



RURAL BROADBAND EXPANSION COUNCIL

Minutes [Approved]
September 16, 2020 at 10:00 a.m.
Special Meeting

This special meeting is being held virtually consistent with the amendments to the Open Meeting Act, 25 O.S. 2011, § 301 et seq, signed into law by Governor Stitt on Wednesday, March 18, 2020. See [SB661](#), 2020 O.S.L. 3, § 3

- Link to access meeting: <https://okcommerce.zoom.us/j/93907263797>
- Meeting ID: **939 0726 3797**
- Call-in: 312-626-6799

The notice of this virtual special meeting was filed with the Secretary of State's Office on September 9, 2020. The agenda was posted on September 11, 2020, at least forty-eight (48) hours prior to the meeting on the East entrance of the Oklahoma Department of Commerce building at 900 N. Stiles Ave., Oklahoma City as well as on the Oklahoma Department of Commerce Website at <https://www.okcommerce.gov>.

1. Welcome / Call to Order / Establish a Quorum

- Sen Leewright welcomed members and called the meeting to order at 10:00 a.m. Members present: Michael Berube; Darlene Brugnoli; Patrick Grace; James Leewright; Roger Neal; David Ostrowe; Logan Phillips; Billy Frank Staggs; Sammie Valentino; Daniel Webster; Brian Whitacre; Brandy Wreath. Members absent: Mayor Jack Smiley; Mr. Jerry Whisenhunt. Sen. Leewright recognized a quorum of the Council.

2. Approval of Minutes from inaugural meeting

- Minutes amended to provide names for certain motions and seconds.
- **MOTION 1** by Mr. Neal to approve minutes, as amended; seconded by Ms. Brugnoli. Motion approved unanimously by roll call vote.

3. Remarks from Co-Chairman Rep. Logan Phillips

- The work of this Council will help us write legislation resulting in improved access to broadband throughout Oklahoma. Tackling this challenge will be a multi-year process.

4. Remarks from Co-Chair Sen. James Leewright

- none

5. Presentation by David Ostrowe, Secretary of Digital Transformation, on previous broadband work and accomplishments (20 minutes)

- 18 months ago, Oklahoma was ranked 47th regarding broadband. There were many right-of-way, ownership, and control issues – Who owns fiber? Who controls it? We sought to streamline activities & looked at the Kansas model, where they have a “czar.” Through the efforts of Tim Gatz, Secretary of Transportation & Executive Director of ODOT, and others, Oklahoma now ranks 26th. We now make quarterly updates to the State Broadband Plan, which helps when seeking funding from the FCC.

- Sonja Wall, Broadband Coordinator at OneNet, continued the overview presentation.
- [See presentation document: “RBEC Broadband Coordination Summary August 2020” posted at <https://www.okcommerce.gov/about-us/rural-broadband-expansion-council/>]
- Ms. Wall reviewed the shared document with the group. Topics addressed: Broadband Roundtables; State Agency Broadband Task Force; State Broadband Advisory Council; and activities completed or in progress. Highlights below:
 - Finalizing the annual update to the Oklahoma State Broadband Plan, completed in 2019; should be approved in October.
 - Testing the Rural Broadband expansion template in Purcell.
 - Finalized Broadband Ready application; it’s being reviewed by Tahlequah.
 - The state fiber inventory is 85% complete. A state fiber repository has been established.
 - Accepted proposals from mapping vendors and recommended CostQuest Associates to be the vendor. (Contract under review at OMES right now.)
 - Developed the Oklahoma Digital Inclusion Alliance, which meets monthly.
 - Streamlined the state approval process for Right-of-Way access with ODOT & OK Turnpike Authority.
- Sec. Ostrowe: Although this was an initiative by Governor Stitt, it would not be possible without the cooperation of the Chancellor for Higher Education for providing funding these efforts.
- Q1 – Sec. Ostrowe: Does the Council wish to disband the State Broadband Advisory Council or roll it into a sub-committee of this Council or have two groups?
- Rep. Phillips & Sen. Leewright: The Advisory Council has done important and valuable work. For coordination purposes and to keep the private sector in the lead on these efforts, it might function best as a sub-committee of this Council.
- **MOTION 2** by Sen. Leewright to make the State Broadband Advisory Council a sub-committee of the Rural Broadband Expansion Council; seconded by Mr. Neal. Motion approved unanimously by roll call vote.
- Q1 – Rep. Phillips: Can you provide more information about the CostQuest Associates mapping. Sec. Ostrowe: Same group that maps for FCC. At Central Purchasing [OMES] now, waiting for a sole-source contract; should be out shortly. \$145,000 for original map; have not purchased a subscription service because it doubles the cost.
- Q2 – Sen. Leewright: What will be the total cost? Sec. Ostrowe: In the range of \$300,000.

