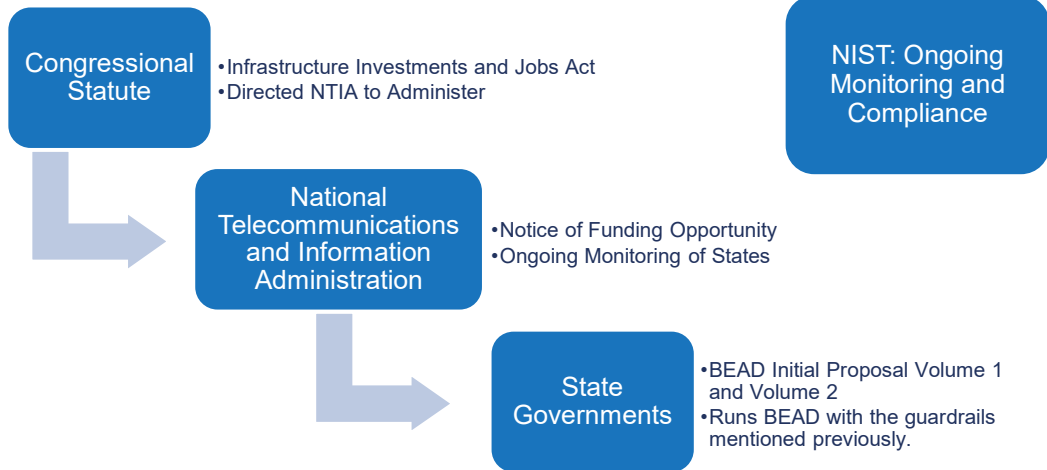
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What Governs BEAD?



BEAD Update - Deployment

Infrastructure Investments and Jobs Act Passage Date – **November 15, 2021**

BEAD Notice of Funding Opportunity Published – **May 13, 2022**

FCC Publishes 1st Iteration of National Broadband Map – **November 18, 2022**

Eligible Amounts Published for States – **June 30, 2023**

Virginia Submits Initial Proposal Volume 1 – **July 13, 2023**

Virginia Submits Initial Proposal Volume 2 – **September 24, 2023**

- Virginia becomes first state to submit all required BEAD plans to NTIA
- Several rounds of 'curing' (meaning NTIA sending required edits)

Virginia Receives Approval on Initial Proposal Volume 1 – **October 25, 2023**

Virginia Receives Approval on Initial Proposal Volume 2 – **July 23, 2024**

BEAD Update - Deployment

Before we can begin the application process...

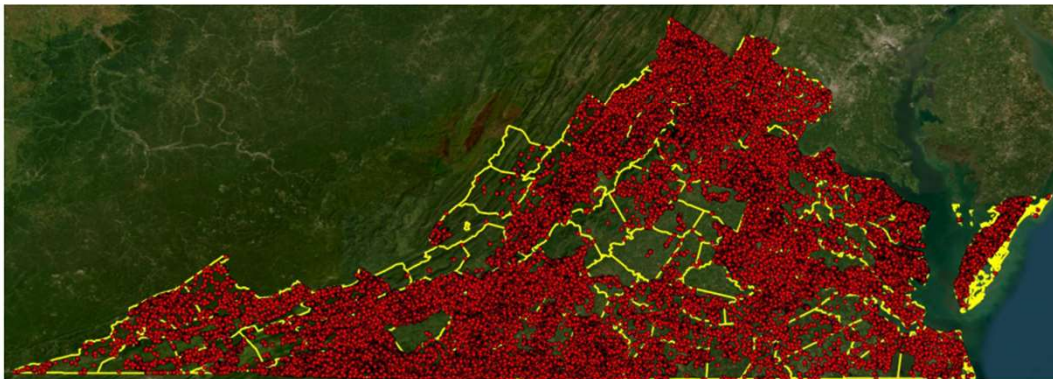
- Challenge Process Results must be Certified by NTIA
 - +/- 100,000 BEAD Eligible Locations
 - Handful of Counties/Cities without VATI Project
 - Locations in and around existing VATI Projects
 - Scattered Locations in Urban Areas
 - Line Extensions

