

JOINT LEGISLATIVE FISCAL COMMITTEE

Legislative Office Building, Rooms 210-211

Concord, NH

Friday, December 2, 2022

MEMBERS PRESENT:

Representative Karen Umberger, Chair

Representative Tracy Emerick

Representative Bob Lynn

Representative Keith Erf

Representative Peter Leishman

Representative Jess Edwards (Alt.)

Representative Mary Jane Wallner (Alt.)

Representative Joseph Pitre (Alt.)

Senator Gary Daniels

Senator Jeb Bradley

Senator James Gray

Senator Jay Kahn (Alt.)

Senator Cindy Rosenwald

(1) Old Business:

KAREN UMBERGER, State Representative, Carroll County, District #02, and Chairwoman: It must be 10 o'clock someplace. Um -- 10:04. Um -- I'd like to call the Special Meeting of the Fiscal Committee to order, and we have one item on the agenda today. So -- uh -- Representative Lynn has a motion.

****** BOB LYNN, State Representative, Rockingham County, District #07: Yes. Madam Chair, I'd like to make a motion that we take item FIS 22-404 off the table and accept the replacement that has been provided.

CHAIRWOMAN UMBERGER: Do I have a second?

JEB BRADLEY, State Senator, Senate District #03: Second.

CHAIRWOMAN UMBERGER: Thank you, Senator Bradley. All those in favor, please raise your hand? Opposed? Thank you.

***** {MOTION ADOPTED}**

CHAIRWOMAN UMBERGER: Okay. Um -- it's probably best that we have a motion to -- um -- accept the replaced item and then we will have discussion. Thank you.

REP. LYNN: Second.

CHAIRWOMAN UMBERGER: All right. We'll need a roll call on this.

(Inaudible).

CHAIRWOMAN UMBERGER: Yeah, the motion is so that we can begin our discussion. Okay. Actually, I think we can just do a -- okay. All those in favor? Aye. Opposed? Thank you.

***** {MOTION ADOPTED}**

CHAIRWOMAN UMBERGER: Okay. Um -- I would like to call Commissioner Caswell forward.

TAYLOR CASWELL, Commissioner, Department of Business and Economic Affairs: Good morning.

CHAIRWOMAN UMBERGER: Good morning.

MR. CASWELL: Taylor Caswell. I've got Mark Laliberte with me here as our Broadband Program Manager.

CHAIRWOMAN UMBERGER: Perhaps you could --

MR. CASWELL: Sure.

CHAIRWOMAN UMBERGER: -- go through the replacement item and --

MR. CASWELL: I want to start by thanking you, Madam Chair and Members of the Committee, for scheduling this Special

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Meeting and making the trip down here for today to consider this item. I wanted to just take a quick moment to give you a little background on how we have gotten here today.

To date, the history of -- the history of -- the history of Broadband expansion in New Hampshire, particularly in rural areas, has been one of frustration. Despite a well-known need in these communities to access an internet that becomes a more necessary part of everyday life with each day that passes, there has been a lack of progress made for many years. Local select boards, broadband committees, planning agencies, and others have been unable to garner the resources necessary to make investments in high-speed Broadband.

A major reason for this has been the fact that many areas of the state, particularly in population centers, have excellent Broadband coverage and have for many years. Federal funding agencies have seen this and interpreted it as a state that looks largely served. This has resulted in most funding that has been made available nationally being sent to other states, largely in the South, with large percentages of their populations without any service at all. Just a few years ago, 20% of Mississippi had no Internet access in lots -- in areas of their state.

On the ground here in New Hampshire this has caused many efforts to expand Broadband to lose momentum and has resulted in massive service disparities, effectively creating a system of haves and have nots.

From my perspective as someone charged with advancing our State's economy, this is an untenable situation. Even before Covid, we had large portions of our state population without access to a major tool for working, learning, accessing health care, and financial management. During and after Covid, these tools have become even more the norm and continued disparity is impacting our economy and making us less competitive.

Then in 2021, the State was awarded \$122 million to expand the reach of our Broadband infrastructure, funds that would

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enable us to finally answer the call from these communities. This moment in time is an opportunity that we have never seen before, nor do I think we will see again. The opportunity we have to provide access at scale statewide is one we cannot pass up.

When we received these funds, we set a goal of moving quickly and efficiently. We designed a competitive \$50 million statewide program that sought to get Broadband service to the most number of unserved and underserved locations in the quickest and most efficient way possible. We have accomplished that. Under round one of this program, we will be bringing service to 23,000 locations at a cost of \$2,100 per location. That rate is the second lowest cost per location of any state and construction is already under way.

