

CONNECTMAINE

December (late) Meeting Agenda

12 January 2021

10:00 A.M.

Recording: https://networkmaine.zoom.us/rec/share/QIRSDPazCNiYaCAS6LBAJj05OFdfQwgImxP9Kw1JAPoHjAsXmk21mHP27UaaC84G.I3wnJEdYZZO_sqvt?startTime=164199726000

Authority Members

Nick Battista, Chair
Jasmine Bishop
Fred Brittain
Susan Corbett
Heather Johnson
Jeff Letourneau
Liz Wyman

Introductions of Members and Staff

Jeff Letourneau, Susan Corbett, Nick Battista, Liz Wyman, Fred Brittain, Jasmine Bishop, Peggy Schaffer, Stephenie MacLagan, Heather Johnson

Notes of Last Meeting

Approval of the minutes: Fred motioned, Susan 2nd, 6:0

Review of Operations

Executive Director's Report—Peggy

- Report to the legislature & MCA collaboration

The report to the legislature is retrospective and will be submitted soon. There may or may not be a presentation on it; we'll see what they want to do.

There's an agenda item on a memorandum of understanding with the Maine Connectivity Authority. We've been working really closely with Andrew Butcher. Aim is to plan deployment of federal funds and supporting the pipeline of projects ConnectMaine has been generating for years.

- Updates on NTIA grant & federal funds

NTIA keeps postponing decisions on grants. The delays are due to the industry challenges. Treasury has published guidelines for the federal funds going to counties and municipalities. It recognizes flexibility around broadband, essentially removing minimum speeds, and ensures affordability. At least Androscoggin County has dedicated funds for broadband. The state's initial application to the Capital Project Fund has been accepted, so now we have to develop the plan over the next several months. NTIA is requesting comments and will issue a notice of funding opportunity around May.

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Review of Timelines—Stephenie

- Targeting April for awarding infrastructure grants

Would require opening the application window today

This allows several weeks for applicants to meet eligibility requirements and apply, and only about four weeks for us to review applications.

- Targeting February for triennial plan adoption

The draft plan was publicly posted on November 25. It looks different than past plans because of the new circumstances for ConnectMaine; we'll focus strategic planning efforts on the plans that are being developed with the Maine Connectivity Authority. More information about public engagement will be posted on the ConnectMaine website.

- Targeting next meeting for review of financials over first half of fiscal year

No real update from a few weeks ago, with statements coming in next week, and no action required before the next meeting.

- Targeting today to confirm un(der)served areas

The Broadband Availability Map was updated by 10.20 based on industry data and grant tracking reports. The opportunity to review un(der)served areas ended on January 9. This is a formality of crossing t's and dotting I's. There's an agenda item later to confirm a couple of areas. The real nuts and bolts of broadband in the state starts with community planning.

Announcement of Planning Support for BUDs—Peggy

- Review memorandum on supporting Broadband Utility Districts

While this structure and tool has existed, there's been a lot of questions of how to set these up. The proposal is to develop technical assistance tools and services to support communities that are interested in establishing BUDs. The benefit would be to consolidate efforts in developing resources that can be used by many communities, rather than deploying small grants to individual planning efforts to duplicate these efforts.

Capital Projects Fund has a priority or preference for community-owned projects.

Communities are thinking about this and looking for resources to help.

Action: Staff will work on developing the RFP and thinking about needed funds.

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Board Discussion

- Fred: Will you acquire vendor support?

Peggy: There likely will be an RFP. There will be staff involved, but working with a consultant who will do the technical support stuff. We'll make use of a wide variety of people. The idea is scale, so this is the one time we have to do this, rather than 72 times.

Stephenie: There are a lot of activities and tasks that can be done by staff, and the more technical or intensive assistance like legal structuring support would likely be the elements of the RFP.

- Fred: Is there alignment with the Community Boosters?

Stephenie: Exactly, yes, the last sentence of the memo may be most important. This is about making the best impact of our planning support program, by leveraging and incorporating work already being done.

- Jeff: Communities that have gone through this have documentation to share, will you approach the BUDs for examples?

Peggy: Yes, in addition to OTO Fiber, Downeast Broadband Utility also has documentation. These communities have been supportive and helpful to other communities.

- Liz: Why use the term “utility” when it comes with so much baggage?

Peggy: Because “Broadband Utility District” is the term used in statutes. These structures and tools are instituted in statutes that started with water and sewer districts. We all know broadband is an unregulated utility.

Decisions on Operations

Consider NECEC Broadband Fund request—Peggy

- Review the request for funds

Stipulation with the Public Utilities Commission on the New England Clean Energy Corridor project included a Broadband Fund. The fund is now \$2 million, minus a \$600,000 request approved at the last ConnectMaine meeting. There hasn't been any questions or approval yet of that by the Parties to the MOU.

The Greater Franklin Development Council has proposed a project, using funds for the make-ready and pole processes. The proposal and amount requested fit the Stipulation, but after ConnectMaine approval, the NECEC partners will review for final approval before funds can be disbursed.

Approval of the NECEC Broadband Fund request: Susan motioned, Fred 2nd, 7:0

Board Discussion

- Liz: Has there been a freeze on funds? Do we have the right to the funds had?

Peggy: ConnectMaine has received the four quarters of funds already, \$2 million. We don't know about future funds. There was intentionality of speeding up these initial payments, and there isn't anything in MOU that allows the funds to be frozen.

Nick: The \$2 million went into escrow, and the MOU signed has the plans for use, the funds were pulled out of escrow, so now we're implementing those funds.

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Consider Extension Request—Stephenie

- Review request for extension on a broadband planning grant

Only City of Sanford is seeking an extension at this point. No flags on this request.

Approval of the request for extension on the completion date to February 18: Liz motioned, Jeff 2nd, 7:0

Confirm Unserved and Underserved Areas—Nick & Staff

- Debrief unserved and underserved areas submitted for review

A memorandum in the meeting binder explains the purpose of the Broadband Availability Map, Opportunity to Review Areas and lists the areas that may be confirmed as unserved or underserved. Data was submitted, but we don't anticipate updating the Map.

Data submitted was considered ahead of the grants window that we hope opens today. The Broadband Intelligence Platform will be further developed, and this process will be cleaner in the future. There isn't yet a public viewer of BIP, but we're planning for that in the future. Potential applicants will have access to BIP for infrastructure grants.

The two areas listed in the memo are those that weren't depicted according to the designations made in April 2021.

Approval of confirming the areas listed in the memo as unserved or underserved: Jasmine motioned, Jeff 2nd, Heather abstains, 6:0

Board Discussion

- Nick: If somebody's looking to apply for grants later today...?

Stephenie: The Broadband Availability Map shouldn't be used to determine eligibility for grants. We're closing the chapter on that map.

- Jasmine: If this vote doesn't have bearing, then what do you want from the board?

Stephenie: This is a desire of the ConnectMaine Authority, so if you want to confirm, then staff recommends confirming the two areas as described in the memo.

Nick: We can do this vote this time, and the future designation of unserved and underserved areas will be smoother.

Adoption of MOU with MCA—Nick & Peggy

- Review memorandum of understanding with Maine Connectivity Authority

At last meeting, staff was directed to draft MOU. It outlines how we'll be working together and tracks with the shared principles. MCA will vote on the same MOU on Friday.

Action: ConnectMaine staff will submit this for legal review, but the Authority is supportive of the substance.

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Board Discussion

- Susan: Should this MOU be so specific on the date of increased funds?

Peggy: It intends to refer to this upcoming application window of the broadband infrastructure grants.

Nick: This MOU is dated through June. We can also revisit this later in the spring.

Andrew: Intent was to give clear indication of commitment to avoid disrupting the marketplace.

- Liz: Did Emily review this? I won't vote until it has been legally reviewed.

Nick: We can approve pending review by Attorney General's Office.

Fred: It's great to see the shared principles translated to clear tasks, and I could support approving it conditional on AG review. Susan echoed.

Jasmine: We could confirm approval at our next meeting in a couple of weeks. Jeff echoed.

Andrew: Affirmation of this would be very helpful.

Nick: Emily may have revisions and we can revisit this.

Andrew: We tried to be focused on operations and be detailed there but minimize the legalese. The intent is allow for us to get to work.

Consider Waiver Requests from Providers—Stephenie

- Review eligibility requirements for infrastructure grants

A memorandum in the meeting binder explains the required data filing and extensive outreach by ConnectMaine to the industry since June, in addition to the rulemaking process that also covered the interactions among data collection, mapping activities and the infrastructure grants program. Given the recent Opportunity to Review Areas, ConnectMaine outreached again in late December, offering another opportunity to ISPs.

- Discuss waivers requested as listed in the memo

A few ISPs submitted data and tracking reports, and one ISP submitted a waiver request. Additionally late yesterday, Charter submitted the grant tracking report, so that company now meets this particular eligibility requirement. This leaves three ISPs ineligible without waivers.

A thought would be to waive this requirement for all ISPs for this application window, or to waive it for those ISPs communicating with staff, or to waive it for only the one requesting.

Approval of waiving the grants eligibility requirement related to required data filing and grant tracking reports for Axiom Technologies: Liz motioned, Jeff 2nd, Susan abstained 4:0

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Board Discussion

- Nick: Point of this rule requirement is to ensure public-private partnerships and collaboration are happening, that seems to be happening?

Jeff: Correct, otherwise, why do we go through all the work of modifying our rules; it sets a bad precedent to just waive, so you're not really needing the information.

Liz: What basis do we use to grant a waiver, good cause? I wouldn't support a blanket waiver.

- Jeff: So one ISP isn't cooperating at all? The others, at least communicating? Are they trying to submit data?

Stephanie: FirstLight, correct. Communicating, yes. UniTel and Axiom are going to be unable to submit data for this upcoming infrastructure grants application window, so this isn't an extension of the opportunity. We'll continue to work with them to get the data, but the mechanics of this are about the upcoming grants window.

Peggy: Because Axiom and UniTel are at least communicating with us, are you willing to approve waivers for them but not FirstLight?

- Jasmine: We didn't get a letter from UniTel? Would the waiver extend the timeline to submit data? We should still have the expectation of getting the data.

Stephanie: No, we didn't get a letter from UniTel. There were multiple opportunities for them to submit a letter.

Nick: The waiver is from the requirement that data had been submitted.

Stephanie:

- Liz: Who has authority to grant the waiver? I'm ok acting on an oral waiver request.

Peggy: The ConnectMaine Authority, the board does.

Stephanie: The rule isn't specific to there being good cause at all; it just says they're ineligible unless a waiver is granted by the Authority. The required data filing is 90 days from the request that was made in June, so they had until the end of September. Then in December when we again reached out, they could submit data or request a waiver. The waiver is from the rule requirement about grants eligibility in this infrastructure grants window. Data still has to be filed, so you don't need to extend the timeline for that. It's waiving the eligibility requirement or not.

Nick: Options here are to grant a waiver to those requesting it, those working with ConnectMaine, or all ISPs. Liz echoed.

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Announce Broadband Infrastructure Grants—Stephenie & Peggy

- Debrief the public engagement on the Broadband Infrastructure Grants Program

In addition to extensive engagement activities around and beside rulemaking last year, ConnectMaine posted draft materials in early December, held a workshop, solicited questions and comments, and posted answers and revised materials online. ConnectMaine continues to solicit questions and comments, in preparation for a workshop for potential applicants once the next application window is opened.

The workshop would be on the 19th at 10am. It will be recorded but attendance is encouraged; this is a new process and supported by Tilson & VETRO.

- Discuss opening an application window for Broadband Infrastructure Grants

In addition to the Application Guide, an announcement of the application window is included in the meeting binder, which references the approximate \$6.5 million remaining from the broadband bond passed in 2020. There's be a future announcement of any additional funds from MCA pending MOU approval.

If the application window is opened today, required provider outreach leads to an application deadline of March 20 followed by a short review period for approving awards at the April meeting.

Approval of opening the application window for Broadband Infrastructure Grants with the application deadline of March 20 to award the remaining funds of the \$15 million bond at least: Jeff motioned, Susan 2nd, 5:0

No Other Business

Public Comments

- Denise Munger, Midcoast Internet: Can someone speak to LD 1894?

Nick: We don't usually take time in these meetings to discuss the legislative session or bills that ConnectMaine may weigh in on, unless it's something significant affecting statute.

Peggy: Though I have started conversations with the sponsor of LD 1894.

Approval of adjournment: Susan motioned, unopposed

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November Meeting Minutes

8 December 2021

Zoom Link: <https://networkmaine.zoom.us/rec/share/xVGPs3IJtvVTRmPNCqjgxeEztWSPWHg70mGUSkHZzPK6qr4ZYgD-nEwB4llis1L.X7RD0Gdb7mZ40cOv>

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Introductions of Members and Staff

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Meeting Kickoffs

New positions and transitions—Nick

- Congratulations to Liz for taking on the position as general counsel
- Ben Sanborn has moved onto another position from the Telecommunications Association of Maine
- Andrew Butcher is the acting president for the Maine Connectivity Authority

Chebeague passes warrant article to build community broadband—Nick

- Congratulations to David Hill and others who've worked toward that for a long time

Notes of Last Meeting

Approval of the October minutes: Susan motioned, Fred 2nd, Jeff abstained, 5:0

Review of Operations

Executive Director's Report—Peggy

- Community Broadband Planning Participation & State Conference
Great conference, and presentations are available on the Maine Broadband Coalition website. Community broadband planning has really started to pick up. New federal funds coming increases the importance of communities having a say. In the offing, we're working on developing a set of resources to support communities that choose a pathway of establishing broadband utility districts.

