AGENDA

Broadband Advisory Council Virtual Meeting
April 28, 2022
1:00 p.m. to 3:00 p.m.

In-Person Option:
Virginia State Capitol Building
1000 Bank Street, Richmond, VA 23218
Senate Room 3

Virtual Option:
To access the meeting using video
Video call link: https://meet.google.com/hfo-yrhm-mpj
To access the meeting using audio
Dial: (US) +1 617-675-4444 PIN: 528 722 378 0325#

I.	Opening	
	a. Call to Order	Chairman
	b. Roll Call	DHCD Staff
II.	Election of Chairman and Vice-Chairman	BAC Members
III.	Consent Agenda	Chairman
	a. Approval of Minutes: January, 21, 2022 meeting	
IV.	Office of Broadband Updates	Tamarah Holmes, Ph. D. Director, Office of Broadband
V.	FY 2023 VATI Proposed Guidelines	DHCD Staff
VI.	Commonwealth Connection Virginia's New Broadband Availability Map	Brandon Herndon Director, VT CGIT
		Bryan W. Horn, Director, DHCD
VII.	Public Comment	Chairman
VIII.	New Business	Council Members
IX.	Adjournment	Chairman

BROADBAND ADVISORY COUNCIL
UNAPPROVED MINUTES
January 21, 2022
2:00 PM
Virginia State Capitol Building
1000 Bank Street, Richmond, VA, 23218
Virtual Option provided via Google Meet

Members Present	Members Absent
Senator Jennifer Boysko, Chair	None
James Carr	
Mike Culp	
Senator Ghazala Hashmi	
Kristie Helmick Proctor	
Mike Keyser	
Delegate Paul E. Krizek	
Ray LaMura	
Senator Lynwood W. Lewis, Jr.	
Steve Sandy	
Richard Schollman	
Senator Lynwood W. Lewis	

Call to Order	Senator Jennifer Boysko, Chair of the Broadband Advisory Council, called the meeting to order at 2:10 p.m.
Roll Call	Mr. Chandler Vaughan, Broadband Policy Analyst at the Office of Broadband, called the roll and stated that a quorum was present.
Introduction of Guests	Senator Boysko introduced guests in attendance at the meeting, including U.S. Senator Mark Warner, Caren Merrick, Secretary of Commerce and Trade, Bryan Horn, Director of the Department of Housing and Community Development (DHCD), Todd Weinstein, the Deputy Director of DHCD and Delegate Suhas Subramanyam. A summary of the comments of each guest which spoke at the meeting is provided below.
Remarks from U.S. Senator Mark Warner	Senator Warner provided remarks regarding the Infrastructure Investment and Jobs Act (IIJA), including eligible uses of IIJA to address access to broadband infrastructure and affordability of broadband service in the Commonwealth.
Remarks from Secretary of Commerce and Trade Caren Merrick	Secretary Merrick provided remarks on administration priorities, including broadband access and affordability and economic development and workforce development.
Remarks from Director of DHCD, Bryan Horn	Director Horn provided remarks about the need for ubiquitous access to broadband, citing the example of rural electrification in