Our request today is to enable us to bring that same success to a second round, aiming to bring at least 15,000 more new locations on-line - this time for \$40 million - enabling this work to begin immediately upon completion of this process.

In addition, our item today includes an accept and expend request for the next part of our Broadband work. This \$25 million request will fund the first round of the Broadband Matching Grant Initiative or BMGI that is designed to fill out areas that are not addressed under the Broadband Connect Program, and we are requesting to use the remaining \$25 million of the Capital Project Fund under this item, and at the same time committing to use another \$40 million of funds we are due to receive under the IIJA, the infrastructure, federal infrastructure legislation enacted in November of 2021.

I can't understate the degree to which access to Broadband has become a central part of the State's economy. Making these types of investments will -- now will literally -- will pay off literally for decades and put New Hampshire in a position to compete in an economy that is increasingly accessed over the internet. Small businesses, large manufacturers, remote workers, families, and the elderly are all finding more and more ways to

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be productive, to do their business, and to stay healthy by using the Internet. Communities without it will be left behind, perhaps never to makeup that ground that could be lost. So, once again, thanks for this opportunity and Mark and I are here to answer any questions you might have on the item.

CHAIRWOMAN UMBERGER: Thank you. Are there questions?
Representative Leishman.

PETER LEISHMAN, State Representative, Hillsborough County, District #24: Thanks, Madam Chair. Thanks, Commissioner, Mark, for appearing. So a number of us have had questions and some of them haven't been answered yet. I checked with Mr. Kane just a few minutes ago, and I'm still kind of waiting on questions that I've had for at least a week or two. And I know Mark and I tried to connect via the telephone but were never successful.

The concern I have is that we're not following, if you will, the law that we established to make sure that as many possible communities could get service. And we've gone this route that's kind of bypassed the process that was so heavily debated as far as the Broadband Matching Grant Initiative. And I know and I appreciate that you brought that back with the \$25 million today, but I've heard from so many people prior to our special meeting and prior to our last meeting when we tabled the item that they've tried repeatedly. I'll take the Town of Hancock, for instance. It's just north of Peterborough. They have areas that have dial-up still. They've made, I think, two separate applications for funding and been denied. What assurances, because you just told us that you see 15,000 new hook-ups, if you will. That doesn't seem like an awful lot. So the people in Hancock, are they going to have any possibility of getting service or are they going to be pushed back on another burner or other communities up north? Because it just seems that this hasn't been rolled out that well.

We're still looking for maps. We've asked repeatedly that how do we stand? Where are the areas that have service or no service? I know you've got several different definitions of

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underserved, and that still says that people within those areas do have some sort of Broadband, but it doesn't say who doesn't have anything or has dial-up. So that's a question I've been putting forward for weeks about where are the areas that have nothing? Have those been identified as priorities, and I can't seem to get an answer, so.

MR. CASWELL: So you got a lot there. Let me try to -- let me try to get at some of those, Representative. So with regard to BMGI, I think it's important to point out that we had to make some changes to that legislation in the previous legislative session in order to make the program align with the program rules for the Capital Project Fund, the federal money that we were going to use to fund the BMGI Program. And so Mark and the team in our Broadband office worked with legislators to come up with a number of changes to the previously enacted BMGI statute in order to make those accommodations, one of which was to change the match to a 75% match on the side of the State for that program.

We achieved that at the end of the session last year in July and worked immediately, went to JLCAR to start the interim rules process, which we actually completed just prior to our last Fiscal meeting.

So as far as the standpoint from where we are, that is very much within the schedule that we have been pursuing, which has been to get BMGI in position to be -- uh -- to utilized with the funding under -- the substantial funding that we have available to us under Capital Project Fund and, ultimately, under the IIJA, and to use those funds to effectively backfill the program of the Broadband Connect Program.

The Broadband Connect Program has been put in place in order to effectively get to those low-hanging fruit, let's call it. Places in the state that have -- have had long-term difficulty in getting service for high-speed Broadband and Broadband service generally. So the -- the competitive process that we used identified those areas and we're now

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hitting -- what did I -- 23,000 different locations and how many different communities.

MARK LALIBERTE, Broadband Program Manager, Department of Business and Economic Affairs: Seventy-three communities, six counties, all North and West.

MR. CASWELL: Seventy-three communities around the state. So as part of that process, we recognized that there were still some areas that we could get with this program, with the Broadband Connect Program. And so we initiated a second round that will -- that we are asking for the accept and expend today to mirror those -- those results.

