

Virginia Broadband Advisory Council

2023 Annual Report
October 1, 2022 – September 30, 2023

Introductory Background

In today's connected world, the societal importance and economic relevance of broadband is increasingly clear. Recognizing the need to provide all Virginians with broadband access, the Broadband Advisory Council ("the Council") was established pursuant to § 2.2-100 Code of Virginia, within the executive branch of the Commonwealth. The Council's purpose is to advise the Governor on policy and funding priorities in order to expedite deployment and reduce the cost of broadband access in the Commonwealth. The Council was established due to a recommendation by the Broadband Roundtable, established by Governor Kaine in 2007, and was codified during the 2009 legislative session (Chapter 818, 2009 Acts of Assembly).

This overview will provide an outline of the Council's duties, Council membership, and a summary of the Broadband Advisory Council meetings between October 1, 2022 and September 30, 2023.

Council Duties

The Broadband Advisory Council was established to determine the Commonwealth's broadband goals and how best to achieve them. The Council is charged with the following duties per § 2.2-2699.4 Code of Virginia:

- Monitor the broadband-based development efforts of other states and nations in areas such as business, education, and health;
- Consult with the Department of Housing and Community Development to designate the unserved areas to receive funds.
- Advise the Governor, the Secretary of Commerce and Trade, and the General Assembly on policies and strategies related to making affordable broadband services available to every Virginia home and business;
- Monitor broadband-related activities at the federal level;
- Encourage public-private partnerships to increase the deployment and adoption of broadband services and applications;
- Annually report to the Governor and the Joint Commission on Technology and Science on the progress towards the goal of universal access for businesses and on the assessment of Commonwealth broadband infrastructure investments and utilization of Council-supported resources to promote broadband access;
- Periodically review and comment on the quality, availability, and accessibility of state-maintained or funded broadband resources and programs, including but not limited to: Virginia Resources Authority Act funding of the "Online Community Toolkit"; the Center for Innovative Technology's mapping and outreach initiatives; investments made through programs administered by the Department of Education, Department of Housing and Community Development,

Department of Public Rail and Transportation, and the Tobacco Region Revitalization Commission; and

- Monitor regulatory and policy changes for potential impact on broadband deployment and sustainability in the Commonwealth.

Council Membership

As prescribed by the § 2.2-2699.3 Code of Virginia, the Council consists of members representing various stakeholders in the Virginia broadband industry and the state legislature. The Broadband Advisory Council is comprised of 17 members. The Council consists of: four members of the House of Delegates, three members of the Senate, six non-legislative citizen members appointed by the Governor, one representative of the Virginia Cable Telecommunications Association, one representative of the Virginia Telecommunications Industry Association, one representative from local government recommended by the Virginia Municipal League and Virginia Association of Counties, one representative of the Virginia Wireless Internet Service Providers Association, one representative of a wireless service authority, one representative of the Virginia, Maryland and Delaware Association of Electric Cooperatives, the Executive Director of the Center for Rural Virginia, and three Secretaries as defined in Va. Code § 2.2-200 to be appointed by the Governor shall serve ex officio members.

At the end date of this report, council members are:

Delegate Kathy Byron (Chair) - House of Delegates
Senator Jennifer Boysko (Vice Chair) - Senate
Delegate James Leftwich - House of Delegates
Delegate Thomas Wright, Jr. - House of Delegates
Delegate David Reid - House of Delegates
Senator Ghazala Hashmi - Senate
Senator Lynwood Lewis – Senate
Secretary of Commerce and Trade, Caren Merrick
Secretary of Agriculture and Forestry, Matthew Lohr
Kristie Helmick Proctor - Center for Rural Virginia
Steve Sandy – Local Government Representative (Franklin County)
Ray LaMura - Virginia Cable Telecommunications Association (VCTA)
Casey Logan - Virginia, Maryland and Delaware Association of Electric Cooperatives (VMDAEC)
Richard Schollman - Virginia Telecommunications Industry Association (VTIA)
James Carr - Virginia Wireless Internet Service Providers Association (WISPA)
Mike Culp - Wireless Service Authority Representative