- Updates on federal funds & delayed NTIA decisions affecting our grants program
Something important to watch about will be the federal funds that will be tied to the FCC maps that have yet to be finished and published. While those funds probably won't hit doors until January 2023, there will be about \$150 million to deploy in the meantime. This is part of the backdrop for the memorandum of understanding between ConnectMaine & MCA. NTIA didn't meet their November announcement deadline and now the decisions may not be announced until early January. Having done some thinking on this delay, we can still move forward with our broadband infrastructure grants program on the planned timeline.

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Board Discussion

- Nick: Of the NTIA Grant challenges, it seemed the vast majority were frivolous?

Peggy: Yes, and NTIA has continued to ask for additional information, even over holidays. Of over 1100 census blocks of ours, 340 were challenged; most were erroneous. About 40 census blocks have at least one subscriber location that is unserved, and we're proposing to only serve those unserved, just as NTIA required in the application.

Review of Timelines—Stephenie

- Targeting March for awarding infrastructure grants, before NTIA delay

Would require opening the application window at the late December meeting in January, but we'll have to do more thinking on this given the NTIA delay. Most likely the application window would close in March, but we'll keep moving the timeline as aggressively as we can.

- Targeting February for triennial plan adoption

The draft plan was publicly posted on November 25. Today principles and strategies will be reviewed and voted on to guide collaboration with the Maine Connectivity Authority.

- Targeting the late December meeting in January to confirm un(der)served areas

The Broadband Availability Map was updated by 10.20 based on industry data and grant tracking reports. Today the opportunity to review un(der)served areas is announced, based on the outcome of voting on the reposted rule.

- Targeting today for rule adoption

The rule was reposted on 11.3, and 12.5 was the deadline for public comments. After adoption, once submitted, the state will approve it between 5 and 30 days.

Review of Financials—Stephenie

- Increased assessment revenue

The Administrative and Fund spreadsheets now capture an obligation of the increased revenue from the surcharge being expanded from only landlines in the last two quarters of this fiscal year. It's anticipated that the combined fee and surcharge for FY23 could be as much as \$3 million.

- State financial systems delaying cashflow, e.g., bond funds for infrastructure grants

The infrastructure grants expense line and the bond financial sheet show the delay in flowing bond funds from the state to our Solix-managed account. We found out after-the-fact that DAFS created a dummy contract to allow the cashflow, but since DAFS, Treasury and ConnectMaine all see only their piece of the puzzle and no one sees the whole, the contract was insufficient to continue allowing cashflow beyond the first quarter. We finally found a solution of amending their dummy contract, after much confusion and delay, which continued through the Thanksgiving holiday with one office of DAFS waiting on another office of DAFS. We're doing our best to track down individual staff people to get follow through on state financial systems, and DECD has been very helpful. At least we haven't been getting substantial requests for 2nd quarter disbursements from grant recipients, yet. Another promise that the funds would be triggered to leave the state, yesterday, and it takes 3-8 days for funds to reach the Solix-managed account, so I'll know sometime next week whether or not the funds landed correctly.

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Another recent issue was that DAFS overpaid our auditing firm, and now we're responsible for getting a refund check as quickly as possible so that DAFS can "disencumber" some of the coronavirus relief funds that we didn't even think still existed. Their system for reimbursements requires five state employees, not including ConnectMaine, to complete & confirm the transaction, not to mention the time on the auditor's side. Because there wasn't a separate state contract for the uniform guidance audit on CRF, which was previously approved by DAFS, another office of DAFS is trying to figure out how exactly to accept or apply this refund check. Again, we'll continue to monitor follow through as much as we can. This isn't an action item for the board, but we wanted everyone to be aware of these events.

Governance Updates—Nick & Jasmine

- Review 2020 governance workplan and May 2021 recommendations

These documents were developed previously, and put aside as the Maine Connectivity Authority got set up, and now we're picking them up again as we embark on strategic planning and collaborations with MCA.

- Discuss Vice President position and other activities

Had hoped to get a role description drafted for review, but we can discuss idea of a VP role that would support a variety of governance and organizational development work.

Decisions on Operations

Decision on NECEC Broadband Fund request—Peggy & Nick

- Review the request for funds

Stipulation with the Public Utilities Commission on the New England Clean Energy Corridor project included a Broadband Fund. The fund is now \$2 million, and we obviously don't know whether any additional funds will come or when. Having these funds available helps leverage state funds further.

The Somerset Economic Development Corporation has proposed a project, using funds for make-ready and starting to expand broadband infrastructure. The proposal and amount requested fit the Stipulation, but after ConnectMaine approval, the NECEC partners will review for final approval before funds can be disbursed.

Vote to approve the NECEC Broadband Fund request: Susan motioned, Jeff 2nd, Liz abstained, 5:0

Board Discussion

- Fred: Did the passage of Question 1 have an impact on the flow of funds?

Peggy: Much of the Stipulation will be put on hold at some point, but doesn't affect the \$2 million we have now.

Nick: The Stipulation led to the escrow account, and the memorandum of understanding allowed us to have funds transferred to us, so these funds are sitting in the ConnectMaine account now; we don't need to go seeking a check from anyone.

- Jeff: Will these folks use the funds to complete make-ready and then apply for more?

Brian: Intent is to use these funds as part of the proposal for a state grant; they won't be spent until the state grant is awarded.

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Award Community Broadband Planning Grants—Review Team (Nick, Susan & Peggy)

- Debrief review process

It was great to see high demand, though available funds were only \$50,000. Applicants were from all across the state. The review team includes representatives of other organizations supporting community planning, and it's really nice to have continuity across the state. In addition to awards, the review team recommends that all applicants become part of the Community of Practice being launched by MBC.

- Review recommendations for awards

All applicants will be supported by ConnectMaine even if it isn't with the planning grant they requested. South Bristol will be offered a startup grant, and many MSAD 72 communities are still working through startup activities. All applicants will receive direct communications from staff. Recommended awards include those to Aroostook and Southwest Waldo counties. Also recommending another window be opened today.

Vote to approve the planning grants as recommended: Susan motioned, Liz 2nd, 6:0

Announce Community Broadband Startup & Planning Grants—Peggy

- Decide on amount of funds to make available for Startup Grants through fiscal year
About \$160,000 from the approved budget for the NTIA Grant process won't be needed, plus the increase in assessment revenue means we can make more funds available for grants. Previously \$50,000 was approved for Startup Grants through the end of the calendar year. After November awards, \$34,000 remains that could be carried over for the rest of the fiscal year, minus any that is awarded in December. Staff recommend approving this carryover.

- Discuss funds and timing for the next application window for Planning Grants
Previously, \$100,000 was approved for Planning Grants each half of the fiscal year. Since this was split to share with Startup Grants, only \$50,000 was announced for the last application window, which was just awarded. Staff is recommending an increase to \$150,000 for the next application window for Planning Grants, with applications due January 20.

Vote to approve carrying over the remaining amount of the \$50,000 approved for Startup Grants, and adding another \$200,000 for pooling funds for both Startup Grants and Planning Grants through the end of the fiscal year, and opening an application window for Planning Grants with the application deadline of January 20: Liz motioned, Fred 2nd, 6:0
Board Discussion

- Susan: Pooling the approved amounts will avoid limiting whether the award can be a startup grant or planning grant. For some communities, it might be better to go back to startup activities and this would give the review team more flexibility to do that.

Peggy: Right, it provides us the flexibility to ensure no community planning process is stalled and make the best use of our funds.

Nick: Having this flexibility make a lot of sense, and thinking about the conversations with MCA will be good to keep in mind the things we should be thinking about as a board and what decisions should really be made by staff.

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Adoption of Rule—Peggy

- Review the posted rule

Originally posted in October, but there was confusion about the designations of unserved and underserved areas, so we went back to rulemaking for Section 5 of the rule.

- Debrief the public comments

Nearly all comments repeated the original comments, rather than focus on Section 5. These have been addressed, and all this stuff will be compiled for the Secretary of State's Office.

Vote to adopt the posted rule: Liz motioned, Jeff 2nd, 6:0

Announce Opportunity to Review Unserved and Underserved Areas—Stephanie

- Broadband Availability Map updated and review disclaimer

This map is intended to provide a starting point for customers to identify what broadband service might be available in their communities. The mapping data were reported by the industry, reflecting the FCC reporting through September 2019 and any reports during the most recent ConnectMaine request of the industry through this past September. While this map is the best information on broadband availability in Maine, ConnectMaine knows the information doesn't represent the actual services that are available to individual customers. This may be the last update of this particular map, since the current contract expires at the end of this year.

- Data on broadband availability may be emailed to ConnectMaine

ConnectMaine intends for data, showing broadband availability or lack thereof, to be considered as it prepares to open the next application window for Broadband Infrastructure Grants. For this purpose, the data submitted must be address-level information that depicts points showing the extent of service availability, preferably in shapefile format. We will work with providers, applicants and other credible sources on a case-by-case basis to consider the format and content of the data that can be submitted. Check website for instructions.

Since the rule was adopted, there is 30 days to submit requests; ConnectMaine will receive data submitted through January 9. ConnectMaine could then confirm areas on January 12.

Board Discussion

- Nick: What will the impact be, areas that are eligible for grants? Same process?

Stephanie: The data submitted will be considered as part of proposing eligible project areas for the next application window of infrastructure grants, yes. Keep an eye out for email announcements and more information on the ConnectMaine website. This process is similar to the one earlier this year, but more streamlined and simpler from the new rule. This process is triggered by the rule, so no motion or action needed here.

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Adoption of Shared Principles—Nick

- Review memo on principles and strategies

These shared principles will help inform discussions with MCA and will provide guidance toward staff development of a memorandum of understanding. ConnectMaine has more flexibility to do last-mile projects. We also have a set of valuable assets, like BIP, that make the grants process easier.

Vote to adopt the guiding principles for future joint work with the Maine Connectivity Authority toward achieving statewide broadband: Susan motioned, Jasmine 2nd, 6:0

Action: Staff incorporates the principles and strategies into the draft triennial strategic plan, and collaborates with MCA staff to execute an MOU that translates activities from the plan into key functions and work over the next year or so for the two authorities, which includes reporting to the legislature early in the new year with a plan to reassess the collaboration or any statutory changes later 2022.

Board Discussion

- Liz: What is meant by “avoid encumbering MCA with statutory limitations or rulemaking obligations on ConnectMaine”?

Nick: ConnectMaine processes and systems are bound by the ConnectMaine statute and rule. MCA has a different set of structures and intentions in their statute. What’s intended with this principle is to avoid putting structures that we find make it harder for us to solve problems into the MCA processes or systems. We’re looking to have the right conversations and right structures.

- Liz: There isn’t much on affordability...?

Nick: There have been those conversations.

Susan: That’ll be addressed with funds under the Digital Equity Act.

- Fred: There isn’t a lot of detail about the staffing, and the two entities are structured differently by statute...?

Liz: We don’t want to violate any state statute, like we can’t combine staffing.

Peggy: That isn’t the intent. This is about the kind of work that needs to get done; how do we make sure that we utilize the whole three staff had.

Stephanie: That’s a helpful example for the distinction between the shared principles being adopted and the strategies below. While the strategies talk about what’s needed, not just now but long term, the MOU will focus on the near term; how do we move forward in the most efficient and non-disruptive way possible.

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Announce Infrastructure Grants Program—Stephenie & Peggy

- Update based on outcome of voting on the rule

ConnectMaine has updated the Broadband Infrastructure Grants Program to recognize the rule as adopted, pending state approval. Looking to award grants early enough in the spring so people can be prepared to break ground in the Maine weather.

- Next steps for stakeholder engagement and potential applicants

The timing of next steps for the Broadband Infrastructure Grants Program may depend on the timeline of learning about NTIA Grant decisions, but these next steps include posting the drafted materials, including the application and evaluation process, on the ConnectMaine website and hosting a workshop for public engagement on the program. If our grants timeline isn't delayed, this workshop could occur as soon as the 15th at 10am. Keep an eye out for an email announcement. We'll take feedback on the grants program to incorporate and further improve before the application window is opened in January.

This stakeholder engagement is important before we open the application window, because we can't change the application materials once the window opens. We'll have another workshop then for potential applicants, which will be more detailed and walk through the application process.

Board Discussion

- Nick: This includes the use of Salesforce?

Stephenie: We have been able to develop an online grants portal, and that'll be part of what's announced at the workshops.

Nick: It's nice thinking back to the various meetings in fall, seeing where things are headed.

Peggy: We're hoping the grants portal helps avoid incomplete applications.

