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To:	BOCrfc2015
Subject:	BOC RFC response
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Attachments:	BOC comments NC Office of Dig Inf 6-15.docx

Please find our comments attached.

Thank you.

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Comments on Docket No. 1540414365–5365–01
Broadband Opportunity Council Notice and Request for Comment

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National Telecommunications and Information Administration
U.S. Department of Commerce
Broadband Opportunity Council Notice and Request for Comment
1401 Constitution Avenue NW, Room 4626
Washington, DC 20230

Dear Broadband Opportunity Council,

North Carolina's Office of Digital Infrastructure would like to provide comments on Docket No. 1540414365–5365–01 "Broadband Opportunity Council Notice and Request for Comment." The Office of Digital Infrastructure, housed in the North Carolina Office of Information Technology Services (OITS), houses the continuation of the former NC Broadband effort as well as North Carolina's FirstNet team. From January 2012 through January 2015, NC Broadband in the North Carolina Department of Commerce, served as the State Broadband Initiative for North Carolina funded through the National Telecommunications and Information Administration (NTIA). The Office of Digital Infrastructure, within our state IT agency, now houses these aligned broadband efforts in the state. Based on our broadband experience and partnerships, we offer these specific recommendations to the Broadband Opportunity Council (BOC) based on questions posed in the docket.

OVERARCHING QUESTIONS
1. How can the federal government promote best practices in broadband deployment and adoption? What resources are most useful to communities? What actions would be most helpful to communities seeking to improve broadband availability and use?

Two initial, broad suggestions include:
- Have each federal agency develop a broadband plan or strategy to increase services and provide an annual progress report to the Broadband Opportunity Council and the White House. Within these plans, consider how efforts can be better coordinated with the states.
- Consider a method for states to partner with federal offices to request an inventory of federal assets that could be used to support state or local broadband build-outs. States and communities often collect their own asset inventories when trying to recruit additional broadband build-out. A federal initiative to make information available from federal asset inventories could be helpful.

5. How can the federal government best collaborate with stakeholders (state, local, and tribal governments, philanthropic entities, industry, trade associations, consumer organizations, etc.) to promote broadband adoption and deployment?

Involve States in Planning Efforts and Recommendations
Consider adding state representation to the BOC. States have a unique perspective in working with federal agencies, local governments and broadband providers that could be valuable in future decisions.

Having an ongoing mechanism for feedback between the state broadband offices and the BOC will be vital so states can advise the BOC on potential impacts future policies may have based on local input and data analysis.

Continue to develop and support the NTIA's State Broadband Leaders Network (SBLN). The newly-developed SBLN is a concept from the NTIA's State Broadband Initiative program to continue to coordinate and partner with State Broadband Initiatives, or newly-designated broadband entities within each state, for continued information sharing. The states developed extensive expertise in broadband deployment and adoption, policy and programmatic efforts through the State Broadband Initiative effort. If the NTIA decides to pursue coordination of the SBLN moving forward, this venue could serve as an important information-sharing network for the BOC.

7. What federal programs should allow the use of funding for the deployment of broadband infrastructure or promotion of broadband adoption but do not do so now?

To better evaluate question seven above, it would be helpful for each federal agency to review all grant funding programs and publish a comprehensive list of programs that could be used to fund broadband planning, deployment and adoption, along with basic eligibility requirements, application deadlines, and links to further information. The BOC could potentially help coordinate this effort. It would be useful for the funding compilation to be annually updated.

8. What inconsistences exist in federal interpretation and application of procedures, requirements, and policies by Executive Branch agencies related to broadband deployment and/or adoption, and how could these be reconciled? One example is the variance in broadband speed definitions.

Develop a Common Set of Speed Tiers
Various broadband technologies provide a range of speeds. The "appropriate" speeds for various programs or definitions depend on the context of the effort. (For example, whether a program is trying to provide some basic level of service for a totally unserved area, or trying to provide next-generation technology as a model in a particular community.) The broadband ecosystem will continue to encompass a wide range of speeds. Having a common set of speed tiers would be helpful. For example, in the State Broadband Initiative mapping work, the NTIA's speed tier thresholds were different than the ranges recognized by the FCC. Consider aligning speed tiers with the FCC for consistency. A common set of speed tiers could be helpful in comparing data and programs.

Continue to Evaluate Speed Thresholds
As part of reviewing federal broadband programs, broadband speeds associated with these programs should be captured and evaluated. For example, the USDA's Community Connect program, restricts eligibility to areas with a combined upload and download speed totaling 3 Mbps or less (including mobile). Very few areas in North Carolina meet this requirement and are therefore ineligible. When determining program goals and policies, ensure that the speed definitions capture the true goals of the program.

13. Are there federal policies or regulations within the Executive Branch that create barriers for communities or entities to share federally-funded broadband assets or networks with other non-federally funded networks?