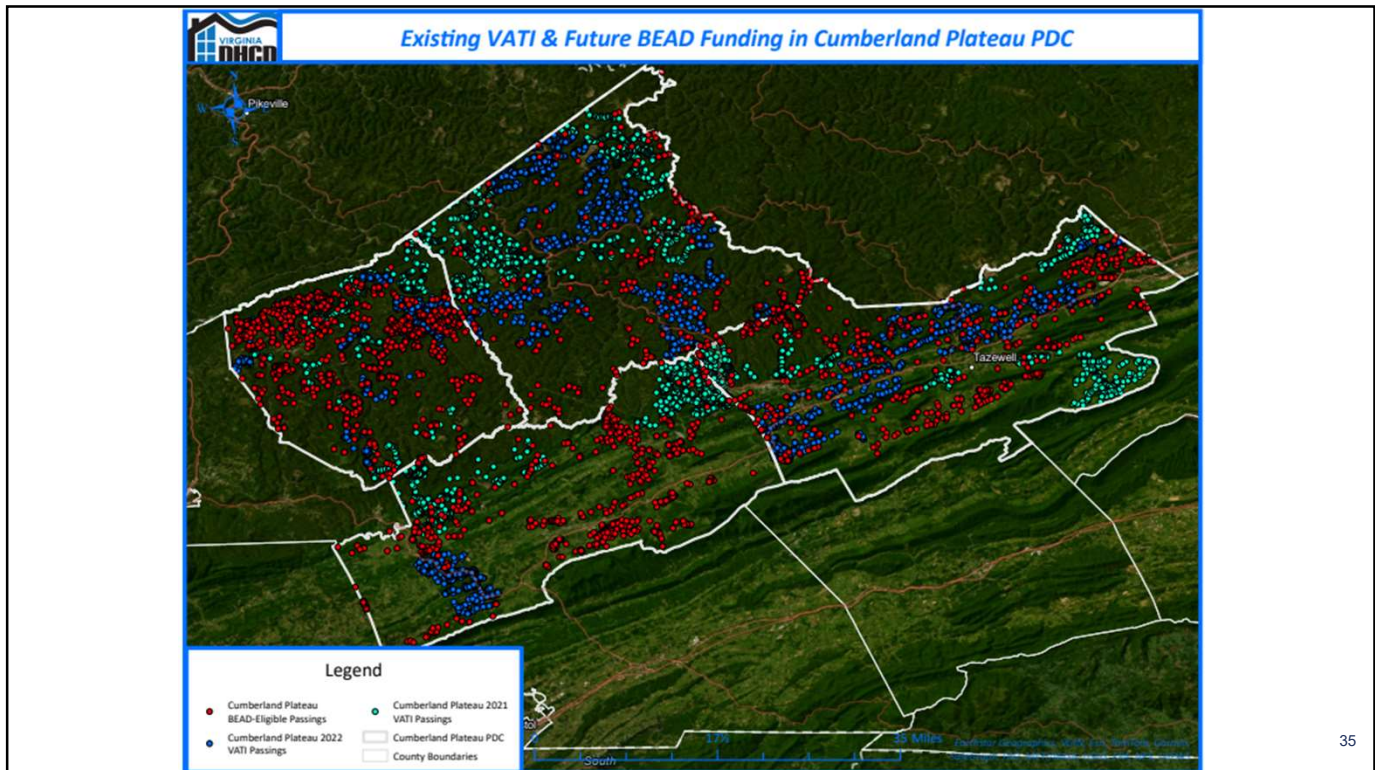
Preliminary BEAD Challenge Process Results Summary