6. Presentation by Dr. Brian Whitacre, Oklahoma State University, on research findings on broadband policies, legislation, and funding mechanisms of other states (20 minutes)

- [See presentation document: “RBEC Broadband Policy Impacts Presentation 9-16-2020” posted at <https://www.okcommerce.gov/about-us/rural-broadband-expansion-council/>]
- Sec. Ostrowe: There are significant municipal issues with rights-of-way (ROW).
- Q1 – Sen. Leewright: Do you have an opinion on using CostQuest data as a baseline vs FCC data (which overstates the availability of broadband in rural areas)? Dr. Whitacre: CostQuest data is very good; my concern is keeping the data current over time once the baseline data is collected.
- Sen. Leewright: Municipal policy restrictions have a significant effect. Something to explore. Possible Policy sub-committee recommendation for later to address state and municipal issues.

7. Presentation by Mr. Brandy Wreath, Oklahoma Corporation Commission, on the Oklahoma Universal Service Fund (OUSF) (20 minutes)

- [See presentation document: “RBEC Oklahoma Universal Service Fund Presentation 9-16-2020” posted at <https://www.okcommerce.gov/about-us/rural-broadband-expansion-council/>]

- About \$400 million has flowed to support services in Oklahoma. However, larger companies are not eligible for the OUSF cost support programs to serve smaller communities.
 - Mr. Neal left meeting at 11:00 a.m. to attend to an emergency.
- Mr. Wreath: Mr. Whisenhunt texted that he is unable to participate in today's meeting because he is stuck in the hurricane.

8. Presentation by Mr. Brandy Wreath from the sub-committee on Geographical Boundaries (20 minutes)

- [See presentation document: "RBEC Broadband Boundary Subcommittee Straw-man Proposal 9-03-2020" posted at <https://www.okcommerce.gov/about-us/rural-broadband-expansion-council/>]
- Too early to make recommendation on geographic boundaries. Get with CostQuest Associates to discuss the data.
- Need raw data available at Census Block level.
- Recommend an overlay identifying areas of full support, some support, and no support. For public-facing map, recommend a stop-light system.
- Ensure CostQuest Associates' study is technology-neutral (not just fiber). Data validation & verification methodologies. Discuss collecting data if moving beyond 25/3 minimum speed.
- The sub-committee needs a clear statement regarding the desired outcome of this project.
- Q1 – Ms. Brugnoli: Could we have a presentation by CostQuest Associates on what they've done for the Governor's Council? Could address numerous issues.
- Q2 – Sen. Leewright to Sec. Ostrowe: How long to execute and to receive results from CostQuest Associates? Sec. Ostrowe: Sole source contract submitted for approval. Sonja Wall: CostQuest Associates said they could deliver a map within 4 months of signed contract.
- Sen. Leewright: Getting the boundaries right is one of the most important tasks of this Council.
- Dr. Whitacre: CostQuest Associates have a PowerPoint presentation.
- Ms. Brugnoli: Perhaps they could tailor it to this Council.
- Co-chair Phillips invited a motion for a CostQuest Associates presentation.
- **MOTION 3** by Ms. Brugnoli to invite CostQuest Associates to present at the next Council meeting; seconded by Mr. Grace. Motion approved unanimously by roll call vote.
- Rep. Phillips expressed support for a color-coded, public-facing map of service coverage.

