

**PBDA Technical Sub-Committee**  
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**Pennsylvania Broadband Development Authority**  
**Technical Sub-Committee Meeting**  
**August 3, 2023**  
**2:00 PM - 3:00 PM**

Virtual Meeting  
Dial in: (267)332-8737  
Phone conference ID: 998 335 073 #

- I. Call to Order
- II. Approval of meeting minutes from July 14, 2023
- III. Grant programs overview
  - a. CPF BIP
  - b. BEAD
- IV. Authority updates
  - a. 5YAP public comment period
  - b. Upcoming community conversations
- V. Sub-committee member updates/comments
- VI. Public comments
- VII. Adjournment

**Pennsylvania Broadband Development Authority  
Technical Sub-Committee Meeting  
Thursday, July 14, 2023  
3:00 PM- 4:00 PM**

Virtual Meeting  
Dial in: (267) 332-8737  
Phone conference ID: 998 335 073#

**I. Call to order**

Chairman, Todd Eachus called the meeting to order at 2:03pm.  
Pam Frontino advised that the meeting is being recorded and continued participation is your consent to being recorded.

**Committee Members**

Todd Eachus, Sub-Committee Chair  
Joe Witmer designee for Gladys Brown-Dutruelle  
Barbara Burba-Filoreto  
~~Frank Bear~~  
~~Jim Gargler~~  
~~Shane Ellis~~  
Bill Weidenheft  
Steve Samara  
~~Terry Fitzpatrick~~

**DCED Staff**

Pam Frontino  
Kyle Snyder  
Greg Alliger  
Stephanie Perry  
Brandon Peters

**II. Approval of meeting minutes from June 8, 2023**

Todd called for the approval of the June 8, 2023 minutes. Steve Samra made the motion and Barbara Burba-Filoreto seconded. Motion approved

**III. "Broadband Ready Communities" checklist update (PBDA – Greg)**

*Greg Alliger explained that the intention of the checklist is to get municipalities ready to buildout broadband infrastructure and to clear hurdles at the local level for installers of networks. This includes some easing of permitting timelines. The PBDA will work with municipal partners, CCAP to get the word out, and will then start working with communities to achieve the goals set out in the checklist. Timeline wise, PBDA would like to launch this program early fall.*

Todd Eachus asked for features of the checklist.

Greg said that they're making sure municipalities have a permitting structure and are setting a strict timeline for permitting. They're also asking municipalities to show that they've engaged with their local ISPs and surrounding municipalities, that they've chosen their partnership model and that they have a plan in place.

Todd added that he and Barb Burba-Filoreto have some additional thoughts that they'll share at another time.

#### **IV. USIC Presentation**

Todd then introduced USIC, a locate company, as a critical piece of infrastructure construction.

The USIC team introduced themselves:

Michael Feenaughty Director of Regulatory Affairs

Craig Anderson, Northeast Regional Director,

Nancy Mitchell, Government Affairs

Daylin "Rusty" Knaub, District Manager for operations

Rusty introduced USIC is an underground utility damage prevention company. USIC marks out existing utility lines to avoid damage during infrastructure projects, locating lines for natural gas, water and communications entities. He then provided the USIC introductory video, presented the chain of communication that takes place before excavation can begin. And added that USIC has 200 technicians for 70 locates in PA and 10,000 nationally for 84 million locates.

He added that there has been a significant increase in their long scope work since 2021 and discussed the challenges they now face such as workforce shortages, timing requirements as well as contract terms and funding.

By proactively communicating with locators as early as a possible, USIC asks project owners to help them meet these challenges by limiting of the scope of requests to necessary work and by spacing out requests which helps with time constraints. White lining also helps to locating more quickly.

Rusty shared the DigCheck app and encouraged utilities to use this.

USIC is also trying out a new organizational structure that breaks out specialized teams. This has been effective in others states but it is costly.

Rusty closed by asking for support from the authority and others present, emphasizing that they want BIP to succeed, and they want to keep communities safe.