- Preliminary Unserved BEAD Locations: 98,812
- Preliminary Underserved BEAD Locations: 16,060
- Preliminary Unserved BEAD CAIs: 1,520

Note: Figures do not reflect removal
of FY2024 VATI Awarded Locations



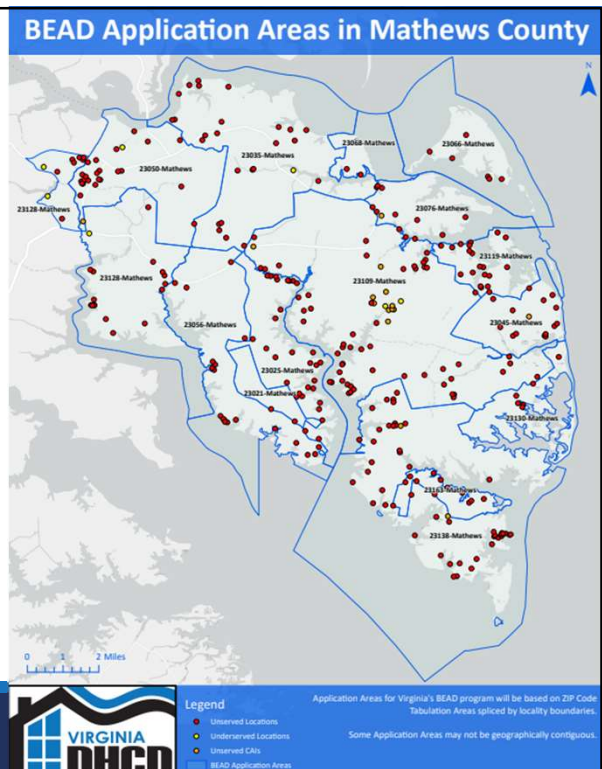


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BEAD Update - Deployment

Once we start the Application Process

- 60 Day Letter of Intent Window
 - Broadband Providers outline General Qualifications, List of Counties and Cities Interested in Submitting a Proposal in
- 90 Day Full Application Window
 - Applicants submit extensive narratives, quantitative information for applications at the Zip Code Tabulation Area Level



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BEAD Update - Deployment

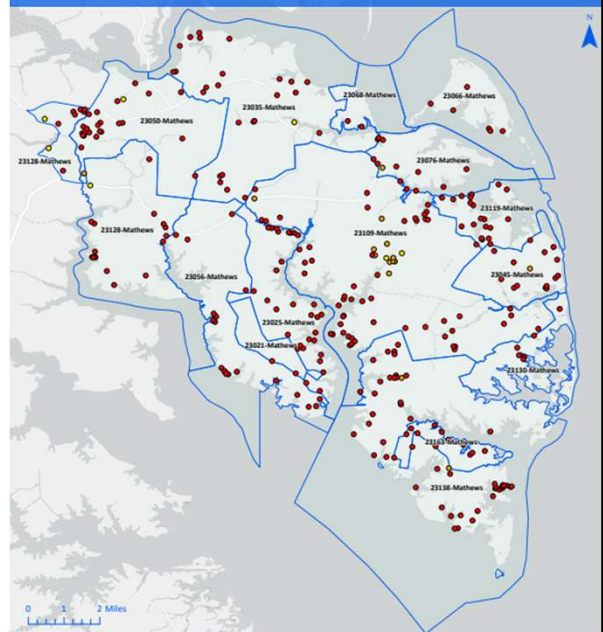
Scoring Criteria

- 45% - Cost Efficiency
- 20% - Affordability
- 10.2% - Fair Labor Practices
- 5% - Speed to Deployment
- 9.9% - Universality of Applications
- 9.9% - City/County Letter of Support

Key Takeaway:

- Cost Efficiency is most significant, but weighed out by other criteria.

BEAD Application Areas in Mathews County



Legend

- Unserved Locations
- Underserved Locations
- Unserved Calls
- BEAD Application Areas

Application Areas for Virginia's BEAD program will be based on ZIP Code Tabulation Areas spliced by locality boundaries. Some Application Areas may not be geographically contiguous.

