RURAL BROADBAND EXPANSION COUNCIL

Minutes for Special Meeting
December 16, 2020 at 10:00 a.m.
State Capitol, Room 112

The location of the meeting shall be at the State Capitol Building, 2300 N. Lincoln Blvd., Room 112, Oklahoma City, OK 73105.

People may observe this meeting either remotely through teleconference or in person. Observation through teleconference shall be through Zoom.
- Link to access meeting: https://okcommerce.zoom.us/j/93907263797
- Meeting ID: 939 0726 3797
- Call-in: 312-626-6799

The notice of this Regular Meeting was filed with the Secretary of State’s Office on December 8, 2020. The agenda was posted at least twenty-four (24) hours prior to the meeting at the East entrance 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-notices/#rbec.

1. Welcome / Call to Order / Establish a Quorum
- Sen. Leewright welcomed members and guests, called the meeting to order at 10:00 a.m. and asked for the roll to be called.
- Members attending in person: Michael Berube, Patrick Grace, James Leewright, David Ostrowe [arrived at 10:25 a.m.], Logan Phillips, Daniel Webster, and Jerry Whisenhunt.
- Members listening remotely: Darlene Brugnoli, Roger Neal, Sammie Valentino, Brian Whitacre, and Brandy Wreath.
- Members not joining: Jack Smiley and Billy Staggs.
- Lacking a quorum of 8 members physically present, the Council proceeded with presentations and discussions with no binding votes or actions able to be taken.

2. * Approval of Minutes from November 10 meeting
- Tabled until next meeting for lack a quorum.

3. Remarks from Co-Chairman Sen. James Leewright
- Sen. Leewright recognized the Council members who chair each of the 4 sub-committees:
  - Mr. Brandy Wreath – OK Corporation Commission Geographic Boundaries
  - Ms. Darlene Brugnoli – Verizon Policy Impacts
  - Secretary David Ostrowe Advisory
  - Dr. Brian Whitacre – OSU Adoption Rates

4. Remarks from Co-Chairman Rep. Logan Phillips
• Rep. Phillips stated that the Legislature has directed this Council to recommend new policies and incentives “to improve, expand and reduce the cost of high-speed internet connectivity in rural Oklahoma.”
• He and Sen. Leewright have introduced shell bills. Other legislative deadlines are approaching – Initial bill language is due Dec. 31; full language is due Jan. 21.
• The chairs of the sub-committees are asked to present to the full Council at next month’s meeting.

5. Presentation by Sec. Ostrowe on anticipated state budget situation and current broadband subscriptions & costs (5 minutes)
   • Tabled until next meeting for lack a quorum.

6. Presentation by Mr. Jerry Whisenhunt (for Mr. Brandy Wreath) from the sub-committee on Geographical Boundaries on defining “broadband” (10 minutes)
   • Mr. Wreath previously posted a definition in the Council’s file-sharing site; filename: 12-16 Broadband Definition.docx.
   • Tabled until next meeting for lack a quorum.

7. * Discussion on different modes of broadband and possible action on an appropriate definition (10 minutes)
   • Mr. Whisenhunt: The sub-committee recommends following the federal definition (25/3). “Band-Aid” until other options available.
   • Mr. Grace: Reference the federal definition (at a minimum) so Oklahoma’s definition is never less than the federal definition.
   • Mr. Whisenhunt: 10% of 25/3 = served.
   • Mr. Webster: Latency component?
   • Tabled until next meeting for lack a quorum.

<<At 10:25 a.m., Secretary Ostrowe joined the meeting.>>

8. Presentation by Sec. Ostrowe on Broadband Adoption Rate data (15 minutes)
   • Sec. Ostrowe previously provided a slide-deck posted in the Council’s file-sharing site; filename: State Broadband Adoption Powerpoint Charts_Draft 9.pptx.
   • Tabled until next meeting.

9. Presentation by Patrick Fucik from T-Mobile on service coverage (10 minutes)
   • Mr. Fucik, requested by lobbyist Spencer Guinn of Guinn Strategies, joined remotely and presented a slide deck.
   • T-Mobile recently merged with Sprint. They have made a huge investment in 5G.
   • Mike Fina (OML): What percent of rural has handset coverage? 85% of rural residents. “cable-opoly.”
   • Sec. Ostrowe: What are the price ranges for rural users?
   • Mr. Grace: Maps available?

10. * Discussion and possible action on Broadband Adoption Rate data (10 minutes)
• Tabled until next meeting for lack a quorum.

11. * Discussion and possible action on 11/10/20 presentation by CostQuest Associates on research and methods for establishing Geographic Boundaries for Broadband areas and need to identify service coverage (10 minutes)
   • Rep. Phillips: We will request funding for additional mapping.
   • Sec. Ostrowe: Asking FCC for more funding. Likely, more levels of data needed. $500,000.
   • Sen. Leewright [to Ostrowe]: The Governor’s office is asking the FCC for this money?
   • Sec. Ostrowe: Yes.
   • Mr. Grace: Cost Quest data; verification of speeds; desired level; need to refresh data frequently.
   • Rep. Phillips: The Geographic Boundaries sub-committee will recommend the amount of the funding request.

• Tabled until next meeting for lack a quorum.

12. * Discussion and possible action on Geographic Boundaries (5 minutes)
   • Tabled until next meeting for lack a quorum.

13. * Discussion and possible action on service coverage (5 minutes)
   • Tabled until next meeting for lack a quorum.