Meeting Minutes

Between October 1, 2022 and September 30, 2023 the Council met three (3) times (January 20th, June 9th, and August 28th) to discuss, deliberate, learn, and report on broadband issues and public policy as it relates to the broadband deployment interests of the Commonwealth. A Council meeting was held on September 30, 2022, the minutes of which are included. Minutes of each meeting are provided below:

September 30, 2022 Meeting Minutes

**BROADBAND ADVISORY COUNCIL
APPROVED MINUTES
September 30, 2022
11:00AM
Hanover County Administration Building
7516 County Complex Road
Hanover, VA 23069
Virtual Option provided via Google Meet**

Members Present

Senator Jennifer Boysko, Chair
Delegate Kathy Byron, Vice Chair
Senator Lynwood W. Lewis
Senator Ghazala Hashmi
Delegate James Leftwich
Delegate Thomas Wright, Jr.
Delegate David Reid
Secretary Caren Merrick (Representative)
Secretary Matt Lohr (Representative)
James Carr
Mike Culp
Kristie Helmick Proctor
Ray LaMura
Casey Logan
Steve Sandy
Richard Schollman

Members Absent

Call to Order	Senator Jennifer Boysko, Chair of the Broadband Advisory Council, called the meeting to order at 11:02 a.m.
Roll Call	Mr. Chandler Vaughan, Senior Broadband Policy Analyst at the Office of Broadband, called the roll and stated that a quorum was present.
Approval of Minutes: May 19, 2022 Meeting	A motion was made and properly seconded to approve the minutes of the May 19, 2022 meeting of the Broadband Advisory Council. (Votes for:

	Boysko, Byron, Hashimi, Leftwich, Lewis, Wright, Jr., Reid, Merrick, Lohr, Carr, Culp, Proctor, LaMura, Sandy, Schollman, Logan)
Office of Broadband Updates	Tamarah Holmes, Ph.D., Director of the Office of Broadband, provided an update from the Office of Broadband's activities. Components of the update included active Virginia Telecommunication Initiative (VATI) projects, the Line Extension Customer Assistance Program, legislation from the 2022 General Assembly Session involving the Office of Broadband, and the Office of Broadband's role under the Infrastructure Investments and Jobs Act's broadband programs.
VATI Project Dashboard Demonstration	Chandler Vaughan provided a demonstration of the Virginia Telecommunication Initiative (VATI) project dashboard, which was debuted at the meeting. The VATI project dashboard provides key project progress statistics for VATI projects awarded since January 2021 and is available through dhcd.virginia.gov/vati
House Bill 445 & Senate Bill 446 Broadband Services to New Development Report	Grace Wheaton, Senior Policy Analyst in the Department of Housing and Community Development's (DHCD) Policy Office, and Chandler Vaughan, presented DHCD's findings and recommendations to the Broadband Advisory Council regarding the study established by H.B. 445 and S.B. 446 concerning the expansion of high-speed broadband service and associated infrastructure in new residential and commercial development.
Public Comment	No public comment was provided at the meeting.
New Business	Several council members noted the potential in delays of project construction because of the make-ready efforts required for broadband deployment. Broadband providers and their representatives noted that owners of electric poles, which often carry telecommunications infrastructure, are scaling up for handling requests to ensure those poles are adequate and equipped to handle the broadband infrastructure required for Virginia Telecommunication Initiative (VATI) Projects. The outcome of the discussion was a work group to analyze make ready efforts and the scalability of make ready efforts for VATI projects.
Adjournment	Upon a motion made and properly seconded, the meeting was adjourned.

January 20, 2023 Meeting Minutes

**BROADBAND ADVISORY COUNCIL
APPROVED MINUTES
January 20, 2023
2:00 PM
Pocahontas Building
900 E. Main St., Richmond, VA 23218
Senate Room A
Virtual Option provided via Google Meet**

Members Present

Senator Jennifer Boysko, Chair
Delegate Kathy Byron, Vice Chair
Senator Ghazala Hashmi
Senator Lynwood W. Lewis
Delegate David Reid
Secretary Caren Merrick
Secretary Matt Lohr
James Carr
Mike Culp
Kristie Helmick Proctor
Casey Logan
Ray LaMura
Steve Sandy
Richard Schollman

Members Absent

Delegate James Leftwich
Delegate Thomas Wright, Jr.

