



# 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.
  - Rep. Phillips: Definitions of served, underserved, and unserved.
  - 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 3<sup>rd</sup> Wednesday of each month from 10:00-11:30 a.m.

Jan. 20	Apr. 21	Jul. 21	Oct. 20
Feb. 17	May 19	Aug. 18	Nov. 17
Mar. 17	Jun. 16	Sep. 15	Dec. 15

**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
<b><i>Brandy Wreath</i></b>	<b><i>Oklahoma Corporation Commission</i></b>
<b><i>Brian Whitacre</i></b>	<b><i>OSU</i></b>
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
<b><i>Darlene Brugnoli</i></b>	<b><i>Verizon</i></b>
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
<b>Roger Neal</b>	<b>Duncan Regional Hospital</b>
<b>Sammie Valentino</b>	<b>AT&amp;T</b>
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)

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Holly Miller	Oklahoma Dept. of Commerce
Josh McGoldrick	Oklahoma Dept. of Commerce
Kirk Martin	Oklahoma Dept. of Commerce
Leslie Blair	Oklahoma Dept. of Commerce

- To receive meeting notices for the Oklahoma Rural Broadband Expansion Council, sign up at <https://www.okcommerce.gov/about-us/rural-broadband-expansion-council/>.

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