July Meeting Minutes

28 July 2021

10:00 A.M.

Temporary Recording: https://networkmaine.zoom.us/rec/share/DTaxnQINpEh0f3eZ4yE8gVUB7H-3iI0-sMtSmn1v0OjrSxg5kjynn5hpb8Lkb2Qb.Z 4GRwcqq8k1P8au

Authority Members

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

Introductions of Members and Staff

Nick Battista, Susan Corbett, Jeff Letourneau, Fred Brittain, Peggy Schaffer, Stephenie MacLagan, Woodline Gedeon

Meeting Kickoff

Senator King quote on passage of middle-mile deployment act—Nick

Responding quote from Jeff Letourneau

Notes of Last Meeting

Approval of the June minutes: Susan motioned, Fred 2nd, 4:0

Review of Operations

Executive Director's Report—Peggy

Required data filing and grant tracking reports due 9.21

Please contact staff if providers lost the email request; a reminder will go out mid-August or so. The required data filing applies to all providers. The grant tracking reports are required of past grant recipients. Both are required to be eligible for future grants.

Future rulemaking from legislation regarding surcharge fee

The 10-cent surcharge will apply to all phone numbers starting January 2022. In addition to reflecting that language in the ConnectMaine rule, we'll take the opportunity to clean up other language that was considered last year as substantiative changes, e.g., households versus customers, planning grants, etc.

• Community Planning Support

Working with partners to scale their community broadband planning support programs statewide. The approved budget included substantial funds to support planning services. A concept has been drafted and a proposal could be presented at the next meeting. Another aspect includes expanding the tool from GEO Partners that communities are using to identify unserved areas to allowing communities to identify funding opportunities.

• Federal funding update

Some federal funding is still in flux and would be based on new FCC mapping, which might not be available until sometime in 2022.

Board Discussion

• Susan: The philanthropic group meetings about investing in broadband have been going well.

Peggy: Shout out to Maine Community Foundation. Their planning grants application window is open until August 2nd.

Nick: The climate change and economic development groups are also finding out how much capacity it takes for communities to undertake these significant projects.

• Nick: Do we have contracts from all awardees of recent grants? Stephenie: No, but the they are still trickling in, and a reminder is scheduled for next week. We'll do individual outreach then. Denmark and Ellsworth have started planning, and Greater East Grand Region and Sebago have submitted commencement notices. A little less than half of the infrastructure grant recipients have signed contracts. If any are waiting for changes to the drafted contracts, they should contact staff.

Discussion on Maine Connectivity Authority—Peggy

• Job posted for President

Should be on the state's job webpage, but it is posted on Indeed.

Update on implementation timeline

The state legislature passed bills to make American Rescue Plan funds available. It looks like federal funds from Treasury won't be available before October. Additional funds won't become available until later in 2022 or so.

First meeting is targeted for mid-August. Public notice for it will be posted on the ConnectMaine webpage for News.

Review of Performance Criteria—Grants Committee (Nick, Susan & Jeff)

- Debrief recommendations for broadband infrastructure grants program ConnectMaine contractor Tilson was asked to do an after-action review for recommendations on the grants program. One recommendation is adding a preference review step between eligibility and scoring; this would be the way that we can give preference to least served areas, for example. The grants committee had opportunity to consider their recommendations in detail. These continue in the direction we were headed since January. Further consideration is needed on defining service areas or strategy for managing overlapping proposals or excluded potential subscriber locations.
- Review timeline for proposing performance criteria and application process Next steps include further refining those recommendations. Then policy decisions on the what criteria will be preferred and what criteria will be weighed. This will take time, which led to the suggestion of opening the next window for applications in November, instead of awarding grants in November. This also gives us time to complete the set up of the Broadband Intelligence Platform.

Board Discussion

• Fred: What does defining a service area mean?

Nick: Currently, we allow potential applicants to draw their own boundaries of proposed project areas. Defining service areas would be the state providing the geographic area for consideration by potential applicants. There'd be a lot of decisions around which geographic basis to use, e.g., census blocks wouldn't make sense in most of Maine.

Peggy: We also need better data on served versus unserved areas. We're continuing to work with our contractor VETRO on this.