	the early 1900s. Director Horn cited Virginia's nationwide leadership on deploying broadband infrastructure to unserved areas and the need to continue to lead in these efforts.
Remarks from Delegate Suhas Subramanyam	Delegate Subramanyam provided information regarding his proposed legislation and budget language during the 2022 General Assembly Session, including House Bill 1265 and budget amendments: 115 #11h and 115#12h
Approval of Minutes: May 14, 2021 meeting	A motion was made by Delegate Paul E. Krizek and properly seconded by Mr. Mike Culp to approve the minutes of the May 14, 2021 meeting of the Broadband Advisory Council. The motion passed by voice vote, with all members voting in favor.
Office of Broadband Updates	Dr. Tamarah Holmes, Director of the Office of Broadband, presented updates from the Office of Broadband at the Department of Housing and Community Development (DHCD), including the Office's responsibilities and staffing structure. Dr. Holmes also presented on the recent success of the last round of the Virginia Telecommunication Initiative (VATI) and the framework of the Line Extension Customer Assistance Program (LECAP). Mrs. Tammy Breski, VATI Program Manager with the Office of Broadband, presented on the grants management process of VATI awards, including the reporting process of grantees and internal practices within DHCD to monitor and ensure project compliance.
Statewide Broadband Availability Map Updates	Brandon Herndon, Director of the Center For Geospatial Information Technology at Virginia Tech, presented updates on the data submission process and preliminary maps of the Statewide Broadband Availability Map.
Public Comment	No public comment was provided at the meeting.
New Business	Mr. Culp discussed challenges with legacy telephone companies' maintenance of wireline telephone networks, discussing that maintenance of these networks is key, especially through the use of emergency services through '911.' Mr. Culp called for the Broadband Advisory Council to seek solutions to address these issues.