Call to Order	Senator Jennifer Boysko, Chair of the Broadband Advisory Council, called the meeting to order at 2:03 p.m.
Roll Call	Chandler Vaughan, Senior Policy Analyst at the Office of Broadband, called the roll and stated that a quorum was present.
Election of Chairman and Vice Chairman	<p>Senator Jennifer Boysko, Chair of the Broadband Advisory Council, opened the floor for nominations for Chair to the Council.</p> <p>A motion was made and properly seconded to nominate Delegate Kathy Byron as Chair. Delegate Byron accepted the nomination.</p> <p>Hearing no further discussion, Senator Boysko closed the floor to nominations. Delegate Byron was elected Chair via unanimous roll call vote.</p> <p>Chair Byron opened the floor for nominations for Vice Chair to the Council.</p>

	<p>A motion was made properly seconded to nominate Senator Boysko as Vice Chair.</p> <p>Hearing no further discussion, Chair Byron closed the floor to nominations. Senator Boysko was elected Vice Chair by unanimous voice vote.</p>
Approval of Minutes: September 30, 2022 Meeting	A motion was made and properly seconded to approve the minutes of the September 30, 2022 meeting of the Broadband Advisory Council. The vote was unanimous to adopt the minutes as presented.
Office of Broadband Updates	Dr. Tamarah Holmes, Ph.D., Director of the Office of Broadband and Cole McAndrew, Policy Planner in the Office of Broadband provided an overview of Office of Broadband efforts, including the progress of Virginia Telecommunication Initiative projects, the Broadband Equity, Access, and Deployment Program, state programs under the federal Digital Equity Act, Student Broadband Availability and Affordability Collection, as well as the newly released Commonwealth Digital Affordability and Cost Effectiveness Plan.
Railroad Crossings and Broadband Infrastructure	Several representatives from internet service providers and railroads provided remarks on the process of crossing railroad lines with wireline broadband infrastructure, including ongoing challenges faced by internet service providers in this process.
Broadband Legislation in 2023 General Assembly Session	Several members of the Broadband Advisory Council noted legislation before the General Assembly during the 2023 Session. Discussion topic areas included additional funding for the Virginia Telecommunication Initiative, budget amendments regarding the income restrictions of the Line Extension Customer Assistance Program, and appointment of State Corporation Commission Commissioners in relevance to timely consideration and approval of broadband related matters.
Public Comment	No public comment was provided at the meeting.
New Business	No new business was provided at the meeting.
Adjournment	Upon a motion made and properly seconded, the meeting was adjourned.

June 9, 2023 Meeting Minutes

**BROADBAND ADVISORY COUNCIL
APPROVED MINUTES
June 9, 2023
10:00 AM
Virginia Housing Center
4224 Cox Road
Glen Allen, VA 23060
Virtual Option provided via Microsoft Teams**

Members Present

Delegate Kathy Byron, Chair
Senator Ghazala Hashmi
Senator Lynwood W. Lewis
Delegate David Reid
Delegate Thomas Wright, Jr.
Delegate James Leftwich
Secretary Matt Lohr
James Carr
Mike Culp
Kristie Proctor
Casey Logan
Steve Sandy
Richard Schollman

Members Absent

Senator Jennifer Boysko, Vice Chair
Ray LaMura
Secretary Caren Merrick

Call to Order	Delegate Kathy Byron, Chair of the Broadband Advisory Council, called the meeting to order at 10:05 a.m.
Roll Call	Chandler Vaughan, Senior Policy Analyst at the Office of Broadband, called the roll and stated that a quorum was present.
Approval of Minutes: January 20, 2023 Meeting	A motion was made and properly seconded to approve the minutes of the January 20, 2023 meeting of the Broadband Advisory Council. The vote was unanimous to adopt the minutes as presented.
Office of Broadband Updates	Dr. Tamarah Holmes and Office of Broadband staff presented an update, including: the announcement of FY2023 Virginia Telecommunication Initiative awards, and the Office's activities under the Broadband Equity, Access, and Deployment (BEAD) Program, including common themes from listening sessions hosted by the Office and an overview of the components of Volume 1 of Virginia's Initial Proposal under the BEAD program, which includes the challenge process to identify all remaining unserved locations in the Commonwealth.
State Digital Opportunity Plan Work Session	Office of Broadband contracted support provided an overview of ongoing and upcoming efforts under the federal Infrastructure Investments and Jobs Act's State Digital Equity Planning Grant Program. This presentation included an overview of research and preliminary findings regarding gaps

