



# RURAL BROADBAND EXPANSION COUNCIL

## Minutes for Regular Meeting on Wednesday, May 19, 2021

*This meeting is being conducted in compliance with [the Oklahoma Open Meeting Act, as amended by SB 1031 and signed by Governor Stitt on February 10, 2021](#). This meeting will be recorded and the recording will be made available to the public.*

The meeting was held by teleconference at: <https://tinyurl.com/5bh7swwb>

The notice of this meeting was provided in writing to the Oklahoma Secretary of State at least 10 days in advance of the scheduled meeting. At least twenty-four (24) hours prior to the scheduled meeting, the agenda was posted prominently and publicly at the principal offices of the Oklahoma Department of Commerce building at 900 N. Stiles Ave., Oklahoma City, OK 73104 as well as on the Oklahoma Department of Commerce Website at <https://www.okcommerce.gov/about-us/meeting-notice/#rbec>.

### 1. Welcome / Call to Order / Establish a Quorum

- Rep. Phillips called the meeting to order at Noon and called for the roll.
- Joining: Darlene Brugnoli, Patrick Grace, Steven Harpe, Roger Neal, Logan Phillips, Billy Staggs, Sammie Valentino, Daniel Webster, Brian Whitacre, and Brandy Wreath.
- Absent: Mike Berube, James Leewright, Jack Smiley, and Jerry Whisenhunt.
- Quorum present

### 2. \* Approval of Minutes of the April 21 meeting

- Motion #1: Mr. Webster moved to approve the minutes of the April 21 meeting as presented; Mr. Neal seconded the motion.
- Chair declared Motion #1 approved without objection.

### 3. Remarks from Co-Chairman Rep. Logan Phillips

- Senator Leewright unable to join us today.
- Reminder to all that the meeting is being recorded.
- Broadband bills are progressing through the legislative process.
- A bill passed and signed by the governor adds two new members to this Council – one from a tribal government and one from a Wireless Internet Service Provider (WISP). These members have not yet been appointed, but will be soon.

### 4. Presentation on Motorola Nitro Private Broadband by Mr. Prash Ramani & Mr. Jason Smalley of Motorola Solutions, Inc. (10 minutes)

- Mr. Ramani's presentation, dated 5/19/2021, is posted on the ORBEC web page.
- Questions and answers follow.
- Whitacre: Do cities own the network?

- Ramani: Flexible. Different owners of the solution -- school districts, cities, etc. on a case-by-case basis.
- Whitacre: What is approximate cost to set up such a system?
- Ramani: IN Pittsburg, Kansas, a system covering 500 homes cost ~\$1.5M. \$8-10/month/household.
- Whitacre: Network speed?
- Ramani: Similar to LTE; variant, but usually 15-20 meg downlink/ 3-6 meg uplink.
- *[LTE stands for Long Term Evolution. It's a term used for the particular type of 4G that delivers the fastest mobile Internet experience.]*
- Harpe: Why would a consumer choose 5G over Nitro or vice versa?
- Ramani: CBRS spectrum band. Nitro is now 4G LTE and will migrate to 5G, probably within the next year, and already includes some 5G elements.
- *[CBRS stands for Citizens Broadband Radio Service and refers to 150 MHz of spectrum in the 3550 MHz to 3700 MHz range in the United States.]*
- Harpe: Is Nitro weather sensitive? Do other things affect the signal?
- Ramani: Weather, no. Terrain and foliage can be, but are taken into consideration when designing systems.
- Neal: In addition to school districts, have you worked with hospitals – for example, putting monitoring devices in patients' homes?
- Ramani: Private LTE networks within hospitals. Two examples – separate from public Wi-Fi. Wide Area Network (**WAN**) for digital equity/digital inclusion in a city in Ohio. Enable seeing a doctor remotely.
- Grace: What backhaul is required? Does Nitro require fiber – or alternatives – to sites?
- *[In a hierarchical telecommunications network, the **backhaul** portion of the network comprises the intermediate links between the core network, or backbone network, and the small subnetworks at the edge of the network. The most common network type in which backhaul is implemented is a mobile network.]*
- Ramani: All systems must network back to a central hub / data center for an interconnection. Microwave or wireless hops are possible.
- Brugnoli: Are these networks deployed with private or public funding? Are municipal funds used?
- Ramani: These are private networks for public entities, however funded. Every state is different. In some places, municipal funds are used. Nitro is not a carrier or an Internet Service Provider (ISP). It provides access points and connectivity.
- Brugnoli: Once a network is built, who owns it?
- Ramani: Whoever paid for the equipment and installation, although they may partner with others to manage it.
- Brugnoli: Your competition is Verizon, AT&T, and OneNet?
- Ramani: Yes, Motorola is not the only company providing this service. We complement other providers, rather than compete directly with them, to fill gaps.
- Brugnoli: Can LTE serve unserved and rural areas?
- Ramani: If connectivity available, it can be done. Cost/benefit analysis is on a case-by-case basis. We tend to look for areas with a higher density of users. More of a complement to a solution than a replacement.
- Brugnoli: Those denser areas are more underserved rather than unserved?
- Ramani: Correct.