Adjournment	Upon a motion made by Mr. Ray LaMura and seconded by Mr. Casey Logan, the meeting was adjourned.

Department of Virginia Housing and Community Development

Office of Broadband
Broadband Advisory Council Meeting
April 28, 2022

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
Partners for Better Communities

Presentation Outline

Office of Broadband Updates
     Tamarah Holmes, Ph. D. Director, Office of Broadband

FY2023 VATI Proposed Guidelines and Criteria
     Tamarah Holmes, Ph. D. Director, Office of Broadband
     Tammy Breski, VATI Program Manager

Commonwealth Connection: Virginia's New Broadband Availability Map
     Brandon Herndon, Director,
     Virginia Tech Center for Geospatial Information Technology

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Office of Broadband Updates

Tamarah Holmes, Ph. D. Director, Office of Broadband

VIRGINIA DEPARTMENT OF HOUSING
AND COMMUNITY DEVELOPMENT
Partners for Better Communities

- Administers the Virginia Telecommunication Initiative (VATI)

- Provides planning assistance for local governments

- Develop and update Commonwealth Connection: Virginia Broadband Availability Map

- Managing the Broadband Project Dashboard

- Administers the Utility Leverage Unserved Area Certification Program

- Administers the Line Extension Customer Assistance Program (LECAP)

- Assists stakeholders to access tribal and federal broadband programs

- Supports the Broadband Advisory Council

- Supports the Commonwealth Connect Coalition

Office of Broadband Responsibilities

The Virginia Department of Housing and Community Development's Office of Broadband partners with local governments and internet service providers through multiple programs to ensure Virginians have access to broadband infrastructure.

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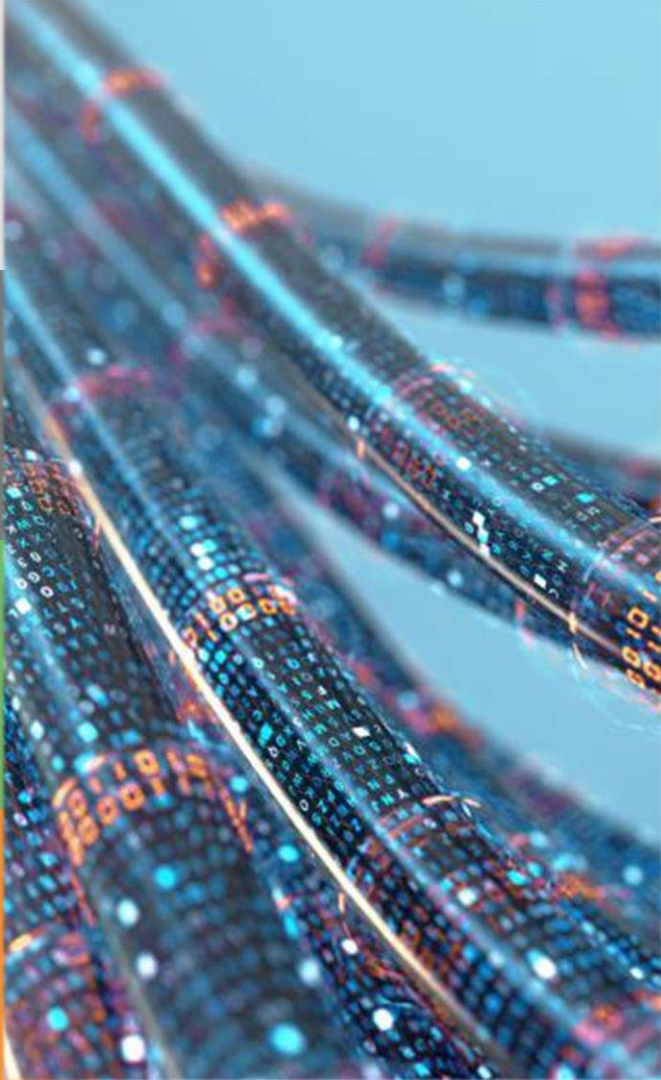# Office of Broadband