BMGI is a program that will be a partnership between providers, Internet service providers and local communities to identify places literally like at the end of cul-de-sacs within their communities, within their regions to jointly make that application to continue the sustainability -- the buildup of a sustainable Broadband infrastructure within the state.

So I think it's important to recognize that this is all part of a long-term strategy with a significant amount of resource that gets us in a place to be able to set a foundation of reaching communities that just, frankly, have not been touched for many years in a substantial way, get those on-line, use the Broadband Connect Program to buildup -- I'm sorry -- the BMGI Program to build up the areas that would be not covered under the Broadband Connect Program.

All said and done, by the time we spend \$122 million under this program, plus at least an additional \$100 million that we are expecting out of the IIJA Program, that should be a very resilient Broadband infrastructure network for the state.

REP. LEISHMAN: A follow-up, if I could, Madam Chair?

CHAIRWOMAN UMBERGER: Yes, you may.

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REP. LEISHMAN: Thank you. So you just struck a nerve with me. You said that you're going to try to touch those areas that haven't been touched. Do you have that -- a list of those communities that will be touched under this program? Like, again, I'll use Hancock, for instance, because I'm more familiar with that. Are they going to be touched by this program?

MR. CASWELL: I don't know specifically if Hancock was in -- in round one. We have just received the applications for round two. So I wouldn't be able to say at this stage what the towns are that would be under the winning awardee. But I, again, I -- I -- having -- having reviewed the applications of round one, we did not see a significant amount of overlap in a lot of those applications. So I would expect that we will see new communities in certain areas of the state that would be covered under round two. And then, again, we still have the BMGI Program that will be coming behind that.

REP. LEISHMAN: I'll let someone else go next.

CHAIRWOMAN UMBERGER: Senator Rosenwald.

CINDY ROSENWALD, State Senator, Senate District #13: Thank you, Madam Chair. I see that this, if we accept this item, we will have spent all but \$5 million of that 122 million, and I'm just wondering why you're -- why you're holding back that 5 million. Is it a requirement or --

MR. CASWELL: Well, it's a combination of things. We've also funded the mapping program, as you'll recall. There might have been one other program. Yes. So to continue some assistance with a consultant that we will be having an RFP for shortly, and then the administrative costs of the Department, so paying Mark and his -- and his team.

CHAIRWOMAN UMBERGER: Are there further questions? Senator Bradley.

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SEN. BRADLEY: Good morning. Thank you very much, Madam Chair. So a couple of things. Hum -- I really appreciate the fact that you've accelerated the BMGI funding to put the \$25 million into what I think will have a better chance of reaching those areas of the state that may not have been touched with round one, and who knows exactly the winning bidder of round two. So I -- I think that's vitally important. So I appreciate that. To me, that was one of the bigger problems of the Fiscal Committee consideration two weeks ago.

We've talked about this, you know, privately, but can you talk a little bit more about the IIGA (sic) funds and where they are, when we can expect them, and how guaranteed they are? I think that's a critical component.

MR. CASWELL: So I'll start and I'll ask Mark if he has anything he wants to add on this. But I do think that that legislation was enacted just about a year ago. And the Federal Government is in the process of deploying resources under that fund. There have been resources that have come to New Hampshire through New Hampshire DOT. The funds that are specific to Broadband are under what's called the BEAD Program. Those funds are due to become available probably by the second quarter of 2023.

So, again, in terms of the timing that we're looking at working with here, having the rules in place, being able to launch the first 25 million using the funds that we already have in hand, and then anticipate a point and when those funds would be exhausted, pull another \$40 million from that IIJA Program.

SEN. BRADLEY: Further.

CHAIRWOMAN UMBERGER: Yes, follow-up.

SEN. BRADLEY: Thank you very much. So in the BMGI legislation when I first introduced it, it was a 50/50 grant. Then I think it was Senate Bill 445 that was Senator Hennessey's bill that a number of us co-sponsored it changed, as you noted, to 75 to 25%. But the question that I have and we've, again,

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talked about this offline, there is a requirement under BMGI that there be a provider match, whether it's municipality or the provider, and most likely the provider. And what you've indicated to me is that as round two progresses, and as it goes before the Governor and Council, there'll be a requirement that there be at a minimum a 25% matching commitment by the provider. Is that correct?

MR. CASWELL: That's correct. Yes. Yes, sir.