• Susan: This seems to be helping to make better decision moving forward. *Action:* Grants committee will continue working through this over the next couple of months. Staff will continue developing the broadband intelligence platform, including an online portal for applicants.

NTIA Grant Application—Peggy

• Debrief request for information process

ConnectMaine is working with Tilson to write this application. The NTIA eligibility and preference criteria were used in the request for information that was issued and in evaluating the responses. Many couldn't be moved forward due to the NTIA criteria. Our VETRO contract really made it possible to review these. Of the 22 proposals, we moved forward with proposals that cover five different regions of the state. Of the 8 proposals for Blue Hill Peninsula, one was chosen to move forward.

• Review timeline for grant application

The application will be completed next week, in order to do a self-evaluation before submitting by the 17th. NTIA will hint at success in October, when they reach out with any questions, decisions likely in November.

Board Discussion

- Fred: How many proposals were moved forward to cover the five regions? Peggy: I think about 7. We also went back to respondents to ask about other areas. Thinking in census block world is tough.
- Fred: Are we unique compared to what other states are doing? Peggy: No. While the states that are getting hundreds of millions of dollars for broadband aren't bothering to apply to NTIA, Washington state and others are doing exactly like us.

Other Business

Review of Financials—Stephenie & Peggy

• Monthly financial statements will come in by middle of August Everyone's excited to see the impact of awarding so much over the last six or more months, but with the fiscal year turning, staff doesn't see financial statements until mid-August, so we'll review where we stand with regard to the budget approved last month at the next meeting. Getting the cash to flow from the NBRC grant and bond has been agonizingly slow, but we should get what we need and be ok.

• Monthly assessments

The ConnectME Fund assessment revenue has continued on the downward trend; we're now regularly seeing less than \$390,000 per quarter. Expanding the surcharge to mobile phones instead of only landline numbers should help stabilize our revenue. The lack of substantial, stable revenue means that we don't have a cushion to pay out invoices while we wait for grant or bond funds to flow back in.

Board Discussion

• Nick: What's the status on the audit?

Stephenie: As far as we know, all's going smoothly. We should see drafted pieces in September. While we're pushing to be able to approve the audit in September, we might end up needing the waiver to approve later in the fall.

Reschedule August Meeting—Nick

• Postpone due to vacations

Trying to flag this need and let stakeholders know the meeting won't likely occur then. *Action*: Staff will check timelines, e.g., rulemaking & grants, to ensure no meeting is required in August.

Public Comments

Grants Program Recommendations

• Brian Lippold: The high-level recommendations seem to be going in the right direction.

Nick: Yes, we revisited recommendations from the last 6-8 months and saw where there's now opportunity to incorporate them into the grants program.

Maine Connectivity Authority

• Sarah Strickland: Will there be more information about the relationship between ConnectMaine and the new Authority?

Peggy: Yes, but we don't yet know when or where.

Nick: And we're trying to take the approach of ensuring a strong relationship, moving things forward that are already in motion to keep moving forward.

Approval of adjournment: Fred motioned, unopposed

June Meeting Notes

23 June 2021

Temporary Recording: https://networkmaine.zoom.us/rec/share/
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Authority Members
Nick Battista, Chair
Jasmine Bishop

Jasmine Bishop Fred Brittain Susan Corbett Heather Johnson Jeff Letourneau Liz Wyman

Introductions of Members and Staff

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

Meeting Kickoff

Support letters for Town of Denmark application to planning grants program—Nick

• Stacy's Burner Service

Use internet to order business supplies and do bookeeeping and payroll, but can't when children have to use internet for school.

Notes of Last Meeting

Approval of the May minutes: Liz motioned, Susan 2nd, 5:0

Review of Operations

Executive Director's Report—Peggy

Federal funds

State or subdivision has to be the lead applicant to the NTIA Broadband Infrastructure Program grants. RFI posted to gather information from providers and communities. Because this is a federal program and funds, ConnectMaine rule doesn't restrict proposed project, and ConnectMaine anticipates submitting an application that is as competitive as possible. Getting support from Tilson and VETRO, costs of which would be covered by the grant if awarded.

There's a separate program for tribal connectivity, which Four Directions will be the lead applicant, and ConnectMaine will be supportive in their application process.

Board Discussion

• Liz: What's the timeline?