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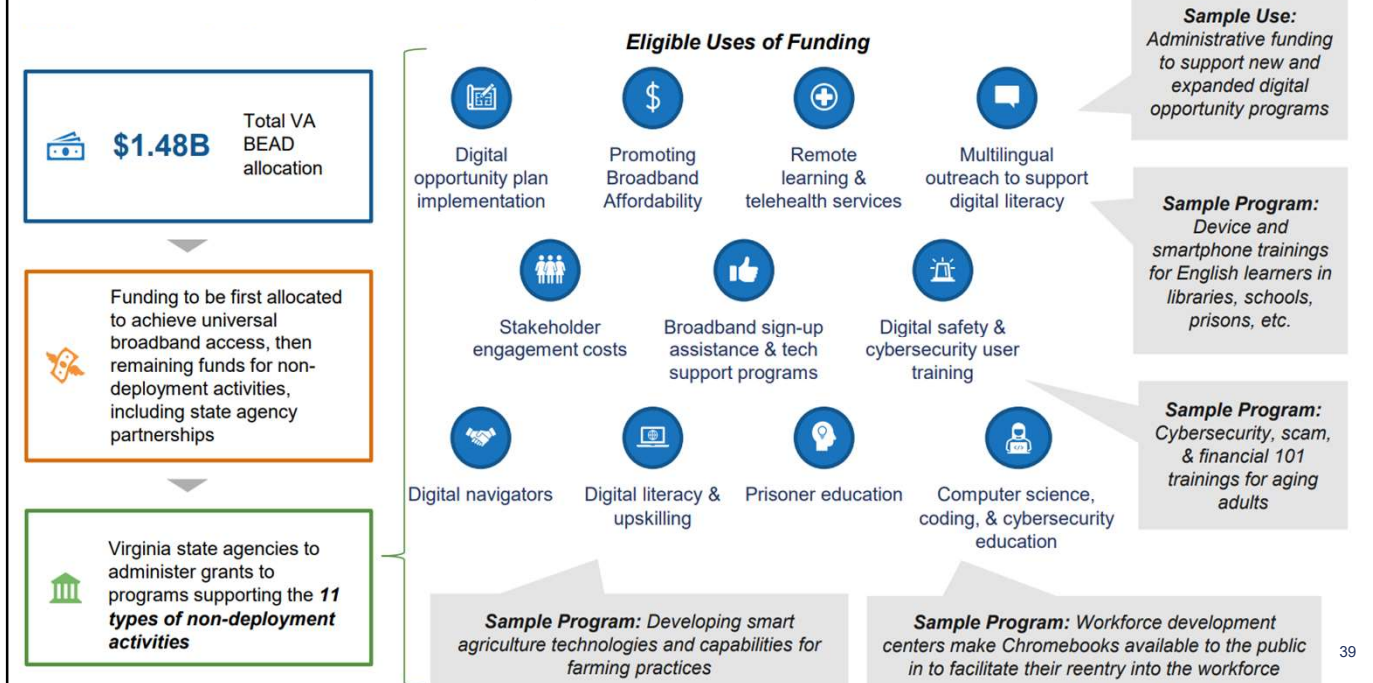
BEAD Non-Deployment

- States that demonstrate that BEAD funding will provide broadband access to remaining unserved, underserved, and unserved Community Anchor Institutions can use funding for BEAD Non-Deployment Uses
- DHCD has met with over 25 other state agencies to develop innovative programs to invest in non-deployment uses, meaning broadband adoption and affordability
- Other programs being developed, but pending NTIA approval on concepts

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BEAD Non-Deployment Funding in Virginia



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Key Takeaways – Opportunity under BEAD