Organizational Chart
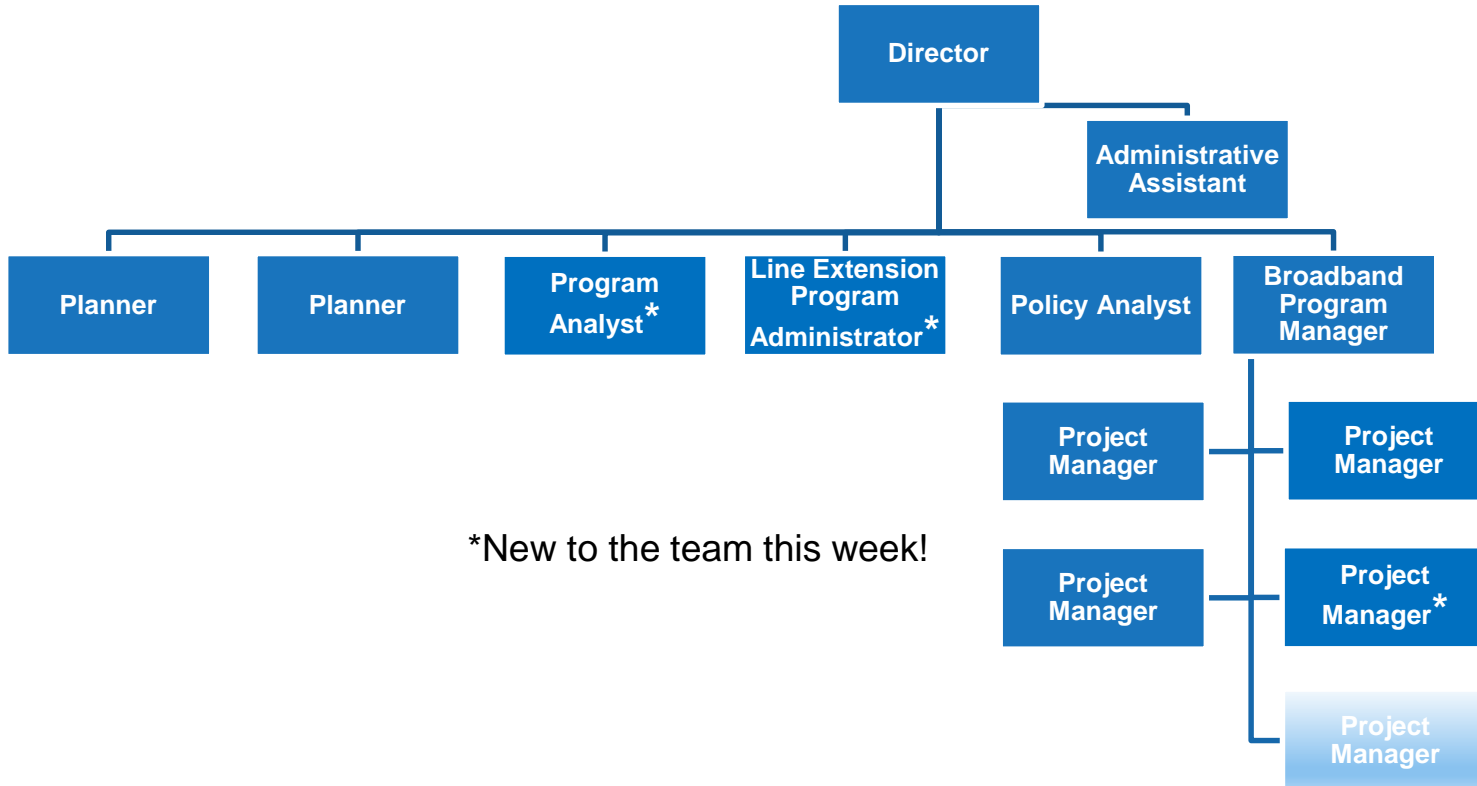
Updates

2022 General Assembly Session

Line Extension Customer Assistance Program

Broadband Project Dashboard

Virginia Broadband Availability Map

HB445 & SB446
Broadband Service to New Development, Study

Provides that the Department of Housing and Community Development shall convene a stakeholder advisory group for the purpose of evaluating local and state policies, procedures, or ordinances to facilitate the expansion of high-speed broadband service and associated infrastructure in new residential and commercial development.

Stakeholder Group Composition

The stakeholder advisory group shall be composed of representatives from:

- Commercial and residential land development and construction industry
- Local Government
- High-speed broadband providers
- Other stakeholders as determined by DHCD

Reporting Date

The stakeholder advisory group's findings and recommendations will be reported to the BAC no later than September 30, 2022.

HB1265 & SB716
Broadband Affordability Plan

Directs the Department of Housing and Community Development to develop a plan, to be known as the Commonwealth Digital Affordability and Cost Effectiveness Plan, to access federal funding under the federal Infrastructure Investment and Jobs Act.

Components

The bill requires that the Plan include:

- An overview of options for affordable broadband connectivity in the Commonwealth
- Recommendations on how best to leverage federal grants addressing broadband affordability
- Best practices for establishing a broadband affordability program, taking into account existing federal funds and programs
- Recommendations for public outreach

Reporting Date

Due to Governor and General Assembly by December 1, 2022.

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SB724
Broadband Annual Report, School Boards

Each school board to submit an annual report to the Virginia Department of Education and the Virginia Department of Housing and Community Development listing each student's 9-1-1 address that does not have broadband access, as defined by VATI Guidelines and Criteria.

DOE and DHCD

The Department of Education and Department of Housing and Community Development will develop a framework and survey tool for school boards to submit reports and data by September 1, 2022.

Reporting Date

Each school board will report data by December 31 of each year between 2022 through 2025

