

**Technical Sub-Committee**  
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**Pennsylvania Broadband Development Authority**  
**Technical Sub-Committee Meeting**  
**Thursday, March 2, 2023**  
**3:00 PM- 4:00 PM**

Virtual Meeting  
Dial-In: +1 267-332-8737  
Phone conference ID: 445 065 81

- I. Call to Order
- II. Approval of February 2, 2023 meeting minutes
- III. “Internet for All” initiative (from NTIA blog)
- IV. Pole Replacement
- V. Formulating the certification checklist
- VI. Authority updates
  - a. Special Board meeting- Friday, March 10<sup>th</sup> at 11am
  - b. Staffing update
- VII. Sub-committee member updates/comments
- VIII. Public comments

**Pennsylvania Broadband Development Authority**  
Technical Sub-Committee Meeting Minutes  
Thursday, February 2, 2023  
Virtual: Microsoft Teams

**Sub-committee members in attendance:**

- Todd Eachus, Broadband Communications Association of PA
- Barbara Burba-Filoreto, Pennsylvania Wireless Association
- Steve Samara, Pennsylvania Telephone Association
- Jim Gardler, Communications Workers of America
- Terry Fitzpatrick, Energy Association of Pennsylvania
- Joe Witmer, Sub-Committee Board Liaison

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

- Pam Frontino

**Guests in attendance:**

- Nicole Ugarte, National Telecommunications and Information Administration

**I. Call to Order**

Barbara Burba-Filoreto called the meeting to order at 3:02 PM.

Pam Frontino conducted a roll call of the sub-committee members.

**II. Approval of January 12, 2023 meeting minutes**

Barb called for a motion to approve minutes from the January 12, 2023 meeting. Todd Eachus made the motion, Terry Fitzpatrick seconded.

**III. Partnering with BEAD/DE consultant**

Todd asked for updates on the BEAD/DE consultant to be hired by the Authority. He said once that firm is hired, he'd like to set up an orientation call to discuss ways that they can work with the sub-committee, and suggested setting aside some non-meeting time to work with the consultant(s).

**IV. Continued community preparedness**

Co-chairs reintroduced the notion of streamlining the permitting process and taking other steps to help alleviate burdens for local and small governments that might otherwise lack technical and staff capacity to apply for grants and carry out construction processes in a timely manner, particularly in rural areas.

## **V. Legislative engagement**

Todd shared that he would like to consider addressing some issues that could have legislative solutions. These include creating broadband ready communities, shrinking the make-ready approval window, and potential legislative action related to developing a fund for pole replacement broadband-related projects. He acknowledged that legislative engagement on these topics might not happen this year since the General Assembly is influenced by unique factors. Todd also suggested that if any of the committee members are interested in giving their perspective on the topic, that could be a useful topic for a future meeting.

## **VI. Review of federal rule concerns**

Todd suggested that the committee form recommendations on how best to spend federal funds, including incentivizing providers and communities to participate in grant opportunities. Some of the provisions in the NOFO, including tax requirements for grants, are concerning to many in the provider community because they could disincentivize entities from participating (particularly for small companies lacking resources to effectively participate). He clarified that the conversation about this is happening at the federal, rather than state, level. However, it will be useful for the committee to clearly understand the elements of the NOFO that are mandated by the federal government or NTIA, and to take a careful look at optional provisions included in that document, to make recommendations to the Authority about how it should move forward in developing plans. This is another conversation that should be had with the consultant(s) that will be selected to develop BEAD/DE plans later this spring.

## **VII. Authority Updates:**

### **a. RFP/consultant update**

McKinsey is being considered as the consultant for BEAD and DE plan development, but the Board tabled the vote so new members can review the RFP, selection process and outcome. Pam shared that a special board meeting will be held in the coming weeks to make the decision.

### **b. Capital Projects Fund (CPF) timeline**

Pam gave a brief update on the timeline for developing and opening the CPF Infrastructure Program applications by the end of the first quarter, pointing out that Act 96 determined much of the application and challenge timeline.

## **VIII. Sub-committee member updates/comments**

None.

## **IX. Public comments**

Nicole Ugarte reminded the committee that NTIA is available and has a technical assistance branch to answer questions in whatever format is most accessible.

**X. Adjournment**

Barb called for a motion to adjourn the meeting. Steve Samara made the motion to adjourn, and it was seconded by Terry Fitzpatrick. The meeting ended at 3:50pm.

## **Making Internet for All Right Here in America**

The Internet for All initiative is a critical component of the Biden-Harris Administration's overall strategy to build a more dynamic economy. It will enable American workers and businesses to compete on the global stage and generate new economic opportunities in overlooked communities throughout the country. Internet for All will create as many as 150,000 jobs nationwide – but to maximize the economic potential of this initiative, manufacturers and Internet service providers will need to build right here in America.

As President Biden said in his State of the Union Address this week, “[w]e’re making sure that every community has access to affordable, high-speed Internet...And when we do these projects, we’re going to Buy American.” The president made clear that while Buy America has been the law of the land since 1933, too many administrations have found ways to skirt its requirements.

We will not.

**The iron and steel, manufactured products, and construction materials needed to deliver affordable, reliable, high-speed Internet service to millions of Americans is an opportunity to create jobs and opportunities right here in America. That’s why NTIA believes that if it can be Made in America, it should be made in America – and it’s why we’ll strictly enforce ‘Build America, Buy America’ (BABA) requirements outlined in the Bipartisan Infrastructure Law and the Internet for All Notices of Funding Opportunity (NOFOs).**

For example, NTIA has done considerable research and does not currently see any need for waivers for fiber optic glass or cable. Our expectation is that industry will be able to produce enough quantity to satisfy the demand from the Broadband Equity, Access, and Deployment (BEAD) Program over the coming years.

We provided waivers for our first programs that were tailored to align with their specific scopes and timelines. The BEAD Program has different requirements, and manufacturers have time to re-shore or expand their operations. Moving forward, NTIA will work with these businesses to ensure that they can produce the relevant products for the BEAD program domestically. We are carefully monitoring administration-wide initiatives like [the new proposed Made in America policies from the Office of Management and Budget \(OMB\)](#) to ensure that we meet our obligations.

Resources are available for businesses seeking to comply with BABA requirements. Manufacturers, Internet service providers, and other stakeholders seeking assistance with meeting the BABA requirements may contact NTIA’s Internet for All BABA policy leads for more information at [BABA@NTIA.gov](mailto:BABA@NTIA.gov).

The Biden-Harris Administration is relentlessly focused on developing and implementing an industrial strategy to revitalize America’s manufacturing base, strengthen our critical supply chains, and ensure that U.S. workers have the skills and tools they need to compete and lead globally in the 21st century digital economy. Thanks to these efforts, we’ve already seen the lowest unemployment rate since 1969 and some of the strongest manufacturing job growth in

American history. NTIA is committed to ensuring that the investments from the Bipartisan Infrastructure Law add to the momentum.

**We look forward to working with suppliers and manufacturers to ensure that the future of affordable, reliable, high-speed Internet service in America is built right here at home.**