Todd called for questions from the committee.

Joe Witmer noted Rusty's mention of the reluctance on the part of providers information, noted that most of the BEAD funding will be for last mile and 95% of the networks are owned by two entities that do not have a legal obligation to open access to anyone including competitors, therefore where is this competition coming from

Rusty explained that while confusing, there does seem to be a general worry that if a provider mentions a plan to go in to an area, another company will try to go in over them. Joe said that he believes the chance of that is slim, due in part to the criteria built in to the BEAD program.

Todd added that as BEAD and CPF roll out and projects get started, companies will continue with their own capital expenses and the competitive overbuilds that they've chosen to take on. And some of this has been driven by significant backhaul construction with the densification of 5G.

Bill Weidenheft offered the idea of an Uber type app for people who would be trained and background checked by USIC and then be "deployed" in a similar fashion to Uber.

Rusty responded that the training process is excessive but appreciated the idea.

Todd said that 25% of these builds will be underground and emphasized that it has to start with safe accurate locates. He said there will be mistakes and when that happens someone in this group is likely to be contacted, therefore communication with this group is key.

Barb offered assistance with building workforce.

## **V. Authority Updates**

### **a. Staff**

Pam announced that Jesse Suders has joined the PBDA team. Jesse was not present at today's meeting.

### **b. Other**

Pam shared an update on Community Events noting the two that are happening today and again, invited all to attend the others coming up, if possible.

She added that the 5-year action plan is in its final stages and will be available for public comment on 7/26. She also noted that the CPF program is still live and the applications are due on 8/9. She added that Greg has been fielding lots of application questions.

The Team is also working on the initial proposal for BEAD.

Brandon Peters reiterated that the initial proposal is even more significant than the 5-YAP and strongly encouraged the Sub-committee to look it over when it's open for public comment.

Pam added that Community Conversations have brought in a lot of technical input and encouraged the committee members to attend a Community Conversation, if possible.

Bill Wiedenheft mentioned that applications have the potential to create monopolies for local ISPs, and that he sees the potential for pockets where communities can be squeezed. He asked stipulations could be added to avert that.

Brandon Peters responded that affordability is something that the authority wants to and is required to consider. He added that this matters for the 5-YAP and the Initial proposal and sked Bill if he could put his concerns and suggestions in writing. He added that open access will be an option throughout the state, wherever possible.

Joe said that was brought up NARUC (National Association of Regulatory Utility Commissioners) meeting and added that while there is no legal obligation, the BEAD program does require a low-income option.. But there are legitimate concerns that the low-income proposal may become a vehicle for price regulation and that might disincentivize some of the current network owners.

Todd reiterated the need for caution around affordability because it can depress access when a provider's take rate is only 4 or 5, which doesn't even cover pole costs.

Todd asked Peters for the scope of engagement from MBI on the initial proposal. MBI will not be involved with the Initial Proposal.

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

Steve Samara brought up challenges related to pole attachments and railroad crossings. He stated that there's some legislation introduced and drafted pertaining shot clocks, capping costs and prevailing wage that's being looked at and could work against those building out these networks.

NTIA sent its initial take on fed regulatory items, and the comment period is open to Aug 4<sup>th</sup>. They departed from treasury's treatment of CFR200 and have been more rigid of their interpretation and classification of sub recipients and sub grantees. There is concern that this will take some of the smaller operators right out of the game because they don't have robust legal, administrative, and accounting staffs. Treasury waived this for CPF but upon initial review, NTIA has not waived this for BEAD.

Todd asked if PBDA is aware that Washington county passed an road cut ordinance, specific only to broadband that has some troublesome language and asked the authority is the clearing house and wondered who's authority will carry the day for projects on the ground in that county.

Brandon, Greg, and Pam responded that they are not aware of that.

Todd will share more information with the Authority and asked that the group get together to specifically discuss. Barb asked to be included.