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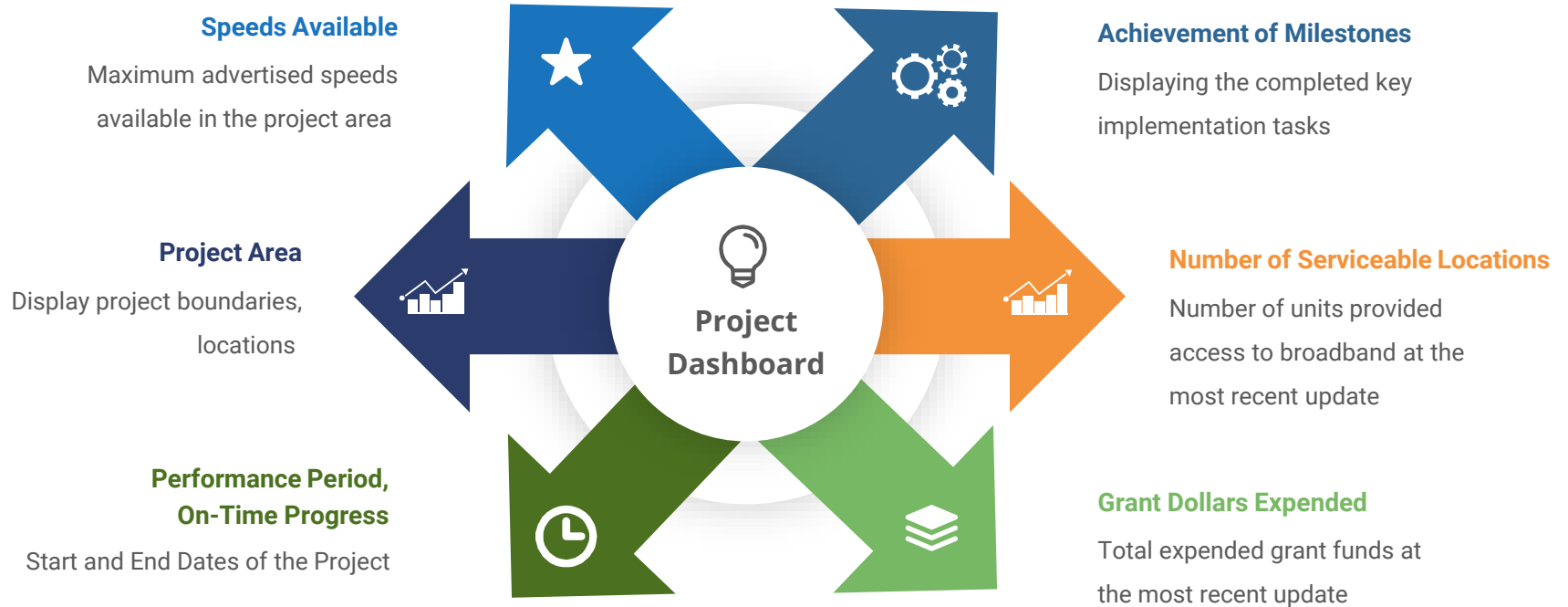Partners for Better Communities

Line Extension Customer Assistance Program - LECAP

For a subset of Virginians, broadband connections are not attainable because their home exceeds an internet service provider's standard connection drop length from a roadway or easement containing telecommunications infrastructure. The cost incurred by home owners to extend broadband infrastructure to these locations, referred to as special construction costs, range from a few hundred to a few thousand dollars, depending on the distance and cost to connect the location.
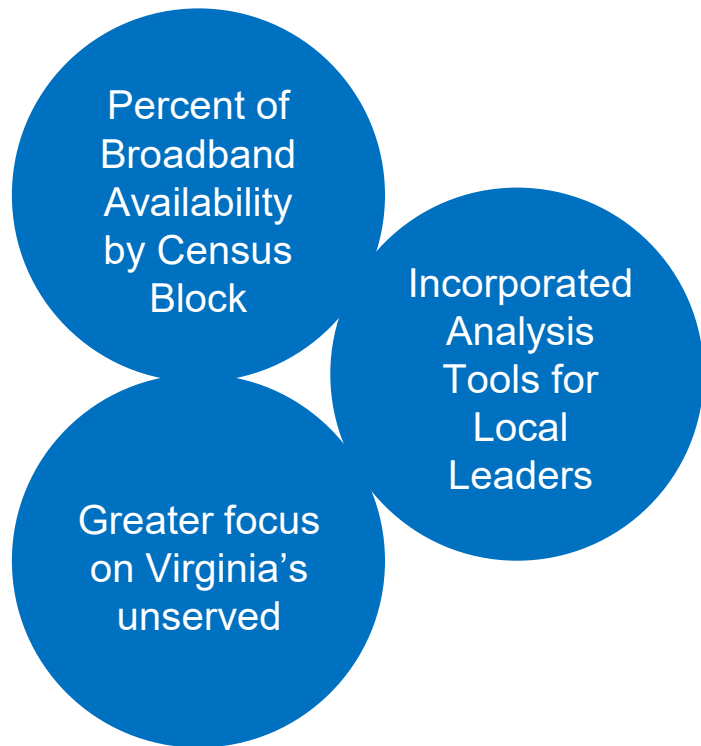
Guidelines and Criteria