Peggy: Responses due after the holiday and application is due mid August. Stephenie: Timelines are spelled out in the RFI posted on the website.

• Fred: What about overhead costs to ConnectMaine as well as to the communities? Peggy: The staff proposed budget would include match, so communities have more flexibility to cover their overhead. ConnectMaine's cost in applying would be covered if awarded and additional costs count as match.

Discussion on Maine Connectivity Authority—Peggy

• Debrief state legislation & work session

The Connectivity Act was passed by the legislature and was awaiting the Governor's signature.

• Update on implementation timeline

Governor is already looking at lists of people for this appointable board. The goal would be to have the appointment day piggy back the legislature's 2nd veto day.

Tomorrow, there's an advisory meeting about the structure and strategy for the new entity. ConnectMaine is covering the costs of this stakeholder engagement process.

Financials and Budgeting—Staff & Nick

Review of FY22 budget proposal

A few members worked with staff on a few iterations. The NTIA grant is on such a tight timeframe, with town meetings cycle limiting, so ConnectMaine is proposing to cover the 10% matching funds for community-owned infrastructure project proposals, up to \$750,000, which is the same thing we did for ReConnect grants.

The memo covers expanded or new initiatives, including the community broadband planning grants program, to include new support services. Overall strategy is bringing services forth without additional bureaucracy.

The memo also covers how restricted revenue is separately budgeted from administrative and ConnectME Fund, and the bond is a snapshot.

The budget proposes keeping separate accounts, one with the state for those expenses and one separately managed. Also an opportunity to think about the most appropriate home for the NECEC, which is also a snapshot.

No Board Discussion

Approval of the staff recommended budget proposal, understanding that the ConnectMaine Authority may revisit the budget, which is reported to the legislature and triennial plan: Liz motioned, Heather 2nd, 6:0

Decisions on Broadband

Extension Requests—Peggy

• Review and decide on extension requests for planning and infrastructure projects ConnectMaine rule and contracts are written for a year, so it isn't uncommon to have to do extensions. Hudson project is progressing and will wrap up within first two quarters. The pandemic affected the Sanford project.

No Board Discussion

Approval of granting the extension request for the Hudson Premium Choice Round 15 infrastructure project: Susan motioned, Fred 2nd, 6:0

Approval of granting the extension request for the Sanford Broadband Feasibility Study: Susan motioned, Fred 2nd, 6:0

Designation of Unserved Areas—Nick

Debrief emergency June meeting

Memo describes this complicated process and timing. The 30-day comment periods were an opportunity for community members and providers.

- Discuss relationship between mapping unserved areas and data filing The Broadband Availability Map was updated, unserved areas are colored yellow, orange and red. ConnectMaine is reaching out providers for required data filing, which is also by rule, but will be happening at the same time as the process to review areas.
- Review the new Process for Identifying Unserved Areas recommended by staff This is similar to what we did in January ahead of the last infrastructure grants round. ConnectMaine is trying to give potential applicants a heads up. Still aiming to award the last of the bond funds in November. Data collection and mapping will be occurring and affecting potential applications for infrastructure grants, so keep an eye on these updates. Board Discussion
 - Jeff: Can anyone submit a data to improve maps?

Peggy: Yes. Communities should be aware that the ConnectMaine maps are different than those used by FCC or USDA for their grants programs.

Stephenie: Yes, but hearsay won't be sufficient, so have to have the capability to submit data we can use. Also, get on this now, part of transparent communication with providers.

• Heather: How often can we accept data or update maps?

Peggy: At least annually, and we're trying to do it multiple times a year.

Nick: We haven't fully explored the opportunities with VETRO and community plans, for improving ConnectMaine maps, so this will be an on-going process, one that's affecting our competitiveness to apply for the NTIA grant.

• Liz: Do providers have to provide grant tracking reports for each project? Stephenie: The rule is specific that it is per project, because the requirement is annual for five years, and some providers have multiple projects on different timelines.

Approval of the designation of geographic areas as unserved, which were identified based on the service speeds of 50/10mpbs being unavailable in those areas: Fred motioned, Susan 2nd, 6:0

Action: Direct staff to post the new Process for Identifying Unserved Areas and to request data filing from communications service providers and grant tracking reports from recipients of grants in the last five years.

