



RURAL BROADBAND EXPANSION COUNCIL

Minutes of Regular Meeting **10:00 a.m. on Wednesday, October 20, 2021**

1. Welcome / Call to Order / Establish a Quorum

- Sen. Leewright called the meeting to order at 10:00 a.m., reminded all that the meeting is being recorded, and ordered the roll to be called.
- Present: Cliff Agee, Mike Berube, Drew Beverage, Mike Fina, Patrick Grace, James Leewright, Roger Neal, Logan Phillips, Jerry Whisenhunt, and Brian Whitacre.
- Absent: Darlene Brugnoli, Steven Harpe, Billy Staggs, Sammie Valentino, Daniel Webster, and Brandy Wreath.
- Chair declared that a quorum of the Council was present.
- Chair welcomed Mike Fina to the Council. Governor Stitt appointed Mr. Fina, replacing Mayor Smiley.

2. * Approval of Minutes of the September 15 meeting

- **Motion #1** by Mr. Fina to approve minutes as presented; Mr. Beverage seconds. Approved without objection.

3. Remarks from Co-Chairman Sen. James Leewright

- Rep. Phillips will address questions from several providers regarding submitting FCC Form 477 data to the Oklahoma Department of Commerce for mapping purposes.
- Phillips: Providers will not be required to turn in their 477 data to ODOC this year. They will use the providers' data as submitted to the FCC. In the next legislative session, we'll clean up the language in the statute to clarify this.
- Leewright: The ARPA Portal opened on Oct. 1, 2021, and we submitted a request on that day for \$2.1 million for additional data, computers, and staff for Commerce to complete its mapping duties for this Council. The request will be treated as an emergency administrative expense.
- Later in this meeting, I'd like council members to address supply chain and workforce issues.

4. Remarks from Co-Chairman Rep. Logan Phillips

- Three priorities of the Council this summer: grant rules; mapping; & annual report.
- A House staff member will help Darlene Brugnoli with the annual report.
- The Grant Rules sub-committee will meet next week.
- Reminder to sub-committee chairs to coordinate membership information with Kirk on a timely basis.

5. Presentation on grant and funding processes by Ms. Christina Foss of 929 Strategies (10 minutes)

- I will address what the federal American Rescue Plan Act (ARPA) is and the process the State has engaged in.

- [See the slide deck posted on the ORBEC web page as “929 Strategies’ Overview of Oklahoma’s ARPA Grant Process”]
- Leewright: What is the timeline for the portal?
- Foss: It is not “first come, first served” basis, but submitting sooner enables the Working Groups to evaluate proposals more carefully.
- Phillips: How in-depth must proposals be?
- Foss: The portal lists questions each proposal should address.
- Leewright: Do proposals get favorable consideration for collaborative projects?
- Foss: The Working Groups have indicated a preference for collaborative proposals.
- Leewright: This slide deck will be posted online.
- Agee: Please run through the dollar amounts again.
- Foss: \$1.87 billion allotted to the State for capital projects.
- Leewright: Are proposals treated as confidential.
- Foss: We are not sharing the proposals.
- Agee: Comment: The 2-year timeframe is challenging.
- Foss: The U.S. Treasury established the timeframe.
- Phillips: To clarify, awardees have 2 years to encumber the funds and 5 years to spend them.
- Foss: Yes.

6. Presentation on grant and funding processes by Mr. Clay Holk, Grants Management Office Director at the Office of Management and Enterprise Services (OMES) (5 minutes)

- [Agenda items 6 & 7 were combined for a joint presentation]

7. Presentation on grant and funding processes by Ms. Ashley Schenk and Mr. Jeff Meyers of Guidehouse, Project Management Office (5 minutes)

- [See the slide deck posted on the ORBEC web page as “Guidehouse & OMES’s Overview of Federal Funding for Broadband”]
- Whitacre: Is there money for setting up a State Broadband Office with dedicated employees?
- Holk: Up to 2% of the grant can be spent on allowable administrative costs.
- Leewright: Some states have already spent their ARPA funds. Will Guidehouse help match up submitted funding proposals to various funding sources?
- Meyers: Absolutely.
- Holk: At a recent conference of State Budget Officers, we found that no two states are doing it the same way. Many have allocated their funds through their usual legislative funding processes.
- Leewright: It’s my understanding that Oklahoma is leading the nation in the transparency of how it’s handling its ARPA funding.
- Schenk: Yes, a review of the Recovery Plan Performance Reports of states shows Oklahoma has a very open process, allowing citizens and businesses to submit ideas for projects.
- Phillips: To clarify, does the U.S. Treasury have a website for capital projects?
- Schenk: Yes. That’s for States (not companies or communities) to submit requests.
- Holk: That source of funding in ARPA is in addition to the state and local Fiscal Recovery allocations. It’s pretty clearly – but not exclusively – directed toward broadband projects. It is essentially another allocation and those projects would likely go through the Transportation,

Infrastructure, and Rural Development working group. As for reporting, we need to have more conversations about who's quarterbacking that.