Other Business

Community Broadband Planning—Peggy

- There's published pieces on community stuff, links on our website

One explores the differences between Leeds and Hampden, a deep dive into the results of their respective warrant articles to fund broadband expansion.

No Public Comments

Approval of adjournment: Fred motioned, unopposed

Executive Director's Report

12 January 2021

Peggy Schaffer, Executive Director

Authority Members

Nick Battista, Chair
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Active grant awards

Under the still-new Grants Verification and Validation process, ConnectMaine has received six of the 15 required quarterly progress reports on broadband infrastructure grants. These reports help staff ensure enough bond funds are flowing for grant disbursements. Two of the three remaining grant recipients to submit reports are communicating with staff. Generally, slower than anticipated progress is due to utility pole processes.

While five community broadband planning grants should close out next month, the City of Sanford is seeking an extension to complete their project by the end of this month. Six other planning grants are open through May. The latest five projects awarded grants have been verbally accepted at least, supporting efforts in 13 communities plus Aroostook County.

Local and regional planning support

The development of the Broadband Intelligence Platform that's funded with a Northern Borders Regional Commission grant includes supporting 10 subscriptions to VETRO Cares. Communities will be supported by VETRO to use FiberMap in their broadband planning efforts. This third cohort kicked off last month and includes certain the Towns of Brooklin, Mount Desert, Rome and Sedgwick; Franklin County; and the collaborations in Southwest Waldo County, the midcoast region, western Kennebec lakes region, Katahdin region, and the towns in MSAD 72.

Piscataquis County presented their report on a zoom in December. "Surprising amount of fiber-based service in Piscataquis, mostly thanks to Premium Choice Broadband in partnership with ConnectMaine." \$27 million to build out the rest of the county with FTTP. (Franklin and Somerset are way more than that.) Somerset and Franklin counties continue to move forward with their plans. The NECEC funds approved by ConnectMaine are a key element. Franklin County has a request in for NECEC funds on the agenda.

The Community of Practice participants met for the first time just before Christmas. We have 12 community boosters recruited. Lots of good feedback from both our "experienced" community advocates and the newer ones. This shared-learning strategy will keep planning processes moving forward, that and the reality of significant federal funds arriving.

Staff and program management

Our new rule is now Officially Adopted. We got it to the SOS, and its now a done deal.

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While we continue to foster collaboration with the Maine Connectivity Authority, the annual report to the legislature was drafted in order to meet that submission deadline. This statutorily required report is retrospective, briefly describing the activities of ConnectMaine over the calendar year 2021. Once submitted, a copy is posted on the website.

Staff continued to refine an MOU with MCA, which will be considered in our “triennial strategic plan.” We’ve been working toward a final version for ConnectMaine approval; an agenda item. The process has been smooth, and as MCA ramps into programs, more of our work time and processes will be used as part of MCA’s structure moving forward.

Federal funds

NTIA continues to review our grant application, seeking additional information on one of the network designs over the December holidays. Soon. Soon.

MCA and ConnectMaine continue to have conversations on strategies to meet the needs of pipeline of projects. There are logistical things to work out, but we are all very committed to meeting the demand that we have worked diligently to build over the past 5 years.

ConnectMaine continues to talk with communities and counties about the ability to use the ARP funds for broadband expansion. There is significant interest, and the first county to pull the trigger on infrastructure will help immensely.

Partnership activities

Island Institute, Maine Broadband Coalition and ConnectMaine met with Sarah Strickland, Greater East Grand Lakes Region, to talk about an opportunity to fund a fully developed infrastructure project by applying to the Build Back Better Grant. This 3-organization group will pick 5 applications nationally, and this area seemed the best-suited for the grant criteria.

Staff briefed the Island Institute on the Broadband Intelligence Platform, its functionality and use. Jim Stegman, CostQuest, was on a recent Broadband Breakfast talking about the new FCC map and used our BIP as an example of the type of work his company is doing in states to help with not only location identification but cost modeling that will be central to using the federal funds. The BIP remains a valuable tool that will only get more useful as we all try to understand cost structures and how to best build out areas with new federal funds.

CONNECTMAINE

Broadband Utility Districts

12 January 2021

10:00 A.M.

Zoom Link: <https://networkmaine.zoom.us/j/83739569580>

Authority Members

Nick Battista, Chair
Jasmine Bishop
Fred Brittain
Susan Corbett
Heather Johnson
Jeff Letourneau
Liz Wyman

Background

In 2015 the Legislature amended the interlocal agreement statute (MRSA 30-A Chapter 115) to specifically include the formation of broadband utility districts. This section of statute is where the ability to create publicly owned water and sewer districts as special municipal districts across several towns. These districts are quasi-municipal districts, independent of town government, but have an elected board and can receive grants, borrow and finance the development of publicly owned water and sewer systems. A Broadband Utility District (BUD) have the same powers and obligations as a sewer or water district.

In 2019 the legislature (MRSA 30-A Chapter 213) included communication services (broadband) in the ability for a town to issue revenue bonds based on Revenue Producing Municipal Facilities (RPMF). These bonds can support broadband expansion either by a communications service provider (ISP) or a municipality or group of municipalities.

ConnectMaine has been relatively silent on developing any support structures to help communities or municipalities explore and use these two state policies and laws to facilitate broadband expansion. NH and VT have similar statutory provisions. VT uses Communication Union Districts (CUDs) as the only strategy to use state and federal funds to support broadband expansion. EC Fiber is the basic model these efforts are built on. NH has begun to use the revenue bond strategy to build out in areas.

The Vermont Community Broadband board focuses their time exclusively on supporting and developing CUDs. This includes planning funding, feasibility and business plans, all leading to funds for unserved areas. Their goal is to bring service to over 200,000 Vermonters in the next four years through CUDs. The strategy is to use federal funds to bring service to the unserved parts of a CUD, and then issue revenue bonds (property taxes can't be used by law) to expand that service to the remaining underserved and served areas of a CUD. The technical support they offer includes sample legal documents, assisting with business planning, funding for infrastructure. They also bought about 2,000 miles of fiber to address the rising cost and supply chain issues. This strategy has made it easier for ISPs to engage and has progressed CUDs along much more rapidly than what we see in Maine.

The NH strategy uses the revenue from a broadband build to finance that project. The one most talked about is in Chesterfield, where the town bonded for the infrastructure and CCI paid for the drops. The downside is the NH law does not encourage multiple towns to join together, so it means a build of one town at a time, which is very inefficient and slow.

CONNECTMAINE

Proposal

ConnectMaine plans to expand its Community Broadband Planning Support Program, to support the development and use of BUDs and Revenue Producing Municipal Facilities to expand broadband service availability in Maine.

ConnectMaine would create a pathway for communities to become a BUD, including support with planning aspects such as legal, partnering, business plans, feasibility, design and financing. The incentive for towns to form a regional BUD is the technical assistance all along that path. If towns agree and are in, then these resources are automatic with planning grants awarded, based on progress toward the goal of universal, affordable broadband service. ConnectMaine proposes requirements, such as:

- A minimum of four municipalities or local governments, who are committed to joining and building out their area, with approval from local government leaders. (Formal approval of the BUD by the governing body would follow later.)
- The BUD would also have the responsibility of ensuring digital equity and inclusion, including efforts to connect customers to the Affordable Connectivity Program or similar opportunities.
- Need to plan to build a minimum of 100/100.

The benefits include ConnectMaine help with:

- creation of the BUD, including samples of legal documents, town meeting warrants and other organizational requirements, such as board structure, general policies and procedures
- guaranteed funding stream to assist with development of BUD and feasibility studies
- negotiations with private sector partners
- other needed organization steps.

ConnectMaine would create a webpage dedicated to BUDs with documents on it to assist with formation, structure, policies and procedures. Most of these would be garnered from other sites like Benton Foundation and Vermont. Posts would include examples of by-laws, voting and representation requirements, sample town warrants, FAQs, etc.

ConnectMaine would do a deeper dive to prepare a factsheet on revenue bonds, including possible funding partners and strategies, and what information or perhaps templates that communities would need to better understand the financing options, take rates and cost structures. This background work would be useful to any community seeking to go the revenue bond route.

Expanding on the Community Broadband Planning Support Program means all this information and effort would be incorporated into the Community of Practice resources being compiled and shared through the Maine Broadband Coalition.



CONNECTMAINE

ConnectMaine Authority Members: Nick Battista, Jasmine Bishop, Fred Britain, Susan Corbett, Heather Johnson, Jeff Letourneau, Liz Wyman

Application for New England Clean Energy Corridor Broadband funds, Spring 2021

These funds are available to impacted communities in Franklin and Somerset County for efforts to expand broadband including last mile connections. These funds are in accordance with the Maine Public Utilities Commission's Stipulation agreement, delineating a broadband benefit as part of the Public and Rate Payer Benefits of the New England Clean Energy Corridor.

The funds are available to Greater Franklin Economic Development and Somerset County Economic Development for broadband expansion, as outlined in the broadband plan outlined in the Memorandum of Understanding between ConnectMaine and the signatories of the Stipulation agreement. These funds are for the first two quarters of 2021, and total \$1 million.

Funds from NECEC to support these broadband project projects will be considered as match for the purposes of a ConnectMaine infrastructure grant application, though the funding would be awarded separately from a ConnectMaine application.

While the intent is to maximize public and private funding for these projects, there is no requirement that these funds be awarded as a result of a ConnectMaine infrastructure grant. ConnectMaine's intention is to award this first two quarters of funds evenly for projects in each county, as outlined in the stipulation agreement, as long as the proposed budgets justify the funding request.

Legal Name of Applicant: Greater Franklin Development Council

Contact information: Charles Woodworth

Mailing address: PO Box 107, Farmington, ME 04938

Phone: 207-778-5887

Email address: cwoodworth@greaterfranklin.com

Federal EIN number: 01-0524770



CONNECTMAINE

ConnectMaine Authority Members: Nick Battista, Jasmine Bishop, Fred Britain, Susan Corbett, Heather Johnson, Jeff Letourneau, Liz Wyman

Name and contact information of person to be contacted on matters involving this application:

Name: Charles Woodworth

Title: Executive Director

Phone: 207-232-1997

Email: cwoodworth@greaterfranklin.com

Brief Description of project to be funded: (This will be used in any press releases.)

Greater Franklin Development Council (GFDC) on behalf of the 35 Towns and Townships within Franklin County, is in the process of negotiating with service providers to establish Public-Private Partnerships to expand the availability of affordable, reliable, high-speed Internet service throughout the county. Six (6) of these Towns are host communities to the New England Clean Energy Connect (NECEC) project and are eligible for grants from the \$10,000,000 NECEC Broadband Fund (Fund) to support the implementation and maintenance of high-speed broadband infrastructure.

As we are actively negotiating with service providers, we are working hard to secure funding commitments from the Towns and Franklin County as a local match that will enable much more productive negotiations. Ultimately, we plan to secure these commitments prior to the opening of the next ConnectMaine grant round and in preparation for pursuit of the State and federal American Recovery Plan Act (ARPA) funds and the BEADA - Broadband Access, Equity, and Deployment Act ("Infrastructure Act") funds. To that end, we are requesting \$400,000 from the NECEC Broadband Fund to defray a portion of the estimated make-ready costs and to supplement local and county funds to form a significant local match. A portion of these funds will be allocated to the planning required to see these projects to the doorstep of implementation.

Amount requested: \$400,000

Communities Impacted:

List each affected municipality, local government or local government authority, or a local nonprofit providing economic development programs, as applicable to the proposed project.



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ConnectMaine Authority Members: Nick Battista, Jasmine Bishop, Fred Britain, Susan Corbett, Heather Johnson, Jeff Letourneau, Liz Wyman

NECEC Host Communities - Franklin County	Estimated Make-ready Costs	NECEC Broadband Fund Allocation
Industry	\$ 830,115	\$ 43,847
New Sharon	\$ 1,018,710	\$ 53,380
Farmington	\$ 1,881,495	\$ 98,590
Wilton	\$ 1,599,345	\$ 83,806
Jay	\$ 1,508,760	\$ 79,059
Livermore Falls	\$ 788,535	\$ 41,319
Total	\$ 7,626,960	\$ 400,000
		5%

Project Scope:

Please attach a detailed description of the proposed project of no more than 5 pages. Identify how the project will have tangible impact on these communities in the near term. Also please identify how these funds will leverage additional funding and contribute to funding affordable broadband service in these communities. Please include why this project was selected, and how this project will meet the use of funds in the Stipulation agreement:

- A. Payment of legal, consulting and financial planning fees related to the establishment of public/private partnerships to expand the availability of high speed broadband in the host communities or ongoing project management required to expand and maintain the availability of high speed broadband in such communities including, but not limited to, providing broadband service to public buildings where citizens may access the service for personal or business use;
- B. Payment of annual pole license fees in unserved and underserved areas; or
- C. Payment of make-ready costs for utility poles in unserved and underserved areas.

The proposed project will deploy 1Gbps symmetrical capable infrastructure to all potential subscriber locations the six (6) towns identified in the table above. (See *Franklin County Broadband Report*, submitted previously, for specific details of areas to be served.)