	<p>in broadband affordability and adoption for specific populations in the Commonwealth. The presentation also outlined upcoming stakeholder engagement activities, all of which play a critical role into understanding the entirety of the digital divide. These efforts will inform the development of Virginia’s Digital Opportunity Plan.</p>
Public Comment	<p>Bob Nichols of Declaration Networks discussed challenges faced by his company on the Eastern Shore of Virginia. These challenges noted in expanding broadband access includes access to backhaul service and the cost prohibitive nature of connecting to existing fiber optic networks to build last mile broadband networks, especially when only one backhaul option is present.</p>
New Business	<p>Delegate Byron offered the Broadband Advisory Council explore some of the challenges faced in broadband deployment. Mr. Carr offered to convene other council members to offer a presentation on the make-ready process at the next council meeting.</p> <p>Mr. Sandy requested an update on the Line Extension Customer Assistance Program. Delegate Byron noted the importance of this request also requested an update at the upcoming meeting.</p>
Adjournment	<p>Upon a motion made and properly seconded, the meeting was adjourned.</p>

August 28, 2023 Meeting Minutes

**BROADBAND ADVISORY COUNCIL
UNAPPROVED MINUTES**

August 28, 2023

10:00 AM

**Virginia, Maryland & Delaware Association of Electric Cooperatives Training Center
1293 Salem Church Rd
Palmyra, VA 22963**

Virtual Option provided via Microsoft Teams

Members Present

Delegate Kathy Byron, Chair
Senator Jennifer Boysko, Vice Chair
Senator Ghazala Hashmi
Senator Lynwood W. Lewis
Delegate David Reid
Delegate Thomas Wright, Jr.
Delegate James Leftwich
Secretary Matt Lohr
Ray LaMura
James Carr
Mike Culp
Kristie Proctor
Casey Logan
Steve Sandy
Richard Schollman

Members Absent

Secretary Caren Merrick

Call to Order	Delegate Kathy Byron, Chair of the Broadband Advisory Council, called the meeting to order at 10:05 a.m. Delegate Bryon recognized Gary Wood of Central Virginia Electric Cooperative and Firefly Fiber Broadband to provide welcome remarks on behalf of the Virginia, Maryland & Delaware Association of Electric Cooperatives, who served as the meeting host.
Roll Call	Chandler Vaughan, Senior Policy Analyst at the Office of Broadband, called the roll and stated that a quorum was present.
Approval of Minutes: January 20, 2023 Meeting	A motion was made and properly seconded to approve the minutes of the June 9, 2023 meeting of the Broadband Advisory Council. The motion passed to adopt the minutes as presented.
Office of Broadband Updates	Dr. Tamarah Holmes and Office of Broadband staff presented an update, including: Virginia Telecommunication Initiative FY24 Proposed Guidelines and Criteria Overview, the Broadband Equity, Access and Deployment 5-Year Plan Overview, the Broadband Equity, Access and Deployment Volume 2 Overview, the Line Extension Customer Assistance Program Updates, and Other Updates.

Make-Ready Discussion	Jimmy Carr of All Points Broadband presented on the process and challenges of “Make-Ready” – the process of attaching to existing telephone/power poles during the process of aerial wireline broadband network construction. The presentation included an overview of the process of evaluating and gaining approval to attach to poles, and also the current challenges experienced in this process.
Public Comment	Kirk Jones, representing the Communications Workers of America, spoke to the significant workforce needs of building state and federally funded broadband networks, and called for robust workforce and labor practices. Mr. Jones distributed a handout at the meeting titled “Building Future-Proof Broadband: Best In Class Technology, Good Jobs, and Public Safety”
New Business	No new business was discussed at the meeting.
Adjournment	Upon a motion made and properly seconded, the meeting was adjourned.