Public Input: April 2022

Request for Interest

Launching: Late April 2022

Hiring LECAP Administrator

April 2022

Percent of Broadband Availability by Census Block

Incorporated Analysis Tools for Local Leaders

Greater focus on Virginia's unserved

"Commonwealth Connection"
Virginia's New Broadband Availability Map

The Virginia Department of Housing and Community Development (DHCD), in partnership with the Virginia Tech Center for Geospatial Information Technology, is developing a statewide broadband availability map indicating broadband coverage, including maximum broadband speeds available in service territories in the Commonwealth. Broadband service providers are required to submit updated service territory data to the Department annually.

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FY2023 Virginia Telecommunication Initiative Guidelines and Criteria Input Session

Tamarah Holmes, Ph. D. Director, Office of Broadband
Tammy Breski, VATI Program Manager

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Virginia Telecommunication Initiative
Draft Guidelines and Criteria Input Sessions

Proposed Change - Eligible Applicants

FY2022 Guideline	Notwithstanding program requirements that applications include a private-sector internet service provider as the co-applicant, the Fiscal Year 2022 round of the Virginia Telecommunication Initiative (VATI) will implement a one-year pilot program in which public broadband authorities may apply directly for VATI funds without investment from the private sector. Such awards, in sum, shall not exceed 10 percent of total available VATI funds in FY2022. Applications submitted without a private sector co-applicant will be evaluated alongside other applications.
Proposed for FY2023	Notwithstanding program requirements that applications include a private-sector internet service provider as the co-applicant, public broadband authorities may apply directly for VATI funds without investment from the private sector. Such awards, in sum, shall not exceed 10 percent of total available state general funds in FY2023. Applications submitted without a private sector co-applicant will be evaluated alongside other applications. DHCD reserves the right to update this guidance upon final adoption of the state budget by the General Assembly and Governor.

Virginia Telecommunication Initiative
Draft Guidelines and Criteria Input Sessions

Proposed Change - Eligible Areas

FY2022 Guideline	Unserved areas are defined as having broadband speeds below 25 Megabits per second (Mbps) download and 3 Megabits (Mbps) upload. Areas lacking 10 Megabits per second download and 1 Megabits per second upload speeds will be given significant priority in application scoring.
Proposed for FY2023	Unserved areas are defined as having broadband speeds below 100 Megabits per second (Mbps) download and 20 Megabits (Mbps) upload. Areas lacking 25 Megabits per second download and 3 Megabits per second upload speeds will be given significant priority in application scoring.

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Virginia Telecommunication Initiative
Draft Guidelines and Criteria Input Sessions

Proposed Change - Eligible Areas

FY2022 Guideline	For a wireline project, a proposed project area is considered eligible if 10 percent or fewer of serviceable units have access to service with no special construction costs from any provider as of the date of the application.
Proposed for FY2023	For a wireline project, a proposed project area is considered eligible if 20 percent or fewer of serviceable units have access to service with no special construction costs from any provider as of the date of the application.

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Virginia Telecommunication Initiative
Draft Guidelines and Criteria Input Sessions

Items	Proposed Additions
Eligible Areas- Long Drops	In instances where concentrated pockets of locations do not have access to broadband, due to special construction costs, VATI is better designed for extending broadband infrastructure to these locations. The Line Extension Customer Assistance Program (LECAP) is intended to cover costs to extend service to scattered locations across the locality, not address long drop issues in concentrated pockets of a locality. For more information, please contact DHCD staff to discuss the scope of projects prior to application.
Definition of Broadband	Broadband is the transmission of wide bandwidth data over a high speed internet connection. For the purposes of VATI and other programs dependent on the VATI definition of broadband, the speeds at which internet service is considered broadband, is access to speeds at or above 100 megabits per second (Mbps) download and 20 Mbps upload.