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ConnectMaine Authority Members: Nick Battista, Jasmine Bishop, Fred Britain, Susan Corbett, Heather Johnson, Jeff Letourneau, Liz Wyman

The towns of Industry and New Sharon are considered unserved, that is with service capability of less than 50Mbps download and 10Mbps upload. The remaining towns are partially served via cable TV infrastructure but with portions considered unserved. This project will make service available to these unserved locations equal to the best service available anywhere else in the nation while providing the communities with unparalleled opportunities for economic development (*work from home, work from vacation home, work from rental property, ability to start new home-based businesses, enhanced connectivity for existing businesses*), as well as enhanced opportunities to take advantage of tele-health services, and participation in distance-learning classes, etc.

We have already received proposals from service providers to serve one (1) of these Towns where the service provider is proposing to fund 70%+ of the overall cost. We plan to use the NECEC Broadband funds, combined with local and Northern Board Regional Commission (NBRC) funds and funding from ConnectMaine and/or the Maine Connectivity Authority to fund the remaining costs. In short, the NECEC Broadband funds will be leveraged on potentially up to an 8:1 basis. We are also requiring partner service providers to offer an affordable service package and to participate in the FCC's Emergency Broadband Benefit program.

This project is a subset of an overall county-wide project to expand the availability of affordable, reliable, high-speed Internet service throughout the county. This project subset addresses all the NECEC host communities in Franklin County where there is utility pole infrastructure. The use of these funds will be limited to planning work and payment of utility pole make-ready costs for unserved areas within these host communities.

Please describe key project milestones and deliverables:

Key milestones for the utility pole make-ready process include:

- Utility pole data capture and upload into engineering application
- Strand map to select utility poles to be included in pole attachment applications
- Submission of pole attachment applications
- Joint ride-out of utility poles with pole owners to determine make-ready tasks required and costs for make-ready
- Payment of utility pole make-ready charges
- Completion of make-ready

Note: No NECEC funds will be expended until the overall project is fully funded and contract(s) with the partner service providers have been executed.

Please identify the proposed timeline for implementation:

The timeline for implementation and use of these funds will begin when the overall project is fully funded and contract(s) with the partner service providers have been executed. The utility pole make-



CONNECTMAINE

ConnectMaine Authority Members: Nick Battista, Jasmine Bishop, Fred Britain, Susan Corbett, Heather Johnson, Jeff Letourneau, Liz Wyman

ready process is estimated to be completed within twelve (12) months. We expect the project to be fully funded no later than the third quarter 2022 if we will require state or federal funding.

Please attach a detailed budget for use of the funds. This should include other funds leveraged or supplemented by this funding.

The budget for the use of these funds is included in the table above. The remaining funds beyond the service provider contribution have not yet been secured. We know that securing the NECEC Broadband funds will greatly improve our anticipated success in securing the remaining funds.

CONNECTMAINE

I. Applicant Information

Applicant Signature: *Jim. Nimon*
Date Submitted: December 23, 2021

A. Fiscal Agent

Please use the same entity name and mailing address that were on the W-9 Form submitted.

Entity Name: City of Sanford
Mailing Address: 919 Main Street, Sanford, ME 04073
Contact Name: James F. Nimon
Phone Number: (207) 608-4155
Email Address: jfnimon@sanfordmaine.org

B. Grant

Grant Amount Awarded: \$25,000
Amount Received To Date: \$12,500

A total of 50% of the grant amount awarded may be requested before completion of the project.
Amount Requested At This Time: \$0

C. Affected Communities

List a point of contact for each community involved in the planning work.

Community	Name	Title or Role	Email or Phone
<u>City of Sanford</u>	<u>James F. Nimon</u>	<u>Executive Director</u>	<u>(207) 608-4155</u>
		<u>Sanford Regional Economic Growth Council</u>	

D. Applicant or Agent

Name: City of Sanford
Title or Role: Executive Director, Sanford Regional Economic Growth Council
Mailing Address: 917 Main Street, Suite D, Sanford ME 04073
Phone Number: (207) 324-9155
Email Address: jfnimon@sanfordmaine.org

E. Partner, if any N/A

Company Name:
Point of Contact Name:
Title:
Phone Number:
Email Address:

CONNECTMAINE

II. Project Focus

Either confirm the timeline and milestones expected are unchanged from time of application and award, or list the project timeline with milestones now expected. Explain unforeseen circumstances and reason for any extension being requested, including the project timeline up to this point to demonstrate how progress has been attempted.

The CMA planning grant, matched by a CDBG award, has funded the next important step to refine the cost estimates and test the financing structure for expanding an existing 45-mile fiber-optic network to all businesses in the city. The two key elements of the analysis have been: a “take rate” survey, and plan for improving digital literacy in “near-fiber” businesses with the highest broadband-driven growth potential. The ongoing pandemic has continued to offer a less-than-ideal environment for outreach to, and contact with, the “near-fiber” companies identified along the SanfordNet Fiber trunk. The effort to stay afloat, with a worker shortage and supply chain issues, has exacerbated things during the digital literacy phase (“Small Business Growth Kit - SBGK”).

Most of the SBGK project steps have now been completed, including selecting Strategic Networks Group (SNG) as our consultant, identifying a pilot sample of near-fiber companies (along SanfordNet Fiber), contacting them, cajoling them (multiple times) to participate in the online eBusiness Check-Up, and the preparation by SNG of customized Digital Economy Index (DEi) Scorecards for each participating company. The DEi Scorecards provide the top three “eSolutions” recommended for each company to enhance revenues and improve operational efficiencies.

At the same time, we’ve been identifying/contacting local/regional organizations to provide resources to address common eSolutions identified. We meet with York County Community College and Maine Small Business Development Center first week in January to fine tune list of available assistance to our pilot companies. Several private IT companies may also supplement this effort. All project invoices are in and will be paid by year end, but with company interviews re DEi Scorecards also in January, the final report from this last phase is not expected until 1/31/22. We’ll combine that with the earlier survey work results and provide a final report to CMA as close to the end of January as we’re able.

A. Commencement

Project commencement date: July 1, 2021

B. Completion

Original completion date: June 30, 2021

Anticipated completion date: ~~December 31, 2021~~ January 31, 2022

III. Financial Commitment

Either confirm the expenses anticipated are unchanged from time of application and award, or list the expenses now anticipated from this planning work, including the amounts of costs covered by the grant and any other financial commitments. Committed dollars cannot consist of in-kind contributions. **Confirm: the expenses are unchanged from application and award ~JFN.**

Expenses	Total (\$)	Grant (\$)	Committed (\$)
Take-Rate Survey # 1*	\$25,000	\$0	\$25,000
Biz Depth Interviews	\$5,000	\$5,000	\$5,000
Take-Rate Survey # 2	\$6,500	\$6,500	\$6,500
Biz Digital Literacy Plan	\$13,500	\$13,500	\$13,500
Totals	\$50,000	\$25,000	\$50,000

*CDBG Cash Match

Any financial commitment of a municipality for planning grants may not consist of in-kind contributions from the municipality or funds provided by a vendor or private business that proposes to build, operate or provide retail services using broadband infrastructure constructed pursuant to the planning grant. By signing and submitting this report, the applicant certifies the project is being conducted and completed in accordance with the ConnectMaine rule.

CONNECTMAINE

Confirming Unserved & Underserved Areas

12 January 2022

Opportunity to Review Areas

Authority Members

Nick Battista, Chair
Jasmine Bishop
Fred Brittain
Susan Corbett
Heather Johnson
Jeff Letourneau
Liz Wyman

Background

The designation of unserved and underserved areas is the starting point for identifying eligible project areas under the Broadband Infrastructure Grants Program. The Broadband Availability Map depicts information on broadband availability in Maine but doesn't represent the actual services that are available to individual customers. Following the required data filing period that ended in September, the Map was updated in October with that industry-submitted information.

At its (late) November Meeting, the ConnectMaine Authority announced the opportunity to review unserved and underserved areas, a 30-day period that ended January 9. While the Broadband Availability Map won't be updated again, ConnectMaine considered the data submitted as part of the Broadband Infrastructure Grants Program. ConnectMaine will continue to transition to the new Broadband Intelligence Platform, to help generate maps in the future that are more useful to us and our constituents. ConnectMaine anticipates that a public viewer of the BIP will be created in the future depending on resources and priorities.

Recommendations

While many comments were submitted about the inaccuracy of the Broadband Availability Map, some community leaders and industry members submitted broadband service availability data sufficient to review the following two areas. In its review, ConnectMaine confirms these areas are unserved based on the designation adopted by the ConnectMaine Authority in April 2021. These datasets have been considered in the BIP for the upcoming application window for broadband infrastructure grants. The ConnectMaine Authority may confirm these areas as described below:

The entire island, Town of Chebeague, is designated as unserved, with broadband service available only to a few subscriber locations based on specific agreements with providers.

In the Town of Northport, Crows Nest area east of Route 1 from the unserved area in the north southward to Periwinkle Lane, is designated as unserved, with broadband service available only to the subscriber locations located close to infrastructure along Route 1.

Memorandum of Understanding

Toward Transition and Strategic Planning

12 January 2022

Authority Members

Nick Battista, Chair
Jasmine Bishop
Fred Brittain
Susan Corbett
Heather Johnson
Jeff Letourneau
Liz Wyman

Background

With the Maine Connectivity Authority getting set up, staff and board members of both our authorities aim to ensure processes and systems are started, transitioned or continued as smoothly as possible. Mechanisms are needed to ensure staff of MCA can access tools and collaborate with ConnectMaine staff, including a memorandum of understanding about programming that will continue in the near-term. Staff collaborated with MCA staff to draft an MOU that outlines key activities, functions and work over through the rest of this fiscal year 2022.

Overview

The MOU is organized by the strategies for continuing, leveraging or transitioning assets and programs, in collaboration with MCA:

- Last-Mile Strategy that continues ongoing work of expanding broadband. Currently, about \$6.5 million remains of the \$15 million bond. The short-term option for the Last-Mile Strategy will be increasing the amount of funds available for infrastructure grants, which will likely be oversubscribed by threefold. This increased investment could occur for this next application window.

Then after this fiscal year, the Maine Connectivity Authority will refine and implement the grants program.

- Strategizing Tools that build on shared knowledge to be ambitious and innovative. The Broadband Intelligence Platform integrates mapping activities, grantmaking and reporting. The federal Capital Projects Fund allows for middle-mile projects that support last-mile projects; the CPF Project Plan will need to integrate with last-mile projects. The Broadband Intelligence Platform, which will be critical for this effort, is extended to MCA through this fiscal year.

- Community Engagement Strategy that builds local investment and engagement. The community broadband planning support program creates a pipeline of potential projects, gets communities ready for broadband expansion and leverages multiple sources of funds. Implementing a specific plan for Broadband Utility Districts would include regional requirements and specific assistance to support their development and implementation. The program also continues to ensure federal requirements are addressed for potential projects.

- Staffing Strategy that avoids unnecessary disruptions and duplicative overhead. Achieving the goals and implementing the strategies identified will require maintaining and increasing staff capacity.



MEMORANDUM OF UNDERSTANDING
between
The ConnectMaine Authority
and
The Maine Connectivity Authority
for
January 2022—June 2022

This memorandum of understanding (MOU) is made by and between the ConnectMaine Authority (ConnectMaine) and the Maine Connectivity Authority (MCA) of the state of Maine.

Whereas ConnectMaine administers the ConnectME Fund, and contracts for licensures to data collection tools and other assets, in accordance with 35-A M.R.S.A. Ch. 93.

Whereas the State of Maine distributed State Fiscal Recovery Funds from the American Rescue Plan to MCA in accordance with Ch. 483 public law; whereas MCA would be applicant to and administrator of the Capital Projects Fund from the US Department of Treasury in accordance with the Guidance for the Coronavirus Capital Projects Fund; and whereas MCA carries out the purposes and duties of 35-A M.R.S.A. Ch. 94-A.

Now, therefore, for the purposes of sharing assets in achieving shared statutory goals, ConnectMaine and MCA (the Parties) hereby agree as follows:

- A. Share data and tools to build on shared knowledge:
 - a. ConnectMaine will make a licensure to the FiberMap element of the Broadband Intelligence Platform available to staff of MCA, which includes training on the use of FiberMap from VETRO, at least through the end of that contract with ConnectMaine;
 - b. MCA will negotiate with VETRO to create a new public viewer of broadband service availability in the state, due to the current Broadband Availability Map expiring at the end of June 2022;
 - c. To the extent it deems necessary, MCA may purchase additional datasets toward the Broadband Intelligence Platform.

- B. Sustain the community of broadband advocates that support local broadband investment and engagement:
 - a. ConnectMaine will continue to build local engagement and create a pipeline of potential projects by getting communities ready for broadband expansion, by continuing the ConnectMaine Community Broadband Planning Support Program, which includes supporting the development and implementation of Broadband Utility Districts, through June 2022;
 - b. MCA, with the support and input of ConnectMaine, will develop a Broadband Master Plan and Regional Capacity Building Plan, which will address the continued funds toward Community Broadband Planning Support, to meet federal requirements and to engage communities and community organizations.