**5. Report of the GEOGRAPHIC BOUNDARIES sub-committee by Mr. Brandy Wreath (5 minutes)**

- The sub-committee met in early May and heard a presentation by Ookla, which has a number of datasets that would be useful to the Council's work. They are working with several other state governments, e.g., South Carolina. Huge volume of house-level, user-generated data from speed tests all across the state. The price for this data, about \$80,000, is surprisingly reasonable and provides current data and one year of legacy data. The data can easily be overlaid with other work we're doing with federal data. Dr. Whitacre has ideas on funding sources and OUSF may potentially be a funding partner because OCC could use the data for other purposes.
- *[Ookla is the provider of Speedtest, a web service that provides free analysis of Internet access performance metrics, such as connection data rate and latency. OUSF stands for the Oklahoma Universal Service Fund administered by the Oklahoma Corporation Commission.]*
- The data from another data provider, mLab, don't drill down to the level that Ookla does.
- The sub-committee made no official recommendation, but will likely recommend buying two datasets from Ookla – the Speedtest intelligence reports and the mobile network overlay to help build the maps the Council is responsible for creating.
- Questions and answers follow.
- Whitacre: Commerce to build map, where other states hire it out. No conclusion yet.
- Wreath: Telecom & broadband is new to the GIS staff at Commerce, so the Council may recommend hiring a company that is already familiar with mapping broadband data.
- Phillips: How accurate is the speed test data by Ookla?
- Wreath: The data are very reliable. The data are at the device level; however, some are beginning to test at the modem level, to remove cabling issues, etc.

**6. \* Discussion and possible action on recommendations of the Geographic Boundaries sub-committee (10 minutes)**

- No formal recommendations at this time.

**7. Report of the ADOPTION RATE sub-committee by Dr. Brian Whitacre (5 minutes)**

- The sub-committee met last week. The federal Emergency Broadband Benefit (EBB) began about a week ago and provides a \$50/month subsidy to qualifying households for broadband. Because of the way the Federal Communications Commission (FCC) defines tribal lands, about 70 of Oklahoma's 77 counties qualify for a higher (\$75/month) benefit. About 75 providers in the state are participating and about a third of them are offering a \$100 discount on devices. Many providers explain on their websites how to sign up for EBB. The sub-committee is focused on spreading the word. We've partnered with Libraries, nonprofits, and the County Extension offices to promote EBB. Fact sheets explain who is eligible. The only concern is how many new people will this add?
- When data are available on participation, the sub-committee will review them. Cost is the primary reason most households don't have a broadband connection.
- American Rescue Plan Act (ARPA) will provide about \$1.9 billion to Oklahoma, counties, and some municipalities. The sub-committee would like ORBEC to request some of this money to promote digital literacy, which is the second reason most households don't have a broadband connection.
- Some states have Digital Navigator programs to promote digital literacy and help people sign up.
- Questions and answers follow.
- Phillips: Tulsa has a digital navigator program. Will EBB work with the Lifeline program?

- Whitacre: Eligible households can participate in both EBB and the Lifeline program. Right now, EBB is funded only until money runs out. Efforts are underway to extend/fund EBB longer.
- Phillips: Send me fliers/fact sheets and I'll share with other House members to promote.

**8. \* Discussion and possible action on recommendations of the Adoption Rate sub-committee (10 minutes)**

- No formal recommendations at this time.

**9. Report of the POLICY IMPACTS sub-committee by Ms. Darlene Brugnoli (5 minutes)**

- The first meeting of the sub-committee on Dig Once policies – as reported previously – focused on transportation projects by ODOT. The outcome of the first meeting was to recommend continuing the conversation with stakeholders, focus on best practices, and work with ODOT on a case-by-case basis given the scope of their projects. A best practices approach allows for flexibility, collaboration, and coordination, rather than legislation.
- The sub-committee held its second meeting on Dig Once policies, this time focusing on municipal challenges. Mike Fina, director of the Oklahoma Municipal League (OML), shared his perspective and proposed better coordination by cities, residential & commercial developers, and industry.
- Challenges were discussed, including notification, planning, awareness, needs, costs, technology may limit the ability to participate in joint trenching, and there's no way for cities to notify providers when the ground is open. So the challenges are many and complex and require more discussion.
- The sub-committee is looking at what other states are doing on Dig Once.
- Sonja Wall at OneNet shared an idea for Broadband-Ready Communities. Not a mandate, but a signal, that a community is ready for broadband deployment. As described, it would be at the municipal level with an application process for broadband projects. OneNet is working with OML and providers to develop this program.
- The representative the Oklahoma Dept. of Transportation (ODOT) discussed a mapping opportunity to share information on future transportation projects with providers.
- OneNet is hosting conversation and developing on best practices. OSU is conducting studies on this topic. The Policy Impacts sub-committee looks forward to meeting with the Adoption Rate sub-committee on Dig Once.
- Questions and answers follow.
- Phillips: The Broadband Ready Community idea is brilliant and with our mapping efforts and new broadband grant program can all work together to really help.
- Whitacre: I'm about to host a seminar on the study OSU did on Dig Once policies. We studied Iowa's policies and results. Can present on that at a later date.
- Harpe: ARPA guidance and funding deadlines have been released. Broadband is a major component of what will be funded, but the distribution and decision process is still unknown. I met with Sen. Thompson, Rep. Wallace, and the Governor's office. Hope to present by next Council meeting.