9. Discussion of possible agenda items for next meeting

- **MOTION 4** by Sen. Leewright to establish a sub-committee on Policy Impacts (both positive and negative) at the State & Municipal levels; seconded by Mr. Webster. Motion approved unanimously by roll call vote.
- Co-chair Phillips called for volunteers and recommendations for members to serve on the Policy Impacts sub-committee. The following members volunteered: Darlene Brugnoli; Daniel Webster, Mike Berube; James Leewright; Sammie Valentino. Additionally, Ms. Brugnoli recommended Jack Smiley to serve to represent the perspective of mid-size cities.
- **MOTION 5** by Mr. Grace to accept those volunteering or recommended above to serve on the Policy Impacts sub-committee; seconded by Ms. Brugnoli. Motion approved unanimously by roll call vote.

- Q1 – Mr. Grace: Is all federal funding data from FCC & USDA-RD public? Dr. Whitacre/Mr. Wreath replied that the information is available. Mr. Grace: I think the Geographical Boundaries sub-committee may want to look at that funding data.
 - Q2 – Ms. Brugnoli: Is funding data to be collected by state agencies? Sonja Wall: Yes; we're working on it.
 - Ms. Brugnoli: Helpful if map identifies areas of over-build.
 - Rep. Phillips: adoption rates – clarify what's meant by "over-build." Sen. Leewright agreed.
 - Sec. Ostrowe: We commissioned an Adoption Study with CARES money. Should go out in next 2 weeks. John Budd, Sec. of Agency Accountability, is overseeing it. Hope results will be ready in next month.
 - Dr. Whitacre: Adoption levels data are available from Census, but a little dated. Will send to Sec. Ostrowe to give to Sec. Budd.
 - Rep. Phillips: We may consider later creating a sub-committee on Adoption Rates. Sen. Leewright asked to add an agenda item for the Oct. meeting re: Adoption Rates data. Sec. Ostrowe will present on the topic.
 - Rep. Phillips: Sending an outreach letter to tribal groups to get them involved and share information about programs, processes, data, etc. Invite them to present to this group.
 - Q3 – Sen. Leewright to Sec. Ostrowe: Which tribes have you worked with previously? Mainly the Chickasaws, but presentations to all the tribal councils.
 - Mr. Grace: Per the legislation, this Council is tasked with defining "over-building," perhaps by Policy Impacts ("municipal issues") sub-committee, and possibly "broadband," perhaps by the Geographic Boundaries ("Brandy's") sub-committee.
 - Q4 – Ms. Brugnoli: Will the Council have a discussion on different modes of broadband (fixed vs. mobile; variability of speeds; etc.).
 - Q5 – Sen. Leewright: Factors in defining broadband? Sec. Ostrowe: Use FCC definition as a minimum (25/3, bifurcated between fixed and wireless); Mr. Wreath: I echo that. Mr. Wreath will send out the FCC's broadband definition (simplified) to the Council.
 - Rep. Phillips: We will likely need to update the statutory definition.
 - Rep. Phillips: Josh Moore, city councilman from Edmond, has requested to address the Council to discuss urban & suburban issues re: broadband. Ms. Brugnoli welcomed the request.
- Mr. Berube left the meeting at approximately 11:40 a.m.
- **MOTION 6** by Sen. Leewright to invite Josh Moore to next meeting to discuss urban & suburban issues with broadband expansion; second by Ms. Valentino. Motion approved unanimously by roll call vote.

10. Announcements

- Next regularly scheduled meeting: Wednesday, October 21, 2020. 10:00 a.m. In person [tentatively, Rm 206 at State Capitol] with virtual option. Ms. Brugnoli: Will there be masks and social distancing? Sen. Leewright: We'll find out and share that information with the meeting notice. Rep. Phillips stated that meeting rooms in the House have chairs 6 feet apart, but masks are not required.
- Kirk Martin: To receive meeting notices for the Oklahoma Rural Broadband Expansion Council, sign up at <https://www.okcommerce.gov/about-us/rural-broadband-expansion-council/> or email me.