- C. Provide continuous support for expanding broadband availability through a consistent and transparent process and public offerings:
 - a. MCA will provide additional funds for the ConnectMaine Broadband Infrastructure Grants anticipated to be awarded in April 2022;
 - b. MCA will refine and adapt the Broadband Infrastructure Grants Program for successor plans for implementation with funds administered by MCA in the first half of state fiscal year 2023;
 - c. MCA will use the ConnectMaine designations of broadband service, unserved areas and underserved areas, unless incompatible with federal funds;
 - d. MCA will be designated the recipient (or equivalent) for all federal funds with the exception of the 2021 NTIA Grant program;
 - e. If ConnectMaine is awarded an NTIA Grant, ConnectMaine will administer those funds in coordination with MCA, and the Parties will develop and implement a plan to transition program oversight and report to MCA with NTIA approval.

- D. Offer clear and consistent communications to avoid disrupting the marketplace:
 - a. In preparing for public engagement on strategic planning, the Parties will review and provide feedback on one another’s strategic plans and legislative reports;
 - b. ConnectMaine will continue communications with the industry and public about the broadband infrastructure grants program for and through the next application window in early 2022;
 - c. The Parties will develop a joint plan to reassess the statutory duties of the Parties to develop recommendations for any necessary statutory changes.

- E. Maximize funds used to directly support the Parties’ shared goals and minimize unnecessary or duplicative expenditures:
 - a. Staff of the Parties will meet weekly;
 - b. MCA will develop its staffing plan with the support and input of ConnectMaine;
 - c. The Parties will evaluate the transition of ConnectMaine staff into MCA roles, if desired, as ConnectMaine duties are reduced or realigned, e.g., grants programs, federally funded broadband planning.

- F. Signatures

For the ConnectMaine Authority:

Nick Battista, Chair	Date

For the Maine Connectivity Authority:

Tim Schneider, Chair	Date

CONNECTMAINE

Waiver Requests from Providers

12 January 2022

Broadband Infrastructure Grants Program

Authority Members

Nick Battista, Chair
Jasmine Bishop
Fred Brittain
Susan Corbett
Heather Johnson
Jeff Letourneau
Liz Wyman

Background

In partnership to achieve the state goal of broadband service availability statewide, the ConnectMaine Authority rule requires data filing within three months of the request in order to be eligible to apply for broadband infrastructure grants. After April 2018 rulemaking, grants then awarded included the grant tracking requirement, to be in good standing with ConnectMaine. In accordance with Chapter 101, §3.A.3, for communications service providers (ISPs) that failed to meet the most recent deadline in September, ConnectMaine offered the opportunity to either submit information or submit a request for an affirmative vote of the ConnectMaine Authority to be eligible for future grants.

In addition to directly communicating the above to ISPs, ConnectMaine announced at its last meeting the Opportunity to Review Areas following the recently updated Broadband Availability Map. These ISPs had through January 9 to submit broadband data for consideration in proposed eligible project areas for applications to the broadband infrastructure grants program. Where ConnectMaine lacks data to show broadband service as being available, those geographic areas may be identified as eligible for grants.

Requests

The following ISPs were notified of ineligibility and this third opportunity to submit required information or to submit a request for an affirmative vote of the ConnectMaine Authority to be eligible for future grants. Those with an asterisk are seeking a waiver from the eligibility requirement, and any of these may be discussed by ConnectMaine.

ISP	Notes
Axiom Technologies*	No data received
First Light	No data received; also declined 2021 May award
Charter Communications	Refused to submit report for Bucksport even though the rule at the time required grant tracking to occur. Also declined three 2021 May awards.
UniTel	only document on pricing data inquiries received

Motion to approve waiving the grants eligibility requirement related to required data filing and grant tracking reports for the following communications service providers: Axiom Technologies



January 9, 2022

Stephanie MacLagan, Deputy Director
ConnectMaine Authority
59 State House Station
Augusta, Maine 04333

Re: Request for Waiver

Dear Ms. MacLagan,

I am writing today to request a waiver of requested street-level data for areas served by Axiom. In addition, we will be reporting on Cranberry Isles, a grantee of ConnectMaine funds that falls within the five-year window for reporting. Axiom is committed to fully complying with all statutory and regulatory requirements of the state and the ConnectMaine Authority. We intend to fully respond within the next month with the requested data.

As you may know, Axiom is small company and is understaffed while at the same time being amazed with the number of requests to work with communities either planning or implementing and operating broadband projects. We are excited about our growth, but this has led to a backlog of requests that we are in the midst of addressing. One of those outstanding issues is ensuring that we are complying and eligible for grant funds with the Authority. We also share your motivation to have accurate mapping in order to make good decisions on deployment of resources. In no way is our request for a waiver indicative of our desire to reply with the requested data.

We would appreciate the Authority board and staff granting our request for more time to comply. Thank you for your most serious consideration of this request. If you have any questions, do not hesitate to reach out to me at mark@connectwithaxiom.com or (207)272-5617.

Sincerely,

A handwritten signature in blue ink that reads "Mark Ouellette". The signature is written in a cursive, flowing style.

Mark Ouellette
President & CEO

CONNECTMAINE

Public Engagement

4 January 2022

Broadband Infrastructure Grants Program

Authority Members

Nick Battista, Chair
Jasmine Bishop
Fred Brittain
Susan Corbett
Heather Johnson
Jeff Letourneau
Liz Wyman

Background

The ConnectMaine Authority continually refines its grantmaking approach and criteria for broadband projects to ensure accountability in achieving state broadband goals. ConnectMaine actively solicits input on its programs. This document contains answers to questions and relevant comments, beyond the content of the application guidance and other materials for applicants. ConnectMaine will continue adding to this document and updating its website, in addition to the hosting a workshop for potential applicants.

Stakeholder engagement aims to align the grants program with the ConnectMaine mission, state's goals and action plan, by capturing the perspectives of broadband users, communities who could benefit from these grants, our partners in industry, partner organizations and other stakeholders. ConnectMaine hosts workshops to solicit input on its programs before application windows are opened, and for potential applicants soon after an application window is opened. After the first workshop recently, ConnectMaine has also been accepting questions about the program.

Refinements

Based on extensive stakeholder engagement since fall 2020, ConnectMaine set the following objectives for the infrastructure grants program:

- **Leverage Investments:** Maximize investment in broadband infrastructure and maximize opportunities to leverage resources and funding from other sources to support deployment of broadband infrastructure; aim to correct market failures due to low premise density
- **Seek Regional Equity:** Balance awards in consideration of investment incentives and regional equity; create a geographically equitable distribution of projects around the State
- **Recognize Community Visions:** Align with community visions and goals for economic development, education, civic engagement and healthcare
- **Favor Future-Proof Networks:** Fund forward-looking, scalable infrastructure that provides ubiquitous, universally available broadband service, with sufficient capacity for future growth for the greatest number of years, giving preference to projects providing symmetrical service
- **Advance Digital Equity and Inclusion:** Consider projects that propose the lowest price for the highest quality of service of the lowest service level offering; no grant will be awarded for proposed projects that allow data caps on service provided; all projects funded must result in providing standardized tiers of service, including one for income-eligible individuals

Based on continued engagement, learning from the last application process and rulemaking since, ConnectMaine incorporated recommendations for the next application window for infrastructure grants:

- A single track for all applications, including community and provider applicants, including community-driven and provider expansion projects
- New designation of broadband service, and performance criteria for awarded projects
- New designations of unserved and underserved areas, and eligibility criteria for project areas
- New application evaluation process that uses preference criteria and a weighting system
- For preparing and submitting applications, systems and tools include an online Grants Portal, a web-based FiberMap, an Application Data Form, and other separate files

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Questions

Q: How does a potential applicant find out if the ISP and any grant recipient involved in the proposed project are in good standing with ConnectMaine for pre-application requirements?

A: Potential applicants are welcome to contact ConnectMaine staff anytime to check up on compliance. Once applications are submitted, ConnectMaine will confirm pre-application requirements have been met.

Q: With regard to required provider outreach, what if the ISP doesn't respond?

A: Any response from providers doesn't affect an applicant's ability to submit a completed application at any time during the application window. Providers that aren't planning installation of broadband infrastructure and don't already provide broadband service shouldn't be obligated to take the time to confirm lack of broadband availability. Required provider outreach offers another opportunity to submit broadband data showing that service is or will be provided, but providers may choose whether or not to respond. The initial outreach by the applicant is a pre-application requirement that must be completed to submit the application.

Q: Which entities are evaluated for eligibility criteria? Whose service is subject to the performance criteria on broadband service and subscription price? Whose subscriber base is considered in demonstrating financial capacity and sustainability of the project?

A: Section II Eligibility Criteria apply to the applicant and any other entities involved in the project, such as the ISP involved in the project, whether the ISP is the applicant or not:

- To help ensure digital equity and inclusion, and encourage project value factors, the performance criteria for projects funded by awarded grants include the level and price of internet service to be offered. The application will include information to demonstrate that the ISP involved in the project, whether or not the ISP is the applicant, will offer at least one service level meeting or exceeding the designation of broadband service, and that the retail price for each service level offered isn't more than the respective prices elsewhere in the state. Only the service levels and prices that result from the project, due to the ISP involved in the project, are evaluated during the application process.
- To help maximize investment in broadband infrastructure, the eligibility criteria include financial capacity and sustainability. The Application Data Form captures information about the size of the proposed project relative to the existing subscribed locations of the ISP involved in the proposed project, signaling whether or not the applicant must enter additional information to demonstrate financial sustainability of the project.

Q: Can multiple projects areas within a municipality be selected for different applications, recognizing that areas differ in number of potential subscriber locations in least served areas and in the density, affecting the competitiveness of applications?

A: State funds are awarded to help achieve universal broadband service statewide, and to help achieve one of the program objectives of recognizing community visions, applicants are encouraged to proposed projects that serve whole communities. It depends on whether or not there are multiple Eligible Project Areas within the municipality. Each application must include at least one Eligible Project Area from which least served and density are determined in FiberMap. Some municipalities have so few potential subscriber locations in served areas that the entire municipality is a single Eligible Project Area. Other municipalities were broken out into multiple Eligible Project Areas based on percentage of potential subscriber locations in unserved and underserved areas, using census block boundaries. While the boundary of an Eligible Project Area can't be changed itself, the applicant has the opportunity to exclude certain potential subscriber locations or include additional potential subscriber locations, as described in Section III.B.3.

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Topic: “Proposed projects must serve all potential subscriber locations in unserved areas...to provide service upon request to that location within a normal service interval and without additional cost to the subscriber for construction of new facilities.”

Q: How should applicants account for costs beyond the ISP’s business model?

A: Include in the project budget all eligible costs of service drops and customer service equipment for all potential subscriber locations in unserved areas, and for any locations in underserved and served areas that are selected to be served by the project, even if these costs go beyond the ISP’s business model. The item details can be used to explain any distinction within these costs, such as separating the costs of drops for locations within so many feet of the network from other drops, or separating the costs for locations with subscriptions within the project timeline from those subscribing later.

Q: When is it ok to reserve that cost, and how much, on the property owner?

A: All eligible costs of the project must be included in the project budget. The total financial commitment in addition to the grant amount requested must be adequate to complete the proposed project. Financial commitments can include pre-subscriptions for such locations, raising funds from property owners in addition to any other sources of the community financial commitment. Alternatively, ensure that the grant amount requested is sufficient to cover any costs beyond the chosen business model, such as drops and customer service equipment for locations beyond so many feet of the network or for subscriptions occurring so long after the project timeline.

Q: Is there a time period after which costs can be shifted onto the property owner?

A: State funds are awarded to help achieve universal broadband service statewide. Projects are evaluated based on the number of potential subscriber locations that will be served with broadband service, not only passed at some distance until the property owner can afford to cover these eligible costs. The cost to provide service upon request within a normal service interval and without additional cost to the subscriber for construction of new facilities must be included in the project budget, and the total financial commitment in addition to the grant amount requested must be adequate to complete the proposed project; how the grant funds awarded are applied to eligible costs and how financial commitments are applied to remaining project costs are decisions left to the grant recipient.

Q: How will ConnectMaine determine Grant Necessity?

A: To achieve one of the program objectives, “maximize investment in broadband infrastructure,” this requirement from ConnectMaine statute and rule is demonstrated by the applicant with information submitted, including but not limited to Sections II, III.C, III.D.1. and IV.A.

Topic: “Eligible uses of grant funds include provision of public infrastructure, services, facilities and improvements needed to implement broadband services and enhance existing internet services.”

Q: What “improvements” would be eligible expenses?

A: ConnectMaine statute authorizes investments in advanced communications technology infrastructure which includes improvements to expand broadband service. Eligible expenses listed in the Application Guidance may be associated with improvements necessary for proposed projects to result in meeting performance criteria, including broadband service. Categories and subcategories of eligible and ineligible expenses are listed in the Application Data Form, which includes space for the applicant to provide detail on identifying “other expenses” as eligible or ineligible.

Q: What is meant by “long-term leases,” what makes a lease long-term, what detail should be included?