- Fina: Thank you for your presentation. I have a daily meeting with Clay and Guidehouse about this and I learned new information. On the capital projects and infrastructure, it seems more technical than what we've dealt with before with ARPA dollars. It seems we need to be knowledgeable about our own infrastructure.
- Meyers: Yes. There are more hoops to go through and it depends on how the [federal] infrastructure bill finally comes down.
- Fina: That puts pressure on the mapping by this Council to consider other factors such as the demographics and economic status of areas.
- Phillips: We've met to discuss this and many of these additional data points are being incorporated into our maps.
- Whitacre: Regarding the Affordable Connectivity Fund – is that stackable on the Emergency Broadband Benefit program (EBB)?
- Holk: My understanding is that it's the same program, just a different name. I don't know if it's stackable. We'll need to wait on guidance.
- Meyers: I believe it does replace the existing EBB program and I don't think it's stackable.

8. Report of the GEOGRAPHIC BOUNDARIES sub-committee by Ms. Jenny Dillon for Mr. Brandy Wreath (10 minutes)

- The sub-committee met this month and saw a presentation of the digital map. Our concern is with the currency of the data used in the map. We don't see how we can make a clear recommendation of where money should be spent based on old data. We reiterate our support for purchasing the Ookla datasets to add to the map. We would support adding an overlay of state broadband assets and possibly an overlay of OUSF primary funding areas.
- Phillips: We'll now have a demo of the digital map from Mr. Aldwyn Sappleton, Deputy Director of Research and Economic Analysis with the Oklahoma Department of Commerce.
- Sappleton: There are two digital maps for broadband in Oklahoma: an internal map for decision-making which includes proprietary data and which is available to members of this Council and a public-facing map which is now available on the ORBEC web page.

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

- Phillips: The \$2.1 million requested by this Council includes purchasing the Ookla data.
- Beverage: What does the median speed refer to on this map?
- Sappleton: This is advertised speed, showing the median for a given area.
- Whitacre: Does that include satellite?
- Sappleton: No. The legislation excludes satellite from consideration.
- Whitacre: I would suggest adding a layer to show the maximum advertised speed available in a given area. That's what the FCC will be looking at to determine if the area is served.
- Sappleton: Layers are not a problem. The data are there. Let us know what information you need shown for decision-making.

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

- Status of EBB in Oklahoma – we continue to rank in Top Five states.

- Digital Navigator program – trainings this week for 5 digital navigators. We hope they'll be helping people in their communities by next week.

11. * Discussion and possible action on recommendations of the Adoption Rate sub-committee (5 minutes)

- Beverage: Where are the five communities with Digital Navigators?
- Whitacre: Blackwell, Davis, Seminole, Okemah, and Pauls Valley.
- Phillips: If the Digital Navigator program proves successful, the Council may want to consider proposing using some of the State's ARPA funds to expand this program.

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

- Skip item – Ms. Brugnoli is not present.

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

- Skip.

14. Report of the ADVISORY sub-committee by Director Steven Harpe (5 minutes)

- Skip item – Director Harpe is not present.

15. * Discussion and possible action on recommendations of the Advisory sub-committee (5 minutes)

- Skip.

16. Report of the GRANT RULES sub-committee by Representative Logan Phillips (5 minutes)

- The first meeting was two and half weeks ago. They will meet again next week. We're looking at what other states are doing.

17. * Discussion and possible action on recommendations of the Grant Rules sub-committee (5 minutes)

- None.

18. Discussion of possible agenda items for next meeting

- Leewright: I want to invite members to share any concerns about supply chain and workforce. What I'm hearing is 6-8 month lag times on ordering. I anticipate that will get worse as other states start rolling out.
- Whisenhunt: At Pine Telephone, we're experiencing long lead times; however, we're getting materials we need to do our work. What slows us down is getting NEPAs and all of the other approvals. Anything we can do to help with that would help.
- Leewright: Any workforce problems?
- Whisenhunt: I've heard from others they've had that problem, but we're fortunate – we've had the same contractors for years and they know we'll be around 20 years from now, so they can't afford to dodge us.
- Beverage: 5-6 months wait times on material orders; we are hiring.

- Fina: Infrastructure materials are beginning to get more expensive and take longer. Also, as everyone gears up for all this infrastructure work, municipalities are losing experienced staffers (e.g., those with right-of-way expertise) to the private sector for higher pay, creating shortages.
- Berube: On the equipment side (CPE & fiber), we're doing okay. On the back office side, routers and switches are taking about twice as long (a year vs. 6 months). On the labor side, we're having a harder time finding talent. Part of that is due to the market rate. Some employers are offering rates well above current market rates.
- Leewright: One reason for asking this is to determine if we need to start now on training programs.
- Fina: Deeper discussion on the Capital Projects side. Do we need a separate sub-committee?

19. Announcements

- Next regularly scheduled meeting: **10:00 a.m.**, Wednesday, Nov. 17, 2021, in **Room 4S.5**, State Capitol. [Members must attend in-person in order to count toward quorum, speak, and vote.]

20. Adjournment

- Rep. Phillips adjourned the meeting at 11:23 a.m.

* Indicates anticipated action.

Prepared by: Kirk Martin, Oklahoma Department of Commerce
Approved by Council, as presented, on 11/17/2021.