

Pennsylvania Broadband Development Authority
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Pennsylvania Broadband Development Authority
January 26, 2023
2:00 PM

Virtual Meeting
Dial-In: +1 267-332-8737
Phone Conference ID: 417 866 538#

- I. Call to Order
- II. Welcome New Members
- III. Approval of November 17, 2022, Meeting Minutes
- IV. Election of Secretary and Assistant Secretary
- V. Contract Approval for Digital Equity and BEAD 5-Year Action Plan
- VI. Sub-Committee Updates
- VII. Public Comment
- VIII. Adjournment

Pennsylvania Broadband Development Authority

Board Meeting Minutes

November 17, 2022

Keystone Building Meeting Center, Forest Room & Microsoft Teams Meeting

Board members and voting designees in attendance:

- Mark Critz, Department of Agriculture, on behalf of Secretary Russell Redding
- Acting Secretary Neil Weaver, Department of Community and Economic Development
- Dr. David Volkman, Department of Education, on behalf of Acting Secretary Eric Hagarty
- Matt Bembenick, Department of General Services, on behalf of Acting Secretary Joe Lee
- Zach Reber, Office of the Budget, on behalf of Secretary Ben Lukens
- Dr. Kyle Kopko, Center for Rural Pennsylvania
- Chairwoman Gladys Brown Dutrieuille
- Senator Kristin Phillips-Hill, Secretary
- Senator John Kane
- Representative Carl Walker Metzgar
- Representative Pam Snyder, Chair

Designees in attendance:

- Beth Rosentel
- Phil Kirchner
- Matt Franchak

Department of Community and Economic Development (DCED) staff in attendance:

- Brandon Carson
- Erin Wachter
- Kalie Snyder
- Lori A. Butler
- Leigh Walter
- Terri Wills
- Paul Opiyo
- Lori Irwin
- Rob Teplitz
- Colin Parry
- Pam Frontino

Guests in attendance:

- Todd Eachus, Broadband Communications Association of Pennsylvania
- Jim Mercante, Southern Chester County Digital Equity Coalition
- Leanne Doran
- Jeremy Jurick
- Kim Sokoloski
- Brian Barno
- Catherine Conner
- Juliet Fink-Yates
- Nicole Ugarte, NTIA

I. Call to Order

Chairwoman Snyder called the meeting to order at 10:00 AM.
Lori Butler conducted a roll call of the board members and confirmed quorum.

II. Approval of November 10, 2022, Meeting Minutes

Chairwoman Snyder called for a motion to approve the minutes as presented to the board. Motion made by Dr. Kopko. Motion was seconded by Senator Kristin Phillips-Hill. Chairwoman Snyder asked for all Board members to approve or deny the motion. Motion passed unanimously.

III. Adoption of the Pennsylvania Statewide Broadband Plan

Deputy Director Erin Wachter provided an overview of the final draft of the Pennsylvania Statewide Broadband Plan. Erin outlined Act 96 of 2021 and the requirement to adopt a statewide plan by the December 22, 2022, deadline. She provided a brief background on the history of the plan and the various steps taken to present the final draft to the Authority Board. Erin outlined several comments and feedback that was provided by the sub-committee members and expressed appreciation for their time and efforts.

Mark Critz asked if the adoption of the plan precludes any amendments or changes that may be wanted/required as the Authority continues its work. Erin confirmed that this plan will be iterative, and that data and information may change, which requires updates and changes to the plan. Executive Director Brandon Carson advised the document is amendable and will be updated to align with state and federal requirements.

Chairwoman Snyder called for a motion to approve the Pennsylvania Statewide Broadband Plan. Mark Critz motioned. Seconded by Chairwoman Gladys Brown Dutrieuille. Chairwoman Snyder asked for all Board members to approve or deny the motion. Motion passed unanimously.

IV. Update on Request for Proposal (RFP) for the Digital Equity and BEAD Planning Effort

Brandon Carson reiterated that the Statewide Broadband Plan would serve as guide for next steps to stand up the Digital Equity Statewide Plan and Broadband Equity, Access, and Deployment (BEAD) 5-Year Action Plan. Brandon provided an overview of the planning awards received, \$1.6 million for Digital Equity and \$5 million for BEAD.

Brandon outlined the key objectives in the RFP; development of a stakeholder engagement plan, support framework development of the 5-Year Action Plan and Digital Equity Plan. The framework will include an asset inventory, coordination with Penn State Extension, as well as coordination with local governments and service providers to ensure projects are completed in a timely fashion. Brandon also provided a timeline to procure a consultant(s) and the deadline to submit the 5-Year Action Plan and the Digital Equity Plan.

Brandon introduced Nicole Ugarte, Pennsylvania's Federal Program Officer with NTIA. Nicole Ugarte reiterated the timeline for the plans and the importance of local coordination. She outlined what NTIA will be looking for, which is transparent and comprehensive engagement and assurance that all communities are integrated into planning efforts. Nicole confirmed that Pennsylvania is well positioned in its efforts.

Chairwoman Snyder asked for comments on the overview provided, there were none.

V. Public Comment

Chairwoman Snyder asked that Lori Butler open the floor for public comments.