A: A long-term lease has a term of not less than one year; leases that cover eligible costs typically would be longer than one year. Examples might include leasing land required for the network, a building or space in a shelter to house network equipment, or network elements such as dark fiber strands. Details in the Data Form should identify the items being leased, the cost and the length of use that the lease payment covers. Leases impact cashflows for the proposed project and ongoing operation differently than other capital costs. If the applicant must include additional information to demonstrate financial capacity and sustainability, then include expected future payments to renew a lease or replace items for which a lease isn’t renewed, even if these are ineligible costs after the project completion.

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Q: What are the differences between the minimum financial commitment, the community financial commitment and the ISP financial commitment? What sources of funds can count toward these commitments?

A: The application guidance covers each, in Sections II.F.3, III.C.10, and IV.D:

- The minimum financial commitment is an eligibility requirement, while the community financial commitment and the ISP financial commitment are used as weights on the cost-benefit in the application evaluation process. All eligible costs and all sources of financial commitments, including those contingent at the time of application, are entered into the Application Data Form, which calculates the minimum financial commitment; any financial commitments applied to ineligible costs are excluded from the calculation of this eligibility requirement. The Application Data Form also calculates the community financial commitment and the ISP financial commitment for weighting cost-benefit. “In-kind contribution” is an irrelevant classification; either, these cover eligible costs going forward and should be listed as financial commitments, or these cover expenses already incurred which are ineligible costs.
- The community financial commitment includes funds toward eligible costs, which comes from one or more of the following entities: a unit of local government, including town, city or county; a broadband utility district or corporation, wholly or partially owned by a unit of local government. Most sources of funds from these community entities are counted, including funds from the Local Fiscal Recovery Fund, pursuant to the American Rescue Plan Act, and any debt financed by the entity such as municipal bonds. The community financial commitment is used as a weight on cost-benefit; while other grant funds may cover project costs, these other grant funds are excluded for the purposes of calculating the weight given. Details about the sources of financial commitment, and all contingencies if any, will be provided in the Application Data Form. Applicants may address the nature of the community financial commitment in the Application Narrative active community section, “how the affected communities have been uniquely supportive of the proposed project,” but letters of commitment, escrow accounts or other measures don’t need to be submitted to complete the application.
- The ISP financial commitment includes the funds and debts for eligible project costs, which come from the ISP involved in the project. The ISP financial commitment is used as a weight on cost-benefit; while contingent sources may cover project costs, these contingent sources are excluded for the purposes of calculating the weight given. Details about the sources of financial commitment, and all contingencies if any, will be provided in the Application Data Form.
- If the applicant is a community entity that will retain ownership of a majority of the proposed project assets, then the Application Data Form will automatically consider the community financial commitment toward the weight of community financial commitment &/or ISP financial commitment, to result in the most favorable weights. This is done automatically, so that the applicant doesn’t need, and shouldn’t try, to reclassify the financial commitments manually.

Q: Would the large number of retirees on fixed incomes or the large number of households with incomes in the bottom quintile of the state be considered in calculating the weight of community financial commitment?

A: Not at this time. The use of municipal valuation indicates the ability to tax, the ability to choose bonding as a financing option, rather than judging the purposes for which the municipality may already be taxing.

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Q: Are the service level offerings, subscription prices, financial commitments, and other application information self-reported or third-party verified?

A: Part of the Broadband Infrastructure Grants Program includes Grants Verification and Validation, for which ConnectMaine has contracted consultant services to support verification needs during the application evaluation process. The ConnectMaine Authority reserves the right to determine whether or not to request additional information necessary to evaluate applications for infrastructure grants.

Comments

Industry, GWI

The additional specificity of provider outreach is really important because even if another ISP says they are bringing in service to unserved, that service has to meet the designation of broadband service, be equivalent to the proposed project and occur within the same period as the proposed project.

- ConnectMaine rulemaking clarified this specificity from the ConnectMaine statute. Favoring future-proof networks is an objective of the grants program, and any installation of broadband infrastructure planned should be at least as impactful as a project proposed in a grant application.

Why are contacts required for affected communities?

- To help achieve the objectives of regional equity and recognition of community visions, the grants program encourages ISPs and communities to partner on proposed projects. One way of ensuring productive communication among the private and public sectors is requiring points of contact for both in the application.
- If the applicant is an ISP, outreach may be necessary to get contact information for the communities affected by the proposed project. While other eligible entities may be the applicant, an ISP must also be involved in the project as the responsible entity for providing broadband service that results from the proposed project; even though the ISP may or may not also be the entity responsible for building, managing and owning the broadband infrastructure.

Industry, multiple ISPs

Why is a fully engineered network design being required before knowing if any grant would be awarded?

How can a community-applicant generate such a design?

- To help ensure the grants program meets one of the objectives, “Fund forward-looking, scalable infrastructure that provides ubiquitous, universally available broadband service, with sufficient capacity for future growth for the greatest number of years, giving preference to projects providing symmetrical service,” applications must include, only a high-level, network design.
- The application process includes access to FiberMap to help applicants who want to generate the network design therein. “Applicants must generate or import a high-level network design into the FiberMap.”
- “At a minimum, the design must include any fiber routes and the interconnection with existing networks. . . .The design must clearly identify the fiber routes and must include fiber strand count as an attribute.” In this way the project can be evaluated for meeting performance standards of the grants program.

Industry, Casco Bay Advisors

Section II.C. Eligible Project Areas may include underserved areas, even if there is CATV infrastructure present.

- ConnectMaine statute and rule allow proposed projects to serve both unserved and underserved areas. Underserved areas of the state are areas that have broadband service available at greater than 50mbps download and 10mbps upload, but less than 100mbps download and 100mbps upload.

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What if the data on potential subscriber locations in FiberMap are incorrect?

- While no datasets are perfectly accurate, the Eligible Project Areas layer allows applications to be compared consistently. There are some cases where potential subscriber locations can be excluded or included in proposed projects, and other ways that the applicant can augment data submitted, as described in the rest of Section III.B and in Section IV.A.

Section III.C. Application Data Form doesn't explain the required data filing, and is unclear about which dates should be listed for infrastructure grants tracking.

- The Application Data Form itself includes instructions for the date of required data filing, which is previously explained in Section II.B.1 Required Filing of Data.
- For infrastructure grant tracking, the dates should be when grants were awarded, because all awards should be listed whether accepted or declined. These instructions are in the Application Data Form. If the applicant only knows dates of when awards were accepted or declined, then those dates may be sufficient for the verification process for determining eligibility and grant necessity.



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ConnectMaine Authority Members: Nick Battista, Jasmine Bishop, Fred Britain, Susan Corbett, Heather Johnson, Jeff Letourneau, Liz Wyman

12 January 2022

Press Release

BROADBAND GRANTS ANNOUNCEMENT

The ConnectMaine Authority seeks applications for Broadband Infrastructure Grants to expand the availability of broadband service in the state.

In July 2020, Maine voters approved a state bond of \$15 million toward expanding the availability of broadband service in the state. ConnectMaine awarded grants for just over half that amount in May 2021, and plans to award the remaining amount, about \$6.5 million. ConnectMaine also anticipates awarding more grants with additional federal funds. Broadband service enables civic and cultural participation, employment, lifelong learning and access to essential services.

Infrastructure grants are awarded to support investments in expanding the availability of broadband service in the state. Communications service providers and community leaders are encouraged to partner on applications. Currently, preference is given to projects that propose the greatest relative improvement to existing internet service in least served areas of Maine.

The mission of ConnectMaine is to facilitate the universal availability of broadband to all Maine households and businesses, and to help them understand the valuable role it can play in enriching their lives and helping their communities thrive.

More information and applications can be found on the ConnectMaine website: www.maine.gov/connectme. Please direct any questions to ConnectMaine staff at Connect.ME@maine.gov.

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Infrastructure Grants Application Guidance

Contact Staff

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This application guidance explains the process of proposing broadband projects for infrastructure grants. The current application window is January 12 through March 20, and complete applications must be submitted by 11:59 P.M. EST.

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I. Instruction and Overview

This document identifies required information that must be included for a completed application to be evaluated by ConnectMaine. Please contact ConnectMaine staff at Connect.ME@maine.gov for any assistance needed. ConnectMaine intends to host a workshop for potential applicants, and any announcements or additional guidance will be posted on the ConnectMaine website:

www.maine.gov/connectme/grants/infrastructure-grants/process

Refinements to the infrastructure grants program were based on recent rulemaking and include:

- A single track for all applications, including community and provider applicants, including community-driven and provider expansion projects
- New designation of broadband service, and performance criteria for awarded projects
- New designations of unserved and underserved areas, and eligibility criteria for project areas
- New application evaluation process that uses preference criteria and a weighting system
- For preparing and submitting applications, systems and tools include an online Grants Portal, a web-based FiberMap, an Application Data Form, and other separate files

II. Eligibility Criteria

ConnectMaine must determine that the responsible entity is capable of installing, using and managing broadband infrastructure.

A. Eligible Entities

Applications may involve a single or multiple entity(ies) from the private and/or public sectors; however, a single entity must be identified as the legal applicant. The following types of entities are eligible to apply for infrastructure grants:

- Communications Service Providers (ISPs) that meet eligibility criteria;
- Any unit of local government, including town, city, county or regional council of governments; or
- Any broadband utility district or corporation, wholly or partially owned by a unit of local government.

B. Pre-Application Requirements

Any ISP that is the applicant or involved, and any entity awarded grants previously must be in good standing with ConnectMaine.

1. Required Filing of Data

The ConnectMaine rule lists the data that must be filed by ISPs annually, and the most recent period for filing of data was from June 23 to September 21. An ISP that doesn't submit the required data filing within three months of the request is ineligible for infrastructure grants.

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2. Provider Outreach

Within 30 days of the application window being opened, the applicant must have sent an email, which must have been copied to Connect.ME@maine.gov, to existing ISPs to confirm whether or not installation of broadband infrastructure and service of at least 100mpbs download and 100mpbs upload, equivalent to the proposed project, would occur within the same period as the proposed project. Separately, any responses received from ISPs within 14 days of provider outreach will be copied to Connect.ME@maine.gov by the applicant. The current window for provider outreach is January 12 through February 11, with the response window effectively being January 26 through February 27.

C. Eligible Project Areas

Proposed projects must address potential subscriber locations in unserved or underserved areas. A “subscriber location” means any location at which there could be one or more subscribers of communications service, including but not limited to a house, apartment, apartment complex, condo complex, other dwelling unit, a business, business complex, medical facility, community building, government facility, or other facility. Unserved areas are those areas of the state that do not have service of at least 50mbps download and 10mbps upload, and underserved areas of the state are areas that have broadband service available at greater than 50mbps download and 10mbps upload, but less than 100mbps download and 100mbps upload from two providers.

ConnectMaine publishes a publicly available web-based map that identifies geographic areas as unserved or underserved: www.maine.gov/connectme/communities-resources/Broadbandmapping. ConnectMaine announces the opportunity to review areas, allowing data to be submitted from any ISP, potential applicant or other credible data sources, utilized by ConnectMaine to confirm the availability, or lack thereof, of broadband service. The latest opportunity to review areas was December 8 through January 9, with areas confirmed on January 12.

Based on the data behind that map, ConnectMaine identifies and proposes unserved and underserved areas eligible for grants. Applicants must select one or more eligible area to propose serving.

D. Performance Criteria

Performance criteria for projects funded by awarded grants include the level and price of internet service to be offered.

1. Subscriber Locations

Proposed projects must serve all potential subscriber locations in unserved areas, and may serve some or all subscriber locations in underserved or served areas, of the selected project areas. A potential subscriber location is considered to have been served once the grant recipient has constructed facilities to a point sufficiently close to the subscriber location that it is able to provide service upon request to that location within a normal service interval and without additional cost to the subscriber for construction of new facilities.

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2. Broadband Service

Proposed projects must result in offering broadband service of at least 100mpbs/100mpbs without usage limits. Other service levels may be offered, but at least one service level meeting or exceeding this designation of broadband service must be offered.

3. Service Prices

Of all the service levels to be offered, the retail price per subscriber location to receive service must be equal or less than the price per subscriber location offered by the ISP elsewhere in the state.

E. Grant Necessity

ConnectMaine will consider whether or not the project would occur without an infrastructure grant; ConnectMaine will consider whether or not broadband infrastructure and broadband service would otherwise occur within the same period as the proposed project, and whether or not infrastructure and service equivalent to the proposed project would otherwise occur within the same period as the proposed project.

F. Eligible Expenses

Eligible uses of grant funds include provision of public infrastructure, services, facilities and improvements needed to implement broadband services and enhance existing internet services.

1. Project Costs

Grant recipients may use grant funds for actual capital costs up to the awarded amount, on a one-time capital improvement basis. Costs must be directly related to the provision of public infrastructure, services, facilities and improvements needed to implement broadband services and enhance existing internet services, as well as any other activities that are integral and necessary for expanding broadband infrastructure and broadband service.