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Virginia Telecommunication Initiative
Draft Guidelines and Criteria Input Sessions

Item	Proposed Additions
Previously Funded Areas	Federally and state funded areas with existing agreements to build service to, or are currently served with, access to internet at speeds less than 100/20 mbps are eligible for funding under the VATI program. Federally funded areas with service obligations at or over 100/20 mbps are not eligible for VATI.
	In some cases, recipients of federal or state funds were awarded funding to provide service at less than 100/20 mbps, but provide service over this threshold. In these instances, an internet service provider must submit a challenge on the basis of actual serviceability. DHCD will not consider challenges in this scenario unless the internet service provider can demonstrate they provide 100/20 service. This can be accomplished by providing speed test data from their service territory in Virginia.

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Draft Guidelines and Criteria Input Sessions

Proposed Change − Multiple Applications

FY2022 Guideline	An applicant may submit one application with multiple service providers if the applicant can demonstrate how the providers are collaborating to achieve universal coverage for the locality or region.
Proposed for FY2023	Units of local government may submit multiple applications with different service providers and may include project areas that cross-jurisdictional boundaries. No more than one last-mile internet service provider may be included in an application.

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Virginia Telecommunication Initiative
Draft Guidelines and Criteria Input Sessions

Item	Proposed Additions
Challenge Process	Federally and state funded areas with existing agreements to build service to, or are currently served with, access to internet at speeds less than 100/20 mbps are eligible for funding under the VATI program. Federally funded areas with service obligations at or over 100/20 mbps will not be considered for funds managed and awarded through the VATI grant making process, unless otherwise outlined in these guidelines and criteria.
	In instances where recipients of federal or state funds were awarded funding to provide service at less than 100/20 mbps, but provide service over this threshold, an internet service provider must submit a challenge on the basis of actual serviceability. DHCD will not consider challenges in this scenario will not consider challenges in this scenario unless the internet service provider can demonstrate they provide 100/20 service. DHCD reserves the right to request verified speed tests at times of peak network usage and street level data of customers receiving service within the proposed project area in federally awarded areas to ensure serviceability.

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Virginia Telecommunication Initiative
Draft Guidelines and Criteria Input Sessions

Proposed Change − Challenge Process

FY2022 Guideline	Challengers must demonstrate that more than 10% for wireline projects, or 25% for wireless projects, of serviceable units in the project area have access to speeds above 25/3 mbps as of the date of the application or that the application is ineligible as a result of committed state or federal funding subject to the conditions described above.
Proposed for FY2023	Challengers must demonstrate that more than 20% for wireline projects, or 25% for wireless projects, of serviceable units in the project area have access to speeds above 100/20 mbps as of the date of the application or that the application is ineligible as a result of committed state or federal funding subject to the conditions described above.

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Virginia Telecommunication Initiative
Draft Guidelines and Criteria Input Sessions

Items	Proposed Additions
Challenge Process- Speed Tests	DHCD reserves the right to request verified speed tests at times of peak network usage on all or portion(s) of the challenged area. If verified speed tests are requested by DHCD, the challenger will have 10 days to respond with documentation requested by DHCD.
Challenge Process- Project Rescope Materials	Upon notification of challenge determination, applicants will have 10 days to submit rescope materials, which include: an updated map of the application area reflecting removal of the challenged area(s), point and polygon shapefiles of the updated application area, the Funding Sources Table, the VATI Passings Form, the RDOF Passings Form (if applicable), and the Derivation of Costs.

Virginia Telecommunication Initiative
Draft Guidelines and Criteria Input Sessions

Items	Proposed Additions
Organizational and Management Capabilities	DHCD reserves the right to request verified speed tests distributed throughout a service area at times of peak network usage from a co-applicant's existing network to verify a co-applicant's capability to provide broadband service at speeds at or above 100/20 mbps.
Organizational and Management Capabilities	Funds managed and awarded through the VATI grant making process may be requested to cover administrative costs up to 10% of the total grant request. DHCD reserves the right to adjust this maximum allowed administrative costs depending on project scope.