Mark Critz commented on the FCC releasing its mapping data and asked whether a timeline exists to challenge the FCC map, to which Nicole confirmed that the challenge process is ongoing, however, for consideration in the BEAD allocations, challenges must be submitted by January 13, 2023. NTIA anticipates the final allocations will be determined by June 30, 2023.

Juliet Fink-Yates, with the City of Philadelphia, asked whether the City should engage with Penn State Extension on this challenge process. Brandon Carson confirmed that we will be doing outreach in the coming weeks, regarding engagement of local governments. She also asked about the FCC's ACP Outreach Grant Programs and whether the Authority will be coordinating efforts on application submissions. Brandon confirmed that the Authority is currently reviewing the Notice of Funding Opportunity.

Jim Mercante, with the Southern Chester County Digital Equity Coalition, asked if the Statewide Broadband Plan is available to view by the public and how it is obtainable. Kalie Snyder mentioned the plan is posted on the PA Broadband Authority website. Jim also asked if the policy suggestions that were not incorporated into the plan were available for review on the website. Erin confirmed not at this time. Lastly, he asked if part of the Plan is to ensure there is organizational capacity and oversight at the county level and whether local governments should work with the Authority to identify needed resources to ensure capacity for oversight. Brandon confirmed that this will be part of the 5-Year Action Plan and Digital Equity Plan and will be an ongoing effort in the Authority's outreach initiatives.

Chairwoman Snyder announced that this will be her last meeting as Board Member and Chair. She provided remarks on the tireless efforts made to get here and her collaborative efforts with Senator Phillips-Hill. Chair Snyder also thanked the staff and the Board members for their dedication and contribution.

Senator Kristin Phillips-Hill also commended Chairwoman Snyder for her contributions to this effort and thanked her for her partnership and leadership in their combined efforts to expand broadband in the commonwealth.

Chairwoman Brown Dutrieuille thanked Chairwoman Snyder on behalf of the PA Public Utility Commission.

VI. Adjournment

Chairwoman Snyder called for a motion to adjourn. Motion made by Senator Phillips-Hill. Motion seconded by Dr.Kopko. Meeting adjourned 10:45 AM.

Respectfully submitted,
Senator Kristin Phillips-Hill

Secretary

TO Pennsylvania Broadband Development Authority Board of Directors

FROM Brandon Carson, Executive Director

DATE 1/20/2023

RE Digital Equity Plan and 5-Year Action Plan

MESSAGE:

The Authority was recently awarded approximately \$6.6M in planning funds from the National Telecommunications and Information Administration (NTIA) to, in part, further develop the Commonwealth's broadband plans. The Digital Equity Act and Broadband Equity, Access, and Deployment (BEAD) Program require that detailed plans be developed and submitted to NTIA for review and approval prior to any additional federal funding being released for implementation efforts. Specifically, a BEAD 5-Year Action Plan must be complete by August 12, 2023, and a statewide digital equity plan needs to be developed no later than October 31, 2023.

The statewide broadband plan adopted by the Authority late last year will serve as a foundation for this effort, but more in-depth planning is needed to meet the requirements set forth by NTIA. For example, in its Notice of Funding Opportunity for BEAD, NTIA calls for a detailed description of external engagement processes to be included in the 5-year Action and the Digital Equity plans. Both plans must outline strategies for collaborating with local and regional entities, both governmental and non-governmental. They must also include outreach to community-based organizations, particularly those that serve diverse communities, including those that are traditionally underrepresented.

While the Authority has been actively building staff capacity, the completion of this planning work will require the support of a consulting firm. To that end, the Authority advertised a Request for Proposal (RFP) to competitively procure a consultant to guide the development of the plans. Eighteen responses to the RFP were received and reviewed by the Review Committee. The review process included individual scoring based on the technical merits of the proposal, which applied the greatest weight and placed the importance on the Offerors' technical approach. Once individual scores were complete, a group discussion, facilitated by DCED's legal and procurement offices, was used to ensure evaluators had a common understanding of the proposals and to allow evaluators to change their scores based on the committee's understanding of the proposal and discussion. Finally, once the individual and group scoring process for the technical aspect of the proposal was complete, cost was factored into the final score.

The Review Committee is recommending that the Authority contract with McKinsey & Company at a cost of \$1,201,066 to complete the scope of work outlined in their proposal. The work plan will include the development of a stakeholder engagement plan, including a coordination and outreach strategy that incorporates opportunities for public comment, collaboration, and engagement with local communities; creating a core planning team to assist in the development of the plans; facilitation of roundtable

discussions and a strategic planning session for the Board of Directors; development of a "Broadband Ready" framework or checklist to prepare local units of government for broadband projects and prepare for partnerships with providers; and the development of a draft framework of the 5-Year Action Plan and Digital Equity Plan.

Board approval is contingent on successful negotiation of the terms and conditions in the contract. The term of the contract will commence on the Effective Date (the date the contract has been fully executed by the selected Offeror and by the Commonwealth and all approvals required by Commonwealth contracting procedures have been obtained) and continue for one year with the option to renew, at the discretion of the PBDA, for four additional one-year renewals. However, it is not anticipated that a renewal will be necessary.

The completion of this planning work is a critical next step to ensuring the efficient and effective use of implementation dollars that will be allocated to the Authority later this year.