Community Broadband Planning Grants—Peggy & Committee (Nick, Jeff & Susan)

• Review committee recommendations

Continuing to learn round to round, and we saw improvements this round. Recommended awards include Piscataquis County, Greater East Grand Region, and the Towns of Denmark, Ellsworth, Searsmont, Sebago, and Waldo.

• Discuss future improvements

Looking at the applications over the last few years, the Phase I applicants are struggling with this application process, because they're just getting going. These are low-cost projects, for which matching funds are onerous to get ahead of the application windows. Proposing to make Phase I application process a rolling basis or at least more frequent. Staff will also be hosting at least one workshop to ensure peer-learning.

 Annual budget includes carryover of unspent funds and more for an initiative of providing planning services.

The other lesson learned is the value of community champions and facilitation support outside of the work of hired consultants, e.g., Island Institute, Maine West, etc. Figuring out a few strategies, including the budget initiative for planning services; \$60,000 of this year's budget wasn't spent, so carrying that over as part of the \$200,000 budget line next year. Board Discussion

• Nick: Staff will reach out to unsuccessful applicants on how to still move forward. Echoed by Liz: Feedback to unsuccessful application is important, shown by awarding them in later rounds.

Vote on awarding community broadband planning grants as recommended by the review team, which are identified in the planning grants memo: Liz motioned, Fred 2nd, 5:0.

Other Business

Timing for in-person meeting—Nick

• Virtual meetings have broadened participation

Would an in-person meeting be helpful?

• ConnectMaine has authority to meet remotely

While most state boards got authority from emergency order, but ConnectMaine's statute allows us to meet remotely.

Board Discussion

• Susan: Can we do an in-person annual meeting that piggybacks on another event, while maintaining remote meetings for broader engagement?

Liz: Agree; when we are in-person, we should maintain the remote option. Echoed by Fred. Nick: We talked pre-pandemic about doing field trips to see a successful project.

Public Comments

Broadband Availability Map

• Brian Lippold, Casco Bay Advisors: Can a schedule of updates be published for those designing and preparing applications?

Nick: That's noted.

• Melinda Kinney, Charter Communications: Proposed, upcoming projects will be listed and shared with ConnectMaine.

Nick: Thank you.

Community Broadband Planning

• Stephenie: Highlighting a chat comment that communities on Mount Desert Island recognize value of planning services provided by Island Institute and partners.

NTIA grant

• Sarah Davis, Consolidated Communications: Do we know if FCC data is corrected that would be used by NTIA, or will they be using their own mapping?

Peggy: What we're hearing from NTIA is that they'll be using their maps, which include the FCC data.

• Ben Sanbord, Telecommunications Association of Maine: Can the RFI deadline by extended to include the 6th?

Stephenie: Yes, you can expect that change when we post answers to questions received.

Approval of adjournment: Susan motioned, Liz 2nd, unopposed

Executive Director's Report

28 July 2021

Peggy Schaffer, Executive Director

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

Active grant awards

Final invoices on Connect Kids Now! grants have been submitted, with an extension being approved for one remaining project. ConnectMaine posts the lists of awarded projects on the infrastructure grants webpage.

Contracts for recipients of community broadband planning grants have been issued, and commencement of projects is expected by early August.

Local and regional planning support

Since the ConnectMaine Authority approved the budget proposed for fiscal year 2022, which included \$200,000 for community broadband planning support, staff has been researching strategies for implementing the needed support. Maine Broadband Coalition, in partnership with the Island Institute, is putting together a proposal for "Connectivity Boosters" with the idea of providing one booster per county. ConnectMaine funds would be matched in part from work we have been doing with the Maine Community Foundation, and the Maine Philanthropy Center, to support training, coordination and capacity at MBC, and stipends to the Connectivity Boosters to work directly with communities.

ConnectMaine is working with MBC and GEO Partners to roll out a pilot with advanced planning and analytical tools with communities, which builds on the Maine speed testing initiative. This "mapping support" gives communities tools for decision-making processes.

Staff is also planning a summer workshop for all communities planning, to help ensure peer-learning and networking that is so critical to these broadband planning efforts. We are also revamping the planning grants program for Phase I activities—simpler and easier application—either a rolling basis or at least bimonthly.