14. Discussion on complying with provisions of Oklahoma Open Meeting Act (5 minutes)
   • Sen. Leewright: No more than 6 7 Council members may attend a sub-committee meeting at any given time; otherwise a quorum of the Council would be present, in violation of the Act.
   • The Act effectively requires that members be physically present at Council meetings in order to participate (that is, to be counted toward quorum, speak, or vote). Non-members can still join via Zoom. Early in the upcoming session, the Legislature may amend the Open Meeting Act to allow members of this Council (and other boards covered by the Act) to participate by teleconference (using Zoom), as was permitted before Nov. 15.
   • Sub-committees are permitted to conduct meetings via teleconference.

15. * Discussion and possible action on membership of various sub-committees (5 minutes)
   • Rep. Phillips: Sub-committee chairs wishing to add members should propose those names to the Council for approval. Do any chairs have potential new members to add?
     ▪ Ms. Brugnoli earlier recommended Bruce Robertson from Capitol Consultants (representing Verizon) to serve on the Policy Impacts sub-committee and Deano Cox (AT&T) volunteered. Approved without objection.
     ▪ Dr. Whitacre earlier recommended several names who volunteered for the Adoption Rates sub-committee: Deano Cox (AT&T); Mike Fina (Oklahoma Municipal League); Tom Karalis (Oklahoma Telephone Assn); & Sonja Wall (OneNet). Approved without objection.

16. Discussion of possible agenda items for next meeting
   • Rep. Phillips invited suggestions from Council members. Suggested:
     ▪ Unfinished business (tabled items) from today’s meeting;
     ▪ Reports from all 4 sub-committees; and
     ▪ Presentation of Adoption Rate slide-deck by Sec. Ostrowe.
17. Announcements
   • Throughout 2021, Council meetings are scheduled on the 3rd Wednesday of each month from 10:00-11:30 a.m.

<table>
<thead>
<tr>
<th>Jan. 20</th>
<th>Apr. 21</th>
<th>Jul. 21</th>
<th>Oct. 20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feb. 17</td>
<td>May 19</td>
<td>Aug. 18</td>
<td>Nov. 17</td>
</tr>
<tr>
<td>Mar. 17</td>
<td>Jun. 16</td>
<td>Sep. 15</td>
<td>Dec. 15</td>
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18. Adjournment
   • Rep. Phillips moved to adjourn; Mr. Webster seconded. Approved without objection at 11:03 a.m.

* Indicates anticipated action.

The following individuals joined this meeting:

**Voting members attending in person** (alphabetical by last name)
- Mr. Michael Berube, CoxCom, LLC
- Mr. Patrick Grace, Oklahoma Electric Cooperative
- Sec. David Ostrowe, Office of the Governor – Digital Transformation & Administration [arrived at 10:25 a.m.]
- Mr. Daniel Webster, Northeast Oklahoma Electric Cooperative
- Mr. Jerry Whisenhunt, Pine Telephone Company, Inc.

**Non-voting members attending in person** (alphabetical by last name)
- St. Sen. James Leewright, Oklahoma State Senate
- St. Rep. Logan Phillips, Oklahoma House of Representatives

**Other joining in person or via Zoom** (alphabetical by first name)  **Bold Italic = Council member**
- Alan Stevenson, Oklahoma Dept. of Transportation
- Barry K. Moore, BKM Group
- Brandy Wreath, **Oklahoma Corporation Commission**
- Brian Whitacre, **OSU**
- Bruce Robertson, Verizon
- Chris Benge, OSU - Tulsa
- Chris Meyers, Oklahoma Assn. of Electric Cooperatives
- Chris Turner, **__________**
- Clete Hertensen, **__________**
- Cliff Agee, Chickasaw Nation of Oklahoma
- Danielle Carpenter, **__________**
- Danny Williams, Oklahoma House of Representatives
- Darlene Brugnoli, **Verizon**
- Deano Cox, AT&T
- Don Griffin, Mid-Continent Group
- Drew Beverage, ProValue.net
Erik Feighner  Oak Ridge Natural Resources, LLC
Gary Highley  Canadian Valley Electric Cooperative
Jami Longacre  Longacre, Inc.
Jason Carini  Rogers County
Jenny Dillon  Oklahoma Dept. of Corrections
Jim Reese  Oklahoma Assn. of Electrical Cooperatives
Julia Jernigan Smith  Creative Capitol Strategies
Mark Prather  FLIR Detection
Matt Latham  Latham Consulting Group / OK Cable and Internet Assn.
Matt Trotter  Public Radio Tulsa
Nathan Fowler  ____________
Patrick Fucik  T-Mobile US, Inc.
Robbie Squires  CoxCom, LLC
Roger Neal  Duncan Regional Hospital
Sammie Valentino  AT&T
Samual Curtis  @Link Services of Tulsa
Sandra Harrison  Oklahoma Hospital Assn.
Scott Tohlen  Oklahoma Hospital Assn.
Shawn Ashley  eCapitol
Sonja Wall  OCAN & OneNet
Spencer Guinn  Guinn Strategies (representing T-Mobile)
Stephanie Orr  ____________
Travis Noland  Cherokee Nation
Trish Ranson  Oklahoma House of Representatives
Tyler Powell  CSS Partners
405-371-9970  ____________
V41  ____________

Commerce staff (alphabetical by first name)
Holly Miller  Oklahoma Dept. of Commerce
Josh McGoldrick  Oklahoma Dept. of Commerce
Kirk Martin  Oklahoma Dept. of Commerce
Leslie Blair  Oklahoma Dept. of Commerce


Approved by the Council as presented on Feb. 24, 2021.