SEN. BRADLEY: Okay. So the answer to that is yes. Uh -- lastly, there's been -- um -- I think questions that have arisen out of round one and duplication of services. BMGI was meant to try to get internet to areas of the state that had no service. So -- um -- the question that has been arisen -- has arisen is the duplication, if you will, and how are you going to verify the addresses of where, you know, the wires are going to be installed?

MR. CASWELL: Hm-hum. So a number of ways. As we go through the award -- the review process for round two, we -- we consult a number of different sources, including the FCC mapping data that, I think, has been discussed previously. I -- I do think that that by itself is not a sufficient amount of address level specific data to be able to -- um -- sufficiently meet the needs under the Capital Projects Fund. And so -- uh -- for example, that process, the FCC 477 mapping really goes only down to the level of census block, which as you know in New Hampshire is often a very large geographic area. So, effectively, if there is service in that census block, they check the box that that has -- that's an area that has service.

I think our experience on the ground is that's not always necessarily the case. So, again, it tends to overstate New Hampshire's served population and by itself is probably an inadequate tool.

I would note on a side note there that as a result several states, including New Hampshire, is going to be petitioning the

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FCC to seek ways to improve that, those mapping tools that they have available to us. So in order to overcome this, we will be working as we have in the past to review all the addresses that are submitted under the RFP on round two with the applications and with others. We will be partnering with the communities that have done a significant amount of work in identifying served and unserved areas through their own processes, whether it's a bonding process or whatever other process they might have. And we also will be conducting spot testing to identify the speed and reliability in areas with -- where there is currently existing services in order to make sure that they are meeting with the Capital Project Fund standards.

SEN. BRADLEY: Um -- I guess this is as much comment as anything else. And I think a tribute to the Chair who's worked with myself and Commissioner Caswell to make what I believe is a much stronger presentation now to the Fiscal Committee with the commitment to move forward with the next \$40 million of funding that I think I am relatively assured now is going to happen. The 25% contract matching grant and the -- um -- it will be a process over time of the verification of addresses; but those are all very helpful and, obviously, moving up the BMGI into this proposal, I think, is very helpful. So I would hope, Madam Chair, that we can vote for this and be on our way.

CHAIRWOMAN UMBERGER: Thank you, Senator Bradley. Representative Erf, you have a question?

KEITH ERF, State Representative, Hillsborough County, District #02: Thank you, Madam Chair. Thank you, Commissioner Caswell.

So I've been trying to get this question answered since prior to our last meeting, and I thought it would be a very simple question to ask. But how is it that the intent of RSA 12-0:63, Roman numeral II, isn't to require that Federal Broadband funds be controlled by the RSAs 12-0:61 to 63? And if you're not familiar with those, they're essentially the Broadband initiative sections.

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MR. CASWELL: So can you just repeat your question for me.
I -- I --

REP. ERF: Yes, sir. How is it the intent of RSA 12-O: 63, Roman II, which is the one that talks about putting the funds into the BMGI Fund, talks about putting Broadband funds into the BMGI Fund, isn't to require that Federal Broadband Funds be controlled by those same RSAs?

MR. CASWELL: So looking at 0:63, you established the Broadband Matching Grant Fund, the fund shall be kept separate and distinct from other funds and shall be continually appropriated to BEA for the purposes of the subdivision. Any Federal funds received by the State for purposes of expanding or improving Internet access that are not otherwise committed to other programs or required by the federal legislation authorizing the funds shall be deposited into the Broadband Matching Grant Fund. Is that your question?

REP. ERF: That's the RSA I'm referring to, yes.

MR. CASWELL: And which specifically, what about that language?

REP. ERF: Authorizing the funds shall be deposited into the Broadband Matching Grant Fund, which I assume is the BMGI fund we're talking about.

MR. CASWELL: Hm-hum. Yes, sir. So for the purposes of expanding or improving Internet access that are not otherwise committed to other programs.

REP. ERF: So the "not otherwise committed to other programs" is what you're -- that's what you're suggesting is the out to --

MR. CASWELL: I don't consider it an out.

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REP. ERF: Well, whatever, that's what you're going by.

MR. CASWELL: They consider that that is the authorization for us to run the Broadband Connect Program, as well as BMGI.

REP. ERF: Follow-up.

CHAIRWOMAN UMBERGER: Go ahead.

REP. ERF: Thank you for that.

MR. CASWELL: Certainly.

REP. ERF: So I just want to clarify this in my mind. The understanding is that a law drafted in 2021, which is when HB 2, which is the law that we're talking about here, was drafted and signed into law, by combination of actually SB 85, but SB 85 didn't come into effect