In 2012, President Obama's Executive Order No. 13616, "Accelerating Broadband Infrastructure Deployment," mandated that federal agencies streamline processes for broadband infrastructure deployment. This Order should provide a venue for the BOC to continue to encourage federal agencies to better leverage broadband projects and deployments.

A few suggested areas for focus include:

- Focus on how to allow broadband providers the opportunity to install infrastructure during other federal construction projects, which requires addressing issues around "for-profit or private sector" installation and construction in public rights-of-way.
- Evaluate scenarios where state DOT fiber, funded through the US Department of Transportation, can be utilized by states for multiple broadband purposes, to better leverage this investment. For example, if the state DOT has federally-funded fiber deployed for purpose x, if there is additional capacity can it then be leveraged for purpose y, with the goal of additional broadband deployment. Also consider towers funded by federal dollars that may be limited to one purpose, when in fact they could potentially be leveraged for additional broadband expansion purposes.

16. How can communities/regions incentivize service providers to offer broadband services, either wired or wireless, in rural and remote areas? What can the federal government do to help encourage providers to serve rural areas?

Work closely with the federal FirstNet effort to evaluate how FirstNet assets could be leveraged to provide greater coverage in rural areas.

27. What information about existing broadband services should the Executive Branch collect to inform decisions about broadband investment, deployment, and adoption? How often should this information be updated? AND
28. Are there gaps in the level or reliability of broadband-related information gathered by other entities that need to be filled by Executive Branch data collection efforts?

Assess Significance of Last Year's Changes in Broadband Availability Data Collection;
and Offer Recommendations to Ensure Collection of Granular Data as well as Sharing of Data with State Broadband Efforts
Significant changes have been made in the collection of broadband availability/deployment data with the shift of that data collection effort from the National Telecommunications and Information Administration (NTIA) in partnership with the states, to the Federal Communications Commission (FCC) at the end of 2014.

In summer of 2009, the National Telecommunications and Information Administration (NTIA) launched the State Broadband Initiative (SBI) grant program, as part of the Broadband Data Improvement Act (BDIA), with one entity in each state designated to collect broadband availability data. This data was collected twice/year by the states and then submitted to the NTIA. Data reflected coverage by technology type (DSL, cable, fiber, fixed wireless and mobile), by provider, at a combination of address-level, street segment and census block level. Data was mapped for public display on the National Broadband Map which was a partnership between the NTIA and FCC. In Fall 2014, the broadband availability data collection process moved from the NTIA to the Federal Communications Commission (FCC), with the FCC to collect broadband availability data moving forward, along with continued collection of broadband subscriber data through the Form 477 process.

The former State Broadband Initiatives in each state: have significant experience in the collection and understanding of broadband availability data; have been utilizing this data for state planning purposes for the past five years; and have generally made the data available across the state and to local communities for the past five years. Among the State Broadband Initiatives, there is strong concern about: the loss of granularity in the collection process (with a move to census block only collection); lack of clarity on how states can be involved to provide more detailed or granular complimentary information; and how states can access data from the FCC that is essential for state, regional and local broadband planning efforts.

We strongly encourage the Broadband Opportunities Council to:

- Work closely with the FCC to understand what broadband availability data is being collected (what specific information/data requirements, which providers participate, etc.)
- Work with the FCC and former SBI entities to evaluate the impact of the loss of granularity by having the data collection effort move to a census block level only granularity
- Encourage the FCC to state: how often, and in what format, the broadband availability data will be made available to the public (for download).
- Encourage the FCC and BOC to coordinate to develop a strategy to display broadband data publicly, such as on a national broadband map platform.
- Encourage the FCC to develop a process for states to potentially access non-public data (such as subscriber and adoption data). While state Public Utilities Commissions may have access to subscriber data, the SBI efforts are generally not housed within the PUCs. The SBI entities for each state, by mandate, were designated by the Governor of each state. Consider development of a process so that the continuation efforts for these SBIs, if designated by the Governor, could access relevant broadband data from the FCC, or other entities, in order to continue state level broadband planning work.
- Encourage the FCC to release broadband data in a timely manner (within 6 months of collection) to help ensure that federal agencies, along with state and local governments, have updated information to initiate planning and funding activities.

Please note, the North Carolina SBI effort conducted GIS analysis of the difference in coverage portrayed from census block-only collection (at the county-level in North Carolina) versus collection including address and street-segment data. We are happy to provide this comparison to NTIA or the BOC if desired.

39. How might the federal government encourage innovation in broadband deployment, adoption, and competition?
Consider grant pilot programs or partnerships for deployments involving emerging technologies, especially those that could serve sparsely populated efforts. Evaluate federally-owned spectrum that could be utilized with emerging technologies to serve sparsely populated areas, as well as public private partnerships scenarios for these deployments.

Thank you for the opportunity to comment.