#### **VI. Public Comment**

John Crites stated the reason why contractors are putting so many long tickets is they're overwhelmed so they get all they tickets in when they can. He added that some will just go ahead and drill because fixes are cheaper than waiting to put pipe in the ground. Also related to the workforce shortage, perhaps locators should be included in the wage with a wage set that would be attract them.

Jim Mercante from Chester County Digital Equity attended a listening session in Reading. Speaking to affordability, he noted for some families \$20 month is not affordable and we need to look at that. **ACP** is a good attempt it does not address the needs of our lower income families and communities

Bill offered to Jim access to schools via his committee placement on the intermediate unit committees

**VII. Adjournment**

Seeing no further public comment, called for a motion adjourn. Steve Samara made the motion which was seconded by Barb Burba-Filoreto. Meeting adjourned at 3:06pm



**pennsylvania**

DEPARTMENT OF COMMUNITY  
& ECONOMIC DEVELOPMENT

**PENNSYLVANIA BROADBAND  
DEVELOPMENT AUTHORITY  
GRANT PROGRAM TIMELINES**





# CAPITAL PROJECTS FUND

# CAPITAL PROJECTS FUND – BROADBAND INFRASTRUCTURE PROGRAM

- 8.10.23-8.24.23: Application Curing & Technical Review
- 8.10.23-8.23.23: Public Posting of Projects in GIS & Threshold Calculations
- 8.23.23-10.6.23: Challenge Period
- 8.23.23-10.6.23: Local Government Input
- 10.8.23-11.8.23: Challenge Adjudication
- 11.8.23: Permitting Review (This could be fluid)
- 11.8.23-1.7.24: Scoring
- 1.7.24-2.7.24: Project Deconfliction
- 2.8.24-3.10.24: Final Determination & Award Notification

# CAPITAL PROJECTS FUND – PROGRAMS UNDER DEVELOPMENT

- **Multi-Purpose Community Facility Projects**
  - Facilities Improvements for Community Anchor Institutions (CAIs)
  - Approved \$45 million in funding
  - Solicited for input on guidelines in May 2023
  - Anticipated to open Q3 2023
- **Digital Connectivity Technology Projects Program**
  - Device access programs
  - Anticipated \$20 million in funding
  - Anticipate soliciting input prior to release of the guidelines
  - Anticipated to open Q4 of 2023

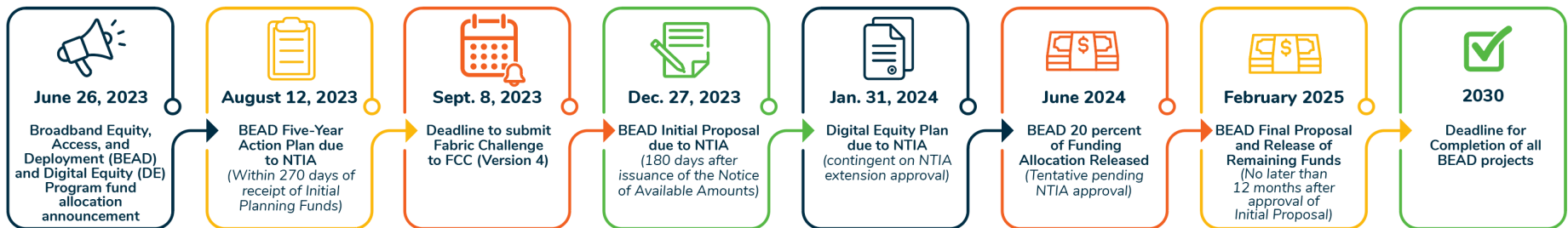


**INFRASTRUCTURE INVESTMENT  
AND JOBS ACT (IIJA)  
FUNDING OPPORTUNITIES**

# BROADBAND EQUITY, ACCESS, AND DEPLOYMENT (BEAD)

\$42.5B total for the program

- \$5M in planning funds to develop a 5-year action plan
  - 5-Year Action Plan due to NTIA 8.12.23
- ***\$1.16 billion awarded to PA for implementation 6.28.23***



Thank You!