Staff and program management

Both at the June meeting and by email that day, ConnectMaine has requested the required data filing in accordance with its rule. Required data must be filed by the end of September 21, in order to be eligible for the next round of broadband infrastructure grants. Where ConnectMaine lacks data to show broadband service as being available, those geographic areas may be identified as unserved, and potentially eligible for grants. Additionally, eligibility for grants includes being in good standing with ConnectMaine. Any infrastructure grant tracking reports due or past due must be filed by the end of September 21. No data or reports have been filed yet as of July 21.

After the workshop for recipients of broadband infrastructure grants, a couple of private-sector partners expressed concerns with the ConnectMaine grants verification & validation process. Staff hosted another meeting with these companies on the 13th to further discuss the concerns for possible resolutions that would be workable and still meet our goals of accountability for the use of public funds. Requests were made to change language that mirrors state procurement contract language and was approved by ConnectMaine. We did agree to include additional sub-agreements, for the subcontracting that occurs for these projects. We offered to have Tilson and VETRO sign non-disclosure agreements with internet service providers around the information provided in the validation process. Bottomline is that as ConnectMaine grants have moved from \$500-750,000/yr to millions of dollars provided by the taxpayers; we need a higher level of accountability on those funds.

State legislation update

The legislature passed the correction on the E-911 fee, so we will be doing rulemaking this fall to implement that new language. What this means is that similar to MTEAF, and E-911, the ConnectMaine 10-cent surcharge will also apply to cellphone numbers starting in January. ConnectMaine revenue has continued erode by assessing only landlines. Extending this surcharge to cellphone numbers is anticipated to help stabilize annual revenue.

The Pandemic Relief Funds (LD 1733) passed as a non-emergency bill, which means it will go into effect in 90 days post adjournment (mid-October). The \$21 million from the State's allocation of ARP funds will go to the Maine Connectivity Authority. The Capital Project Fund rules are expected to be released about that same time.

The board of the Maine Connectivity Authority has been confirmed and sworn in. The job for the President is posted, and is being shared widely.

Federal funding update

Following the recent request for information process—22 responses received, staff worked with the grants committee to propose projects for a grant application to the NTIA Broadband Infrastructure Program, using the NTIA priorities to select project areas, and working with Tilson, VETRO and ISPs. There's an agenda item to discuss this. This significant lift is only possible given the contracts with VETRO and Tilson's teams.

Staff also met with Four Directions about an application to the tribal program that NTIA is also administering. It appears all possible project areas are either already served or other projects have been awarded to serve these areas. There are funds available for broadband adoption for areas that are already served, and we have encouraged Four Directions to look at that option for funding.

MBC did a session on using ARP funds for broadband with the counties and other entities around the state. A few have begun to ask questions about a county-level utility district for broadband. Piscataquis Democrats are hosting a "vote for how you want to spend ARP funding" at events across Piscataquis County this summer. So far childcare and broadband are winning big in those information voting tallies. The County Commissioners Association sent in comments on the Interim Final Rules to Treasury, asking them to maintain the flexibility that was clarified in the FAQ's. This flexibility includes a better definition of what "reliable 25/3" is, and the ability to serve other than those unserved at 25/3 if the primary purpose is to serve those that are unserved.

Federal partnership activities

There have been flurries of frantic activity around the American Jobs Plan, followed by periods of utter silence, but broadband is still very much in the mix for the infrastructure plan. There seems to be more momentum for state "block" grants than other funding streams, but there may be multiple plot twists before we get to that scene.

Grants Committee recommendations to the board for the next phase of the ConnectMaine Broadband Infrastructure Grants Program

As part of their contracted work with the ConnectMaine Authority, Tilson reviewed our latest grant program and made several recommendations, based on best practices from across the country, and founded on the basis of ConnectMaine rules and statute. Collectively, these recommendations focus on improving accountability, transparency, efficiency, scalability, and standardization. They also continue to address areas of concern or issues raised in our grant review process last winter.

A small committee reviewed these recommendations in detail with Tilson and staff. The attached slides include a series of high-level recommendations for program design and administration. A second slide delves into the preferred/non-preferred strategy and provides additional detail about the kinds of opportunities this approach allows us to pursue.