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Draft Guidelines and Critieria Input Sessions

Proposed Change - Evaluation Criteria

Category	2022 Points	2023 Points
Project Description and Need	85	75
Project Readiness	40	40
Budget and Cost Appropriateness	135	135
Commonwealth Priorities	40	50
Total	300	300

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Draft Guidelines and Criteria Input Sessions

Proposed Change - Evaluation Criteria

- **Project Description and Need**
  - Shifted scoring emphasis on businesses and community anchor institutions in the project area under the Passings of Significant Impact criteria in Commonwealth Priorities

- **Project Readiness**
  - Applicants are encouraged to extensively discuss, where applicable, easements relating to railroad crossings, federally-owned lands and parks, and mobile home parks.
  - Applicants are encourages to describe efforts to keep the public informed of project progress and the broadband adoption plan.

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Virginia Telecommunication Initiative
Draft Guidelines and Criteria Input Sessions

Proposed Change - Evaluation Criteria

- **Budget and Cost Appropriateness**
  - Applicants wishing to have prior expended funds considered as matching funds must complete a Prior Expended Match Form.

- **Commonwealth Priorities**
  - Applicants are encouraged to describe digital equity efforts to ensure low to moderate income households in the proposed project area will have affordable access to speeds at or above 100/20 mbps, include information regarding the internet service provider's participation in the Affordable Connectivity Program.
  - Applicants are encouraged to describe the co-applicant's efforts to mitigate supply chain constraints, including labor shortages and order-to-delivery delays on telecommunications materials required to construct broadband networks.
  - The applicant's and co-applicant's efforts to promote broadband adoption, including, but not limited to: telehealth, smart farming, e-entrepreneurship, and distance learning.

Virginia Telecommunication Initiative
Draft Guidelines and Criteria Input Sessions

Proposed Addition - Infrastructure Investments and Jobs Act Funding

Pending final action regarding the allocation of Infrastructure Investments and Job Act (IIJA) funds, all applicants to the VATI grant making process will be considered for funding under both the state general fund budget, as well as IIJA funding directed to be managed and awarded through the VATI grant making process. DHCD reserves the right to determine the source of funds through which awards are made. Applications, solicited project structure, and evaluation of projects will primarily be reviewed using FY23 VATI guidelines, although IIJA legislation and subsequent National Telecommunication and Information Association (NTIA) guidance may be taken into account in certain instances (recognizing that VATI and IIJA guidance may diverge at times). All applications will be scored using the FY23 VATI scoring criteria….. More guidance included in Draft Guidelines and Criteria.

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Questions & Answers

Contact Us

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Commonwealth Connection
Virginia's New Broadband Availability Map

Brandon Herndon, Director,
Virginia Tech Center for Geospatial Information Technology

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Center for Geospatial Information Technology

FY22 Broadband Data Collection Summary

April 28, 2022

Brandon Herndon - Director
bherndon@vt.edu

2021 Data Collection Timeline

- Apr 19, 2021: Budget Bill creates requirement for enhanced broadband data collection

- Jul 1, 2021: CGIT contracted by Virginia's DHCD to develop broadband submission portal, data collection, and overhaul of state broadband availability map

- Oct 1-15, 2021: Public comment period on draft submission guidelines

- Nov 15, 2021 - Jan 7, 2022: Broadband Data Submission Portal open for submissions

- Jan 14, 2022: "2021 Virginia Broadband Data Preview" map produced from data collection

- Feb 14-18, 2022: Submission Portal reopened for resubmissions and corrections

- Apr 1, 2022: Soft launch date of new Virginia Broadband Mapping Tool (Commonwealth Connection)

- Apr 28, 2022: Fully-featured launch date of Commonwealth Connection

Data Collection Results and Challenges

- Results
  - 50 out of 57 providers submitted data via the Portal (88%)
  - Providers submitted a combined 3,500,137 addresses, out of a total 3,775,230 address points within the Commonwealth (93%)

- Challenges
  - Submission portal opened on Nov 15th; first submission was Dec 7th
  - Many first submissions were just repeated 477 data (incorrect submission)
  - No "teeth" behind mandate to submit data (from CGIT perspective)

- [Map review](#)