11. Adjournment

- Motion by Sen. Leewright to adjourn; seconded by Mr. Webster. Approved by voice vote. Meeting was adjourned at 11:45 a.m.

The following individuals joined this virtual meeting:

Voting members (alphabetical by last name)

Mr. Michael Berube	Terex USA
Ms. Darlene Brugnoli	Verizon
Mr. Patrick Grace	Oklahoma Electric Cooperative
Mr. Roger Neal	Duncan Regional Hospital
Sec. David Ostrowe*^	Office of the Governor – Digital Transformation & Administration
Mr. Billy Frank Staggs	Chickasaw Holding Company
Ms. Sammie Valentino	AT&T Corp.
Mr. Daniel Webster	Northeast Oklahoma Electric Cooperative
Dr. Brian Whitacre	Oklahoma State University

Non-voting members (alphabetical by last name)

St. Sen. James Leewright	Oklahoma State Senate
St. Rep. Logan Phillips	Oklahoma House of Representatives
Mr. Brandy Wreath	Oklahoma Corporation Commission

Non-members (alphabetical by first name)

Alan Stevenson*^	Oklahoma Dept. of Transportation
Barry K. Moore*	BKM Group
Benny Vanatta	Vanatta & Associates
Brent Wilborn	Oklahoma Primary Care Assn.
Bruce (Bruce's iPhone)	unknown
Chris Meyers	Oklahoma Assn. of Electric Cooperatives
Cathy Van Hoy	Oklahoma Dept. of Libraries
Chase Snodgrass	Office of the Attorney General
David Goodspeed	Oklahoma Electric Cooperative / Oklahoma Fiber
Deano Cox*	AT&T
Derald Glover	Oklahoma Assn. of School Administrators
Donna Dyer	ECO Family Health Center
Emily Sederstrom	OU Medicine
Gary Highley	Canadian Valley Electric Cooperative
Hunter Robinson	Central Electric Cooperative
Jami Longacre	Longacre, Inc.
Jeanene Barnett	Cooperative Council for Oklahoma School Administration
Jeff Risley	Saxum Strategic Communications
Jenny Dillon	Oklahoma Dept. of Corrections
Jill Daugherty	Chickasaw Nation

Jim Reese*	Oklahoma Assn. of Electrical Cooperatives
John Estus	Oklahoma House of Representatives
Kelley	unknown
Kevin Nelson	Kevin R. Nelson Law Firm PLLC
Kyle Coulter	Southwestern Christian University
Logan Lewis	Cherokee Nation Businesses
Matt Latham*	Latham Consulting Group / OK Cable and Internet Assn.
Matt Trotter	Public Radio Tulsa
Patrick Fucik	Sprint Corporation
Sandra Harrison	Oklahoma Hospital Assn.
Scott Tohlen	Oklahoma Hospital Assn.
Scout Anvar	Oklahoma Education Assn.
Shannon Tice	Kellogg & Sovereign Consulting, LLC
Shawn Ashley	eCapitol
Sonja Wall^	OCAN & OneNet
Spencer Guinn	FKG Consulting
Thomas Cohrs	Oklahoma House of Representatives staff
Tom Karalis*	Oklahoma Telephone Assn. / OK Rural Broadband Assn.
Trish Ranson	Oklahoma House of Representatives
Tyler Powell	CSS Partners
Wallace	unknown
Zac Swartz	Oklahoma Farm Bureau
405-406-3697	[John Milner?] _____
405-534-7809	unknown

Commerce staff (alphabetical by first name)

Brent Kisling*^	Oklahoma Dept. of Commerce
Holly Miller	Oklahoma Dept. of Commerce
Josh McGoldrick	Oklahoma Dept. of Commerce
Kirk Martin	Oklahoma Dept. of Commerce
Leslie Blair	Oklahoma Dept. of Commerce

* Member of State Broadband Advisory Council

^ Member of State Agency Broadband Task Force