**10. \* Discussion and possible action on recommendations of the Policy Impacts sub-committee (5 minutes)**

- No formal recommendations at this time.

**11. \* Discussion and possible action on membership of various sub-committees (5 minutes)**

- Motion #2: Mr. Wreath moved to add Gail Jackson, Edson Jean-Jacques, Jami Longacre, and Alan Stevenson to the Geographic Boundaries sub-committee; Mr. Grace seconded the motion.
- Motion #2 approved unanimously.
- Motion #3: Dr. Whitacre moved to add Benne Brewer, Jason Carini, Don Griffin, Gary Highley, Gail Jackson, Edson Jean-Jacques, Jami Longacre, and Mark Woodring to the Adoption Rate sub-committee; Mr. Webster seconded the motion.
- Motion #3 approved unanimously.
- Motion #4: Dr. Whitacre moved to add JJ Francais, Jami Longacre, and Barry Moore to the Policy Impacts sub-committee; Mr. Neal seconded the motion.
- Motion #4 approved unanimously.
- Motion #5: Mr. Neal moved to add Gail Jackson and Jami Longacre to the Advisory sub-committee; Dr. Whitacre seconded the motion.
- Motion #5 approved unanimously.
- Motion #6: Rep. Phillips moved to add Director Harpe and Mr. Neal to the Advisory sub-committee.
- Chair declared Motion #6 approved by unanimous consent.

#### **12. \* Discussion and possible action on preparing annual report (10 minutes)**

- The ORBEC legislation [[HB4018 ENR.PDF \(state.ok.us\)](#)] requires the Council to prepare and submit an annual report to the Governor, Speaker, and Pro Tem summarizing discussions, testimony, analysis, information or other actions and significant events during the preceding calendar year and containing the recommendations, if any, by the Council for legislation, action by executive branch agencies, or other actions in furtherance of the mission and duties of the Council.
- Phillips: Ms. Brugnoli will lead the effort to write the report.
- Brugnoli: Is the report still due in January?
- Phillips: Yes, I believe so.
- Brugnoli: Do we still access to Digital Transformation Fund?
- Harpe: We [Office of Management and Enterprise Services (OMES)] can find some cash.
- Brugnoli: Will the Council have access to Commerce support and notes?
- Phillips: I believe so and will check.
- Brugnoli: I think it will helpful to wait until any broadband legislation is signed.
- Phillips: The Legislature will finish considering all Broadband bills by next week.

#### **13. \* Discussion and possible action on the requirements of HB 2928 (5 minutes)**

- This item moved to the next meeting at the direction of the chair.

#### **14. Discussion of possible agenda items for next meeting**

- Data requirements for mapping in HB 2928.
- Harpe: Change from paper to digital maps. Use SNMP traffic from carriers. We need to address private sector concerns and real-time updates.
- *[SNMP stands for Simple Network Management Protocol, an Internet Standard protocol for collecting and organizing information about managed devices on IP networks and for modifying that information to change device behavior.]*
- Brugnoli: Would request a presentation by Governor's office or Mike Fina on federal money coming to municipalities through the American Rescue Plan Act (ARPA).

## 15. Announcements

- Governor Stitt has ended the COVID Emergency Order, so the Council will no longer meet virtually. Members must attend in-person in order to count toward quorum, speak, and vote.
- HB 2040 with broadband definitions was vetoed by the governor and has been fixed, so should be approved. Conversations continue on the pole attachment bill. If the governor signs the Broadband Grant Program bill, which seems likely, the program will be administered by this Council.
- Be thinking forward on Smart Cities, federal funding, etc.
- Harpe: Do we have access to attorneys to help write up this program?
- Phillips: Yes. We have access to attorneys at the House, the Senate, and Commerce.
- The next regularly scheduled meeting is at Noon, Wednesday, June 16, 2021. I'll have Alecia Shannon look into booking Room 206 of the Capitol. Meetings are on the third Wednesday of the month.
- Harpe: If that room isn't available, we have a large conference room on the third floor of the Will Rogers Building that the Council can use.
- Phillips: I thank the members of this Council for the work you've done this year. Together, we have accomplished more in one year than we thought possible in three. We asked the Legislature to approve \$500,000 in incentives and tax credits and they approved \$42 million.

## 16. Adjournment

- Rep. Phillips declared the meeting adjourned without objection at 1:19 p.m.

\* Indicates anticipated action.

Submitted by: Kirk Martin, Oklahoma Department of Commerce  
Approved by Council: 7/21/2021