- Thousands of more locations to be included in BEAD Projects
- Significant work ahead in Carroll (9,096 eligible locations) and Grayson (4,406 eligible locations)
- Imperative to leverage investment and progress through connectivity
- Opportunity through BEAD and Digital Equity Act Programs to plan, invest in broadband adoption programs

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Virginia Digital Opportunity Initiatives

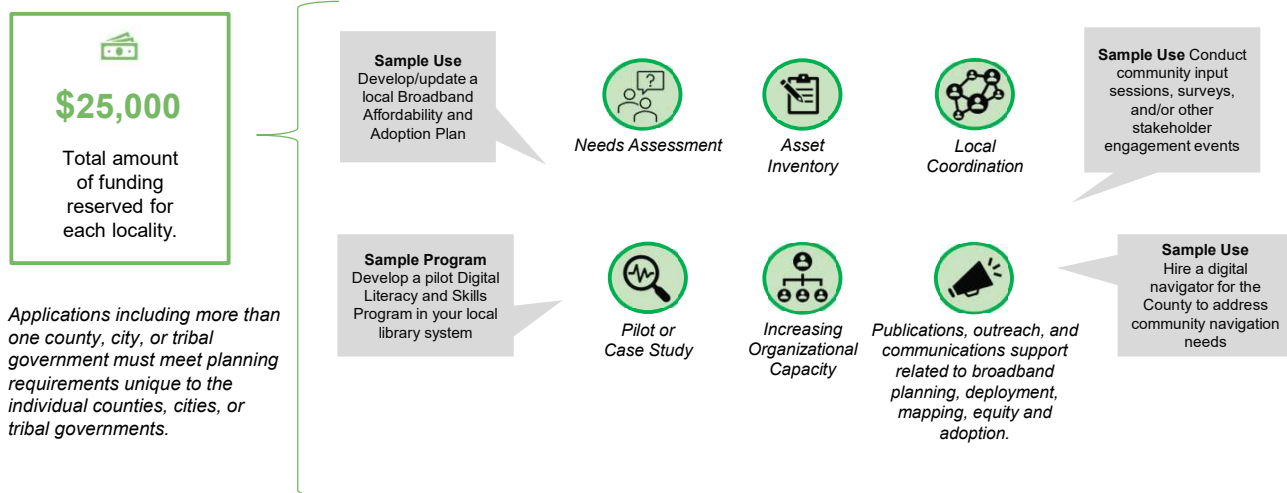
1. Virginia Affordability and Adoption Planning Grant (VAAPG) Program
2. State Digital Equity Capacity Grant Program
 - Digital Skills, Literacy, and Distribution (DSLDD) Program
3. Digital Equity Competitive Grant Program

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Virginia Affordability & Adoption Planning Grant (VAAPG) Program

The VAAPG program is designed to help **cities, counties, and tribal governments** understand broadband affordability and adoption needs in their jurisdictions, better preparing them to address these needs with forthcoming federal funding.



