TC-1 Resolution Supporting Recommendations from the Broadband Expansion Task Force

Whereas the National Association of Regulatory Utility Commissioners (NARUC) has a long history of promoting universal service and broadband deployment;

Whereas broadband networks and services drive the national and state economies and ubiquitous broadband deployment can only raise standards of living and bring major advances in education, healthcare, teleworking, e-commerce, public safety, and security;

Whereas state and federal policymakers must find ways to assure that networks are promptly and efficiently deployed;

Whereas NARUC members understand the urgency of eliminating the gap between those who have broadband available and those who do not;

Whereas NARUC President Brandon Presley created the Broadband Expansion Task Force in February 2020 to identify the best mechanisms for NARUC and its members to speed the deployment of broadband;

Whereas the Broadband Expansion Task Force was specifically asked to identify:

(1) How some states have successfully shifted state universal service funds from telephone and operational expense support to broadband buildout capital support;
(2) What other state programs are successfully building out broadband, how are they funded, and how are they structured;
(3) How NARUC and NARUC members can best work with the Federal Communications Commission (FCC)' to help craft Universal Service Fund programs that will be most successful at expanding broadband into unserved areas;
(4) Electric and gas utilities that have successfully leveraged their infrastructure to provide broadband service; and
(5) Information related to the impacts of rural broadband deployment on economic development, education, healthcare, quality of life, the delivery of public utilities' services and its ultimate benefits to customers.

Whereas the Broadband Expansion Task Force created a report summarizing the task force research on each of these topic areas;

Whereas the Broadband Expansion Task Force report led to the creation of recommendations for accomplishing the purpose of the task force; *now, therefore be it*

Resolved that the Board of Directors of the National Association of Regulatory Utility Commissioners, convened at its 2021 Summer Policy Summit in Denver, Colorado, adopt the following Broadband Expansion Task Force recommendations:

1. **Broadband mapping**

   - Congress, the National Telecommunications Information Agency, and the Federal Communications Commission (FCC) should work with the states to provide an overlay to the US broadband map with information showing where broadband is actually available for installation, including detailed information on the amounts provided or committed by all federal and state sources. This will help states, Congress, and federal agencies identify what money has been made available for specific areas to assist in preventing overlapping funding. Encourage new funding sources for broadband expansion be funneled through existing programs, where possible. If new programs are needed to fill the cracks between the CAF II, RDOF, state, and other programs, they must be carefully coordinated with existing programs.

2. **Enhance broadband program coordination**

   - Revitalize and aggressively use the Federal State Joint Board on Universal Service to provide information on broadband availability through quarterly state-FCC information sharing calls. This information will allow the states and the FCC to better target universal service funds.

   - Increase state commissions' presence and participation in initiatives sponsored by the National Telecommunication and Information Administration (NTIA), particularly, the State Broadband Leaders Network (SBLN) and the Digital Inclusion Leaders Network (DILN)

   - Identify public utility commissions' role in broadband deployment and adoption and participate in state-level broadband initiatives. Where appropriate, commissions may wish to communicate to the state legislature or executive office an interest in leading statewide engagement on broadband.

   - Priority should be placed on providing broadband service in unserved areas (<25/3 mbps), while understanding that improvements must be made over time in underserved areas (<100/10 mbps).

3. **Ensure that broadband providers meet their obligations**

   - Develop a centralized database of carriers that fail to meet obligations from previous Universal Service funding, including CAF, CAF II, RDOF, other federal funds designed to deploy telephone and broadband services, as well as state funding for building and maintaining telecommunications networks where applicable. This will ensure that the FCC and the states have the data necessary to ensure that funding is provided only to those companies that are meeting their obligations.

   - Implement regular testing of network speed, latency, and reliability for carriers receiving federal or state funding for building and maintaining telecommunications

networks. Make the results of this testing available to the states on a regular basis so that the states will have the information necessary to ensure that the ETCs they have approved are meeting the requirements.

4. **Support non-traditional providers**

- While traditional telecommunications providers will continue to provide the vast majority of broadband internet access services, we support non-traditional broadband providers, electric co-ops, municipal utilities, and IOUs providing service in unserved and underserved areas in order to quickly close the broadband availability gap.

- Work with the states to consider the need for state legislation to remove barriers to electric and gas utilities providing broadband service in unserved and underserved areas, including examining the need to amend state statutes and remove barriers to using rights of way for services such as fiber deployment. Consider developing a model statute that states may use to address regulatory barriers.

- Support the states' examination of how and whether to allow electric and gas utilities to recover the costs of broadband infrastructure, including whether these costs should be assessed to all customers or directed solely to those who will benefit from the expansion.

5. **Broadband adoption**

- Urge the FCC to coordinate Lifeline enrollment efforts with other federal and state programs, including streamlining eligibility for Lifeline support.

- Urge ISPs to provide a broadband offer that will support eligible households.

- Urge the FCC to consider transitioning the temporary Emergency Broadband Benefit Fund into permanent increases in the Lifeline subsidy to assist eligible households in obtaining the broadband service they will need now and in the future.

- Include local communities and anchor institutions in planning and adoption efforts through robust and continuous stakeholder outreach, engagement, and education.

Passed by the Committee on Telecommunications on July 20, 2021.
Adopted by the NARUC Board of Directors on July 21, 2021.