

CONNECTMAINE

Process for Identifying Unserved Areas

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Background

The designation of an area as unserved is at the heart of the ConnectMaine grant process and the key consideration in whether or not the ConnectMaine Authority can provide funding for a project. Areas designated as unserved lack a level of internet service sufficient to meet minimum performance criteria, currently 25/3mpbs. (Designating this level of internet service as sufficient to meet minimum performance criteria is a separate process.) The designation of unserved areas is subject to a 30-day comment period. The ability to identify a specific geography as unserved is limited by the data available to ConnectMaine, and its rules contemplate the use of other data sources that ConnectMaine deems credible.

Process

Given the investment in broadband infrastructure by the private sector, and the clear intent of the ConnectMaine statute and rules to direct state funds to support expansion of broadband availability in places where the private sector alone can't justify the investment, going forward the ConnectMaine Authority will use the following process for identifying unserved areas.

Areas designated as unserved may be identified in any or all of the following sources:

- The ConnectMaine Broadband Availability Map:
<https://maps.sewall.com/connectme/public/>
- The ConnectMaine Unserved Reports:
www.maine.gov/connectme/communities-resources/Broadbandmapping
- Community Broadband Plans posted on the ConnectMaine website:
www.maine.gov/connectme/grants/planning-grants/awards

If areas for a proposed project aren't identified as unserved in the above sources, there is opportunity to review such areas: The potential applicant makes the request, which must be submitted by a deadline that is no less than 14 days from public announcement. (ConnectMaine anticipates next announcing the deadline of 25 January 2021.) The request for review must include accurate mapping of address-specific, availability data of actual speeds in the proposed project area, including a map of the geographic area at a fine enough scale to identify street-level data, and the GIS data behind the map. The request may also include the dates and times of speed testing conducted by the method directed by ConnectMaine, customer testimonials or other evidence demonstrating that the areas are unserved.

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General information of the relevant areas will be posted for the 30-day public comment period.

Public comment on the availability, or lack thereof, of broadband service may be submitted within the 30 days that the relevant areas are publicly posted. (ConnectMaine anticipates this next deadline being 24 February 2021.) ConnectMaine will consider public comments that include accurate mapping of address-specific, availability data of actual speeds in the relevant area, including a map of the geographic area at a fine enough scale to identify street-level data, and the GIS data behind the map, as well as comments that include the dates and times of speed testing conducted by the method directed by ConnectMaine, customer testimonials, engineering schematics or other evidence of the availability, or lack thereof, of broadband service. Information about recent investments and the capabilities of any infrastructure in the relevant areas is highly relevant to ConnectMaine. All this information shall be considered confidential in accordance with Title 1, section 402, subsection 3.

Without public comments and sufficient information that the areas are in fact served, the areas shall be confirmed as unserved by this process.

Discussion

To date, ConnectMaine has relied on its availability map and the unserved reports as the basis for identifying unserved areas. Solely relying on these creates implementation challenges for both applicants and ConnectMaine; this information is often at a larger scale than the level of detail needed in the grant process. The underlying datasets are incomplete, and applicants often come forward with additional, more detailed information about unserved premises in their geography.

The addition of Community Broadband Plans serves to address these deficiencies. This further serves to provide additional impetus for communities to engage in broadband conversations. Having an engaged and active community likely increases takes rates and improves overall project viability. Lowering the barrier between community planning and working with an internet service provider (ISP) to build infrastructure can help projects move forward. ConnectMaine may want to establish a date threshold where older plans need to be refreshed or reviewed. Similarly, ISPs who have expanded service into these areas since plans were created should make sure that both communities and ConnectMaine are aware of those capital investments.

The opportunity to review proposed project areas that aren't identified as unserved upon request is a clear pathway for applicants to propose projects in areas that should be identified as unserved and a clear pathway for ISPs to confirm areas that are in fact served. This opportunity seems to be unique among state broadband programs, attracting observations from Tilson Technology that other programs involve pre-identifying eligible areas for grant entirely prior to the application process. Perhaps that would be an ideal situation; however,

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the ConnectMaine rule allows the opportunity to review areas on a timeline separate from its grants program timeline.

Further, public comments from both community and industry members have favored allowing the review of areas for proposed projects. This process serves as a way for ISPs and others to engage in conversations about existing infrastructure and any potential overlap before applications are submitted and reviewed. Early conversations benefit entire communities and the industry. The data generated by this process also improves the identification of unserved areas in the future and helps ConnectMaine in its review of applications for grants. This process better reflects the collaborative nature of public-private partnerships and helps connect the infrastructure grant program to work happening on the ground in communities.

Approval

ConnectMaine has approved the process for identifying unserved areas, which is based on the designation of unserved areas in accordance with the ConnectMaine rule, in that the ConnectMaine Authority finds this process utilizes data filed in accordance with §3 of its rule and data from other sources deemed credible and appropriate for the designation of unserved areas in accordance with §5 of its rule.