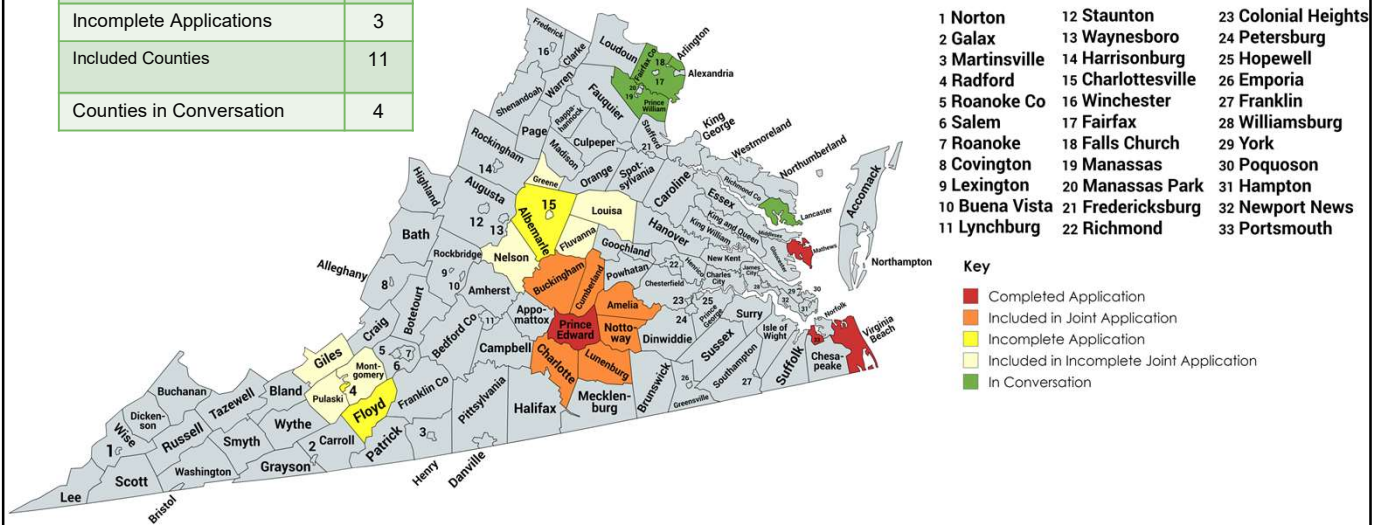
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VAAPG Program: Applicant Status*

*Status as of 8/9/2024

Completed Applications	4
Included Counties	10
Incomplete Applications	3
Included Counties	11
Counties in Conversation	4



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Digital Equity Program Timeline

OVERVIEW

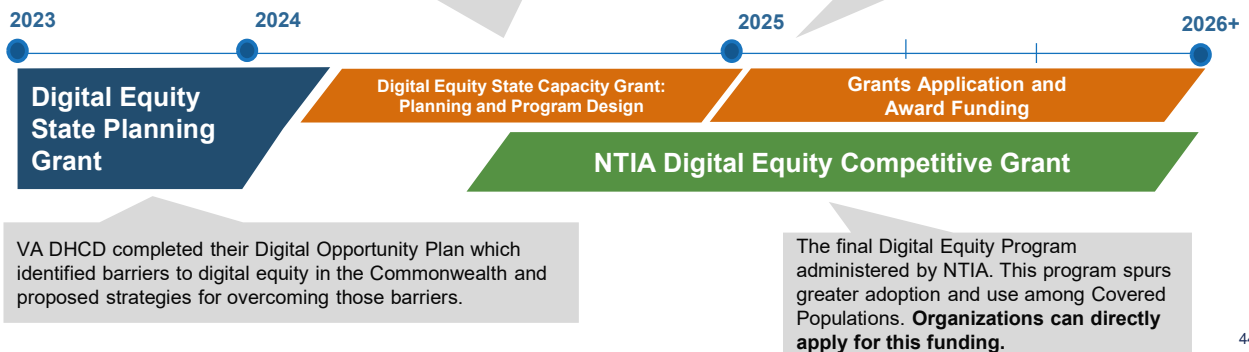
Previously, the State Digital Equity Planning Grant provided States and Territories funds to develop Digital Equity Plans. This second program will make funds available to put the Digital Equity Plans into action. **Non-deployment activities will be responsive to Virginia's affordability and adoption needs and bridge the digital literacy gap for the Commonwealth's most vulnerable communities.**



We are here. Virginia DHCD is engaging stakeholders to understand what Digital Opportunity programs exist in the Commonwealth and determine paths for partnership to award and disburse Digital Equity funding.

Following NTIA approval of Virginia's Digital Capacity Application, VA DHCD will administer the first of three waves of funding to awarded subgrantees.

TIMELINE



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State Capacity Program

Submitted to NTIA on May 28th, 2024 and is **currently awaiting comments and approval**.