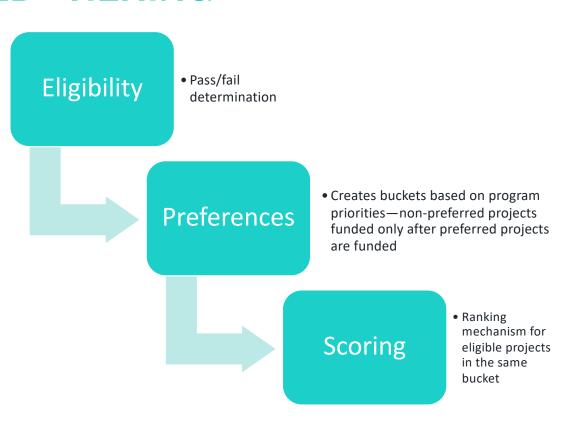
The next steps are for the grant committee and staff to work to refine the suggestions and recommendations. This will allow the ConnectMaine board to make a series of policy decisions about how different factors are accounted for in the grant structure with a clear understanding of the strategy and process.

Implementing this structure may mean a slight delay in opening the next round of funding – likely opening in November. A delay would allow both this process to be completed and additional data from providers to be integrated into the mapping platform, as well as the implementation of SalesForce platform for applicants. By November, we should have further clarity on important federal funds and the NTIA grants, and the ARPA infrastructure funds.

The recommendation in yellow, "consider using defined service areas," requires further work to understand and assess before making a recommendation. In particular, a conversation with Vetro will help shed light on this idea could be implemented and what it would take to move from concept into implementation. Undertaking this recommendation is a significant forward step and will need additional thought and discussion before moving the idea forward.

POSSIBLE USES OF "PREFERRED" AND "NON-PREFERRED" TIERING

- Regional Quotas
- Proposals with more than minimum match
- Proposals that cover 100% of unserved addresses in proposed service areas
- Proposals that have no contingent funding sources
- Proposals that have preferred speeds or technologies





HIGH-LEVEL RECOMMENDATIONS

Program Design Recommendations

- Consider use of defined serving areas
 - Develop a strategy for managing overlaps and cut-backs
- Consider use of "Preferred"/"Non-Preferred" tiering of eligible applications
- Consider weighted cost per unserved unit as the primary scoring mechanism instead of points
- Consider use of match based on per passed premise instead of percentage of project costs
- Create a pathway to greater community participation in proposed projects
- Clarify use of "underserved" areas

Administrative Recommendations

- Improve data capture and workflow
- Standardization of budgets and eligible expenses
- Standardization of required submissions for:
 - Network architecture
 - · Proposed routes
- Create clearer and consolidated definitions around unit counts
- More clearly define acceptable supporting evidence for take rates
- More clearly define evidence needed to support and challenge



ConnectMaine Authority Financials NECEC Broadband Fund Rev. 07.21.21

Revised Budget	NECEC Broadband Fund	Rev. 07.21
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FINANCIALS	DETAIL	PROPOSED	OBLIGATED	ENCUMBERED	Q1	Q2	ACTUAL	REMAIN
REVENUE	Carryforward	\$1,000,533.46			\$1,000,533.46		\$1,000,533.46	\$0.00
NECEC		\$0.00					\$0.00	\$0.00
Interest							\$0.00	
SUBTOTAL		\$1,000,533.46	\$0.00	\$0.00	\$1,000,533.46	\$0.00	\$1,000,533.46	\$0.00
EXPENSES								
Withdrawals	Maine Connectivity Authority	\$1,000,533.46	\$1,000,533.46				\$0.00	\$1,000,533.46
Planning Assistance		\$0.00					\$0.00	\$0.00
Digital Inclusion	affordability program	\$0.00					\$0.00	\$0.00
Infrastructure Grants	matches or direct allocations	\$0.00					\$0.00	\$0.00
Infrastructure Loans		\$0.00					\$0.00	\$0.00
Miscellaneous	covers likely deviations	\$0.00					\$0.00	\$0.00
TOTAL		\$1,000,533.46	\$1,000,533.46	\$0.00	\$0.00	\$0.00	\$0.00	\$1,000,533.46
BALANCE		\$0.00			\$1,000,533.46	\$0.00	\$1,000,533.46	-\$1,000,533.46