Eligible project costs include:

- Professional Services, including engineering; permitting, easements and encroachment acquisition; project and construction management;
- Outside Plant, including fiber optic and coaxial cable, pole placement and pole make-ready, aerial and underground materials, and aerial and underground construction labor;
- Drops and CPE, i.e., service drops and other costs of connection up to network interface points, including subscriber connection materials, subscriber connection equipment, subscriber connection labor, subscriber management equipment;
- Network and Access Equipment, including headend/central office/remote cabinet equipment and installation;
- Land and Buildings, including equipment shelters, land, site preparation and site restoration costs;
- Wireless Equipment and Facilities, including towers, and tower improvements and installations, backhaul and access radios, and powering equipment; and
- Long-term Leases, i.e., term of not less than one year, including land required for the network, a building or space in a shelter to house network equipment, and network elements such as dark fiber strands.

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Ineligible costs include but aren't limited to:

- Expenses incurred prior to the date of awarded grants being announced;
- Administrative and fundraising activities, computers and other office equipment, and vehicles and other operating expenses;
- Equipment owned or leased by the subscriber, including routers, modems and any other costs beyond the network interface points; and
- Operating expenses.

2. Reasonable Project Cost

While ConnectMaine will consider relevant factors that may increase the cost or difficulty in expanding broadband service, applicants must propose costs that are reasonable and proportional to the project scope, including density and geography of the project area.

3. Minimum Financial Commitment

A minimum financial commitment of \$700 per subscriber location in the project area must be made for the proposed project. The total financial commitment is equal to the total project cost minus the grant amount requested and then divided by the number of potential subscriber locations to be served. Ineligible costs are excluded from the total project cost. The number of potential subscriber locations must include all of the following counts as they occur within the project area(s) selected by the applicant:

- Subscriber locations within unserved areas,
- Subscriber locations within underserved areas that will be served by the project, and
- Subscriber locations within served areas that will be served by the project.

G. Financial Capacity

Applicants must demonstrate financial capacity. The total financial commitment in addition to the grant amount requested must be adequate to complete the proposed project. Applicants proposing projects that are large relative to existing operations of the ISP involved in the project must demonstrate financial sustainability of the proposed project. The proposed project is considered large if it includes more potential subscriber locations than 10% of all existing subscribed locations of the ISP involved in the proposed project.

III. Application Process

The applicant will enter information and upload files to the online Grants Portal:

<https://stateofmaine.force.com/DECDMAINE>

Applicants that already use FiberMap will contact VETRO to obtain access to data layers needed for this application process. Other applicants will contact VETRO to obtain access to FiberMap. In the Grants Portal, the applicant will be given instructions on how to contact VETRO.

Some information is needed in multiple places, or it's generated in one place but needed in another: the FiberMap, separate documents such as the Application Data Form and Application Narrative, and the Grants Portal. Please ensure information entered into the Grants Portal is consistent with information included elsewhere.

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A. Grants Portal

The Grants Portal of the Department of Community and Economic Development captures the application date and summary information from each applicant. Required forms and additional files can be downloaded from and uploaded to the Grants Portal:

<https://stateofmaine.force.com/DECDMAINE>

1. Legal Applicant

Applicants must register in the Grants Portal and enter the entity name of the legal applicant. The Grants Portal will capture the legal applicant contact's mailing address, any fax number or EIN; and the legal applicant entity's name, phone number, email, mailing address and county.

2. Affected Communities

Applicants must enter each affected municipality, local government or local government authority, or a local nonprofit providing economic development programs, as applicable to the proposed project, including points of contact for each, into the grants portal.

3. Communications Service Provider

Applicants must enter the ISP company name and contact information into the Grants Portal, whether or not the ISP is the legal applicant. The ISP is the entity responsible for providing broadband service that results from the proposed project. The ISP may or may not also be the entity responsible for building, managing and owning the broadband infrastructure.

4. Executive Summary

A space of 800 characters in the Grants Portal is for the proposed project summary that should describe the how the project is unique with regard to ruralness and the unique economic opportunity will result.

5. Project Information

Applicants must enter information about the project size and cost into the Grants Portal, which must be consistent with the information that is calculated in the FiberMap; please refer to that user guide for more detailed instructions on obtaining this information.

B. Interactive FiberMap

Applicants must use the interactive, web-based FiberMap to select project area(s) from unserved and underserved areas that ConnectMaine identified and proposed as eligible for grants, to propose network routes and broadband infrastructure locations, and to identify other subscriber locations as relevant. The FiberMap will contain eligible project areas and a layer of potential subscriber locations, classified by their location in unserved, underserved or served areas. A FiberMap user guide for potential applicants will be provided when the applicant has contacted VETRO. Please refer to that user guide for more detailed instructions on how to submit the information requested in the following subsections.

1. Project Area

Applicants must use the FiberMap to select one or more project area(s) that will be the basis of the application.

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2. Proposed Design

Applicants must generate or import a high-level network design into the FiberMap. At a minimum, the design must include any fiber routes and the interconnection with existing networks, but applicants are encouraged to include additional information, especially for new networks or significant expansions of existing networks. The design must clearly identify the fiber routes and must include fiber strand count as an attribute.

3. Project Focus

Applicants must identify the potential subscriber locations in the selected project area that will be served by the proposed project. Applicants may include additional potential subscriber locations from outside selected project areas, if those locations are within areas that are adjacent to the selected project areas. The potential subscriber locations must include attributes identifying each point as being in unserved, underserved or served areas.

Proposed projects must serve all potential subscriber locations in unserved areas, of the selected project areas, as identified in the FiberMap, regardless of whether or not those locations have been identified accurately by the application, and regardless of whether or not the routes to those locations have been included in the application. A limited exception may exist where subscriber locations in an unserved area are disconnected from any utility lines serving other subscriber locations in the project area requiring the route to go outside the project area. Such potential subscriber locations to be excluded must be deselected or identified as such in FiberMap.

Potential subscriber locations in underserved or served areas, of the selected project areas, included as locations to be served by the proposed projects, must be served.

C. Application Data Form

Applicants must fill out the Application Data Form that can be downloaded from the Grants Portal. Information to be included is supplemental to the information entered directly into the Grants Portal, providing more details and making the application evaluation process possible. The Application Data Form must remain in the Excel file format when uploaded to the Grants Portal.

1. Summary Information

Applicants must enter key data into the Application Data Form, which must be consistent with any information that is also entered into the Grants Portal:

- Name of the legal applicant and name(s) of the entity(ies) responsible for building, owning and operating the broadband infrastructure
- Date of required data filing
- Date that provider outreach occurred

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2. Project Design Details

Applicants must enter key data about the project detail into the Application Data Form, which must be consistent with any information that is also entered into the Grants Portal. Some of this key data information will be calculated in the FiberMap; please refer to that user guide for more detailed instructions on obtaining this information:

- Miles: Number of route miles of the proposed project
- Subscriber Locations: Number of potential subscriber locations within the project area(s)
- Subscriber Locations in Least Served Areas: Number of potential subscriber locations in areas lacking availability of internet service of at least 25mbps/3mbps
- Subscriber Locations in Unserved Areas: Number of potential subscriber locations in unserved areas of the project area(s) that will be served
- Subscriber Locations in Underserved Areas: Number of potential subscriber locations in underserved areas of the project area(s) that will be served

3. Infrastructure Grant Tracking

Applicants must list all the dates of grants awarded in the last five years, whether received or declined, and the most recent dates of the associated grant tracking reports. The ConnectMaine rule requires grant tracking data to be submitted annually.

4. Proposed Service

Applicants must list all proposed service offerings that will result from the project, and the associated service prices. Details listed must indicate the following, as applicable: non-recurring charges for service activation, charges for common equipment, applicable fees and surcharges, and data overages. Bundled and promotional prices may be listed, but in addition to, not instead of, non-promotional prices for stand-alone internet service.

Applicants must indicate whether or not affordability offerings are proposed for the broadband service levels listed. Affordability offerings are recognized if the ISP involved in the proposed project agrees to participate in the Emergency Broadband Benefit, Lifeline, or successor programs for at least five years following project completion.

5. Financial Information

Applicants must enter project costs into the Application Data Form, which must be consistent with any information that is also entered into the Grants Portal. Applicants must detail all costs of the proposed project in the Application Data Form, which will calculate the total estimated project cost. The Application Data Form includes standardized cost categories. Applicants must list all sources of financial commitments, including whether committed dollars are secured or the sources are contingent on this grant being awarded or some other reason. Sources may include cash or debt from the applicant, ISP or affected community. Sources may include previously awarded grants. Details listed must indicate the following, as applicable: the grant name, date awarded, and any other grant information that would be useful; the name of the borrowing entity, whether or not the loan is backed, and the terms of the loan; and the full nature of any contingencies.

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If the proposed project includes more potential subscriber locations than 10% of all existing subscribed locations of the entities involved in the proposed project, then the applicant must include additional information to demonstrate financial capacity and sustainability:

- Anticipated timing of project costs
- Additional costs required over time, that are ineligible for grant funds
- Anticipated timing of other sources of funds
- Estimated operating costs over time
- Timing of broadband service availability to subscriber locations, estimated subscription rates over time and estimated revenue over time
- Debt and capital lease payments
- Ongoing operating subsidies and the associated sources

D. Application Narrative

Applicants must fill out the Application Narrative document that can be downloaded from the Grants Portal. The Application Narrative may be uploaded to the Grants Portal as the Word document file format, or as an Adobe pdf format if the text can be selected, i.e., not a photo pdf. Applicants must insert information in the order requested in the Application Narrative, rather than including addendums or references. The information included in the Application Narrative must be consistent with Grants Portal:

- Name of the legal applicant
- Eligible entities, with regard to technical, managerial and financial capacity, and experience in operating the network

1. Applicant Eligibility

The applicant must demonstrate technical, managerial and financial capacity, and experience in operating the network. The applicant must indicate which entity(ies) will build, own and operate the network.

2. Proposed Network

The applicant must specify the network technology proposed to support the proposed levels of broadband service listed in the Application Data Form, and must indicate how the technology is upgradeable. The applicant must explain the estimated project cost, any relevant factors that increase the cost or difficulty in expanding broadband service, and how proposed costs are reasonable and proportional to the project scope, including density and geography of the project area.

3. Technical Details

The applicant must specify the standard or standards to be used in the proposed network, e.g., DOCSIS 3.x, GPON, EPON, NG-PON2, XGSPON, Active Ethernet, etc. The applicant must describe how any existing infrastructure is being leveraged, and how the proposed network will be interconnected with existing networks. The applicant must identify any technical equipment vendors to the extent known at the time of application.

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If wireless technology is involved in the proposed project, the applicant must describe the wireless network technology and spectrum. The applicant must describe the assumptions used to generate the predicted coverage, which shall include the prediction tool used; terrain and clutter resolution used to generate the plot; the signal strength, RSSI or RSRP for an LTE network, and threshold at which areas are considered covered or uncovered; and the assumed height above ground level of subscriber equipment.

4. Active Community

The applicant must describe how the project is unique with regard to any widespread community engagement, including any participation by the affected communities in broadband planning programs or technical assistance received, and briefly describe how the affected communities have been uniquely supportive of the proposed project.

E. Supplemental Files

Applicants must upload supplemental files to the Grants Portal, before submitting the application.

1. Network Diagram

Applicants must upload a network diagram that shows the proposed network and its interconnection with existing networks. While the diagram can take the form of any software chosen by the applicant or partner, the file type must be accessible by ConnectMaine, such as pdf, jpg or doc.

2. Wireless Design

If wireless technology is involved in the proposed project, applicants must upload SHP files of the projected propagation plot of coverage from the proposed access points, to the Grants Portal. Propagation plots may show multiple service levels, but must clearly identify signal strength at which subscribers could expect to receive service of at least 100mbps/100mbps.

Applicants must identify the sites used in the coverage projection, in a table that is uploaded to the Grants Portal as an Excel xls or csv file format; the table must list the following for all access points:

- The latitude and longitude of the site
- Base station antenna information including manufacturer, model, azimuth, down tilt, and center line
- Base station equipment information with manufacturer, model number, and EIRP
- Whether the support structure at the site is existing or planned, whether the applicant intends to lease or own the structure, and whether or not the applicant has already acquired rights to use the site

Information must be provided by sector for sectorized sites. If the proposed project includes point-to-point wireless links, then applicants must identify the points linked, the frequency to be used, data transmission rate supported and link budget.

Applicants must upload the manufacturer data sheets for key radio equipment and antennas that are consistent with the projected coverage or reach shown for the proposed project, including for point-to-point links, point-to-multipoint access points and end user equipment. These data sheets must be uploaded to the Grants Portal in Adobe pdf file format.

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Applicants must upload the same information for adjacent sites of the existing network of entities involved in the proposed project, sites which may provide overlapping coverage with the proposed sites. Applicants must upload site information before and after any proposed upgrade to existing sites.

If the use of licensed spectrum is proposed, then applicants must upload information demonstrating permitted use of the spectrum, in Adobe pdf file format.

3. Timeline and Milestones

Applicants must upload a project timeline that indicates the anticipated milestones of the proposed project, including those related to engineering, pole processes, permitting, construction, connections and any major contingencies. While the project timeline can take the form of any project management software chosen by the applicant or partner, the file type must be accessible by ConnectMaine, such as pdf, jpg, xls, or doc.