 **\$18.3M**
Total VA State Capacity First-Wave allocation

Approximately \$3.5M of Capacity funding will be allocated for the **Administration, Virginia's Digital Opportunity Resource Tool and Digital Opportunity Awareness Initiatives**.

VA DHCD will administer the **Digital Skills, Literacy, and Distribution (DSLSD) Subgrant Program** with remaining \$14.5M for eligible entities *directly* supporting the following activities:

Digital Skills, Literacy, and Distribution (DSLSD) Subgrant Program Eligible Uses of Funding

Sample Program
Cybersecurity, scam, & financial 101 trainings for aging adults through intergenerational learning

Digital Skills and Literacy Programs

Digital Navigation and Tech Support

Sample Use
Administrative funding to support new and expanded digital opportunity programs

Sample Program
Device and smartphone trainings for English learners in libraries, schools, prisons, etc.

Sample Program
Courses on using telehealth, applying for jobs online, or navigating online news and social media, etc.

Device Refurbishment and Distribution Programs

Targeted Efforts for Covered Populations

Sample Program
Digital device refurbishment training program to provide affordable devices for covered households

Sample Program
Provide cybersecure digital devices in prisons for self-paced remote learning of incarcerated individuals

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NTIA Digital Equity Competitive Program

OVERVIEW

Congress appropriated \$1.25 billion to fund the Digital Equity Competitive Grant Program as part of the Infrastructure Investment and Jobs Act (IIJA). This program marks the third and final installation of the Digital Equity Act Grant programs. Awards will focus on **addressing the needs** of the Covered Populations **not met** by the Capacity Grant Program and will **strive for a diverse pool of recipients**.

ELIGIBLE APPLICANTS



A political subdivision, agency, or instrumentality of a State, including an agency of a State that is responsible for administering or supervising adult education and literacy activities, or for providing public housing, in the State.



An entity that carries out a workforce development program.



An Indian Tribe, an Alaska Native entity, or a Native Hawaiian organization (Native Entities).



A local educational agency.



A foundation, corporation, institution, or association that is –
a. a not-for-profit entity; and
b. not a school.



A partnership between any of these entities.



A community anchor institution.

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NTIA Digital Equity Competitive Program



\$1.25B

Total federal funding available



\$5-12M award amount with a 10% matching requirement.

Additional explanation required for awards requested outside the allowed range. Bonus points for additional match funding (cash or in-kind).



NTIA will administer grants to programs supporting one or more of the **5 types of non-deployment activities**:

Eligible Uses of Funding

To develop and implement digital inclusion activities that benefit one or more of the Covered Populations.

To facilitate the adoption of broadband by Covered Populations to provide educational and employment opportunities to those populations.

Implement training programs for Covered Populations that cover basic, advanced, and applied skills or other workforce development programs, including digital inclusion projects that address online safety, and work to prevent online harassment and abuse.

To make available equipment, instrumentation, networking capability hardware and software, or digital network technology for broadband services to Covered Populations at low or no cost.

Construct, upgrade, expand, or operate new or existing public access computing centers for Covered Populations through community anchor institutions.

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Digital Opportunity in the Commonwealth - Overview

	Federal or State Administered?	Award Amount	Award Issuance	Application Deadline	Period of Performance
Virginia Affordability and Adoption Planning Grant (VAAPG) Program	State	\$25,000 reserved per locality	Rolling Basis until December 2024	Rolling Basis: 15 th of every month until December 2024	6 Months
Digital Skills, Literacy, and Distribution (DSLDD) Program	State	TBD	TBD	TBD	Determined by applicant. Maximum 4 years allowable.
Digital Equity Competitive Program	Federal	\$5-12 Million	Rolling Basis: Winter 2024 – April 20, 2025	September 23, 2024	4 Years; 1 Year of Evaluation

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Libraries' Roles in Digital Equity

Chris Glover, Assistant Director for I.T., Central
Rappahannock Regional Library



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Public Comment



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New Business



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Adjournment



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