4. Application Window

The current application window is January 12 through March 20, and complete applications must be submitted by 11:59 P.M. EST through the Grants Portal of the Department of Community and Economic Development.

IV. Application Evaluation

After the application window closes, ConnectMaine reviews completed applications submitted for eligibility and then prioritizes proposed projects for grants. In accordance with the ConnectMaine rule, the evaluation process involves grouping applications based on preference criteria; then within each preference group, the cost-benefit of the proposed project is calculated, and weights from project scope and project value criteria are applied.

A. Additional Information

The ConnectMaine Authority reserves the right to determine whether or not to request additional information necessary to evaluate applications for infrastructure grants. ConnectMaine may request that the applicant modify the proposed project in any, but not necessarily only, the following ways:

- The project areas proposed, especially if multiple applicants select the same project areas
- The proposed project focus or boundaries of the project areas, especially if additional potential subscriber locations are within areas that are adjacent to the selected project areas
- The potential subscriber locations to be served by the proposed project
- The grant amount requested to be proportional to per-mile or per-location modifications
- The financial information based on modifications requested

In order to award grants totaling the available bond funds, ConnectMaine reserves the right to request modifications to the grant amounts requested, financial information and other relevant elements in competitive applications, before the ConnectMaine Authority awards grants.

Alternatively or also, if the funds that would remain after awarding grants to the most competitive are insufficient to award the grant amount requested in the next most competitive application, then ConnectMaine may instead award the grant amount requested in one or more of the less competitive applications.

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B. Preference Criteria

ConnectMaine will give preference to projects in unserved and underserved areas that provide the greatest relative improvement to existing internet service. The three preference groups will be:

1. Least Served: Project areas where a majority of potential subscriber locations lack availability of service of at least 25mbps/3mbps.
2. Greatest Improvement: Projects proposing to offer at least 90% of subscriber locations broadband service of at least 1gbps/1gbps.
3. Remaining Applications: All other proposed projects.

Applications that meet the first preference criterion will be prioritized into the first preference group over the second, and the second over the third.

C. Cost-Benefit

Within each preference group, applications are judged based on the cost-benefit of the proposed project. An unweighted cost-benefit is calculated as the grant amount requested divided by the number of potential subscriber locations in unserved and underserved areas to be served by the project; for example:

- Grant Amount Requested: \$750,000
- Potential Subscriber Locations in Unserved and Underserved Areas: 500
- Unweighted Cost-Benefit: \$1,500

This unweighted cost-benefit is then weighted by Project Scope and Project Value factors. Each weight is expressed as a percentage. Receiving greater weight will improve the competitiveness of the application. Preliminary weights and the weighted cost-benefit of the proposed project will be calculated in Application Data Form based on the information included by the applicant.

The weight of project scope is based on relevant factors that may increase the cost or difficulty in expanding broadband service:

- Density of the project area
- Financial commitment from the community
- Financial commitment from the ISP

The weight of project value is based on relevant factors that may increase the value of the proposed project:

- Subscription price
- Affordability offering

The weight of each factor is expressed as a percentage and is subtracted from 100%, and then the results are multiplied in series by the unweighted cost-benefit, i.e.:

Unweighted Cost-Benefit x (100%-weight1) x (100%-weight2)... = Weighted Cost-Benefit

The preliminary calculation in the Application Data Form are subject to review by ConnectMaine and adjustments if appropriate. ConnectMaine will use the weighted cost-benefit to prioritize proposed projects for grants; while, the amount of the grant awarded will be based on the grant amount requested by the applicant.

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D. Project Scope

The weight of project scope is based on relevant factors that may increase the cost or difficulty in expanding broadband service.

1. Density of Project Area

Proposed project areas with low density, measured by the number of potential subscriber locations per mile, will receive greater weight. Up to a 30% maximum weight will be applied for the density of the project area. For every potential subscriber location per route mile less than 18 subscriber locations per mile, will result in 2%; for example:

- Density: 14 potential subscriber locations per mile
- Weight: 8%

2. Community Financial Commitment

Projects proposed with larger community financial commitments will receive greater weight. Up to a 40% maximum weight will be applied for a financial commitment from the affected community toward the project cost. The affected community may or may not be the applicant; however for this weight, the financial commitment must come from one or more of the following entities: a unit of local government, including town, city or county; a broadband utility district or corporation, wholly or partially owned by a unit of local government. The source(s) of the financial commitment may include the Local Fiscal Recovery Fund, pursuant to the American Rescue Plan Act. For the purposes of calculating this weight, other grant funds and any planned expenditures on ineligible costs are excluded.

The weight received will depend on the size of the municipal valuation, as reported by the Maine Revenue Service for the most recent published year at the time the application window opens. Should the community financial commitment be made by a county, the sum of the municipal valuation in the county will be used. If the community financial commitment is made by more than one entity, then the most favorable valuation of the local government from which, or in which, at least \$50,000 in financial commitment comes will be used; in the case that no financial commitment is at least \$50,000, then the most favorable valuation of the local government from which, or in which, the greatest financial commitment comes will be used.

All reported valuations will be grouped by quartiles, and weighting will depend the quartile of the most favorable local government, i.e.:

- For local governments in the top half of valuations, a weight of 1% will result for every 2% of the project cost covered by the community financial commitment
- For local governments in the bottom quartile of valuations, a weight of 2% will result for every 1% of the project cost covered by the community financial commitment
- For all other local governments, a weight of 1% will result for every 1% of the project cost covered by the community financial commitment

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3. ISP Financial Commitment

Projects proposed with larger ISP financial commitments will receive greater weight. Up to a 20% maximum weight will be applied for the ISP financial commitment. The ISP may or may not be the applicant. For the purposes of calculating this weight, while debts for the proposed project may be included, financial commitments from contingent sources and any planned expenditures on ineligible costs are excluded.

The weight received will depend on the size of ISP financial commitment relative to the project scope: the amount of financial commitment from the ISP toward the project cost per potential subscriber location in the project area. A weight of 1% will result for every secured \$75 per subscriber location; for example:

- ISP financial commitment: \$150 per subscriber location
- Weight: 2%

If the applicant is a unit of local government, or any broadband utility district or corporation wholly or partially owned by a unit of local government, that will retain ownership of a majority of the proposed project assets, then community financial commitment will be considered as community or ISP financial commitments as is most favorable, up to the maximum weight of each, automatically in the Application Data Form.

E. Project Value

The weight of project value is based on relevant factors that may increase the value of the proposed project.

1. Subscription Price

Proposed service offerings with lower subscription prices will receive greater weight. Up to a 20% maximum weight will be applied for the subscription price. For the purposes of calculating this weight, the lowest retail, non-promotional price of a residential offering with at least 100mbps upload will be used. A weight of 1% will result for every dollar per month to receive service less than \$60 per month; for example:

- Subscription price: \$50 per month
- Weight: 10%

2. Affordability Offering

Proposed service levels with affordability offerings will receive greater weight. Whether or not the ISP is the applicant, if the ISP that will offer service as a result of the proposed project agrees to participate in the Emergency Broadband Benefit, Lifeline, or successor programs, then a 20% weight will result.

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V. Compliance Measures

In accordance with the ConnectMaine rule, grant recipients must ensure compliance with requirements for projects funded with infrastructure grants.

A. Award Acceptance

Applicants may accept or decline awarded grants. Applicants accepting awards must execute a contract agreement with ConnectMaine within 30 days of the awarded grants. ConnectMaine may extend this deadline at its sole discretion. These applicants will be notified of awarded grants and informed on how to sign and upload the required contract agreement and IRS W-9 Form to the Grants Portal, which will constitute acceptance of the awarded grants. The contract agreement contains additional terms and conditions that are standard in state of Maine contracts, and the contract agreement requires compliance with all provisions of the ConnectMaine rule.

ConnectMaine will consider awarded grants declined if applicants fail to execute the contract agreement within the deadline. Following this, the ConnectMaine Authority may reverse the decision to make the award. In order to award grants totaling the available bond funds, ConnectMaine may award grants to other applicants or to other grant recipients who expand their project scopes.

B. Project Dates

Grant recipients may start projects as soon as grants are awarded by the ConnectMaine Authority. A notice of commencement must be filled out and uploaded to the Grants Portal within 30 days of the award or start of the project, whichever occurs sooner. ConnectMaine may extend this deadline at its sole discretion. ConnectMaine will consider awarded grants declined if applicants fail to submit the notice of commencement within the deadline.

Projects of less than \$1.5 million must be completed within one year of initial funds being disbursed, or within 180 days of necessary licenses, permits and governmental approvals, whichever later occurs, unless an extension is approved by the ConnectMaine Authority due to unforeseen circumstances; projects that are over \$1.5 million will have a contractually agreed to completion date. A completion report must be filled out and uploaded to the Grants Portal. Part or all of awarded grants are subject to recapture if grant recipients fail to complete projects.

C. Reports and Disbursements

Following award acceptance and for five years following project completion, the grant recipient must ensure compliance with reporting requirements. Reports are submitted in order to request disbursements of the awarded grants. Forms for required reports can be downloaded from the Grants Portal once grants are awarded and are made publicly available on the ConnectMaine website: <https://www.maine.gov/connectme/grants/award-recipients>

1. Notice of Commencement

Before ConnectMaine disburses initial funds, the grant recipient must submit a notice of commencement, which confirms project dates and anticipated disbursement requests. The notice of commencement must be filled out and uploaded to the Grants Portal within 30 days of the award or start of the project, whichever occurs sooner.

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2. Progress Reports

The grant recipient must fill out and upload to the Grants Portal a progress report at least every quarter following the quarter in which the project started. Progress reports confirm project dates, actual financial information to-date and anticipated disbursement requests. If the project is being conducted differently than described in the contract agreement, the progress report may be used to explain those differences and how the project remains in compliance.

A progress report may also be used to request an extension to the required project completion date, in which case the grant recipient will explain unforeseen circumstances and proposed project dates. In order for the ConnectMaine Authority to decide on the request for an extension in time, the report must be received by ConnectMaine at least eight days before a regularly scheduled meeting that occurs before the original project completion date.

3. Completion Report

Before ConnectMaine disburses final funds, the grant recipient must submit a completion report, which confirms project dates, actual financial information and final disbursement request. The completion report includes required documentation for validation of the completed project to the proposed project. The completion report must be filled out and uploaded to the Grants Portal before the required project completion date. If the project was conducted or completed differently than described in the contract agreement, the completion report may be used to explain those differences and how the project remains in compliance.

4. Audit Form

In order to conduct the grants validation process, the grant recipient must fill out and upload to the Grants Portal an audit form and required documentation, by the required project completion date. The audit form includes lists of required documentation for project completeness and compliance. In addition to submitting the information requested for the purposes of the grants validation process, the grant recipient must allow access for inspection of the plant and equipment. The audit form and required documentation should demonstrate:

- consistency of the completed project with the location and number of subscriber locations identified in the grants process,
- consistency of the completed project with financial information reported,
- suitability of the completed project to result in the type of services and performance identified in the grants process, and
- conformance with generally-accepted industry standards.

D. Validation and Tracking

The ConnectMaine Authority contracts with third parties to support the grants validation process that helps ensure projects comply with the requirements of the ConnectMaine rule and contract agreements. Grants tracking allows ConnectMaine to report on the progress toward its statutory goals to the legislature and others in the state of Maine.

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1. Grants Validation

Desktop audits are performed for all projects; while field verifications are performed across randomly selected projects. The audit form describes the five audit segments:

- Area Audit, for validation of broadband service availability to subscriber locations proposed to be served by the project, including all subscriber locations in unserved and underserved areas of the project areas; required documentation includes SHP files of the network design, prepared under the review of a professional engineer or an engineer with substantial demonstrated experience designing cable or fiber networks whose credentials are also submitted
- Technical Audit, for validation of performance criteria, including confirmation of materials and network quality and conformance with generally-accepted industry standards, and confirmation of speeds and consistency of broadband service; required documentation includes OTDR traces with event logs, manufacturer's specification information, and engineering documentation and calculations
- Spending Analysis, for validation of each expenditure for appropriateness to the completed project, to industry-consistent pricing and to the results of the Technical Audit, and for validation of actual financial information reported for comparison to industry norms and the proposed financial information in the application; required documentation includes the spending report which is an Excel file of actual project costs and details, and supporting invoices or documentation for those project costs
- Field Verification, for validation of broadband infrastructure, including consistency with the proposed project, through an on-site visit to visually inspect and examine the outside plant, central office, hub and subscriber connections; documentation is only required if any deficiencies identified to verify required remediation
- Connection Validation, for validation of active internet connections to subscribed locations in previously unserved and underserved areas; required documentation includes images of OLT and ONT, or CMTS and Modems, or billing statements, as applicable to the type of technology deployed

Any irregularities or deficiencies that are identified will be communicated to the grant recipient for remediation. A final report will be posted for the grant recipient, detailing the findings and any remediation efforts.

2. Grants Tracking

The grant recipient must submit an annual report for 5 years after the project is completed. The tracking reports will include the number of subscriber locations in the project area that are subscribed to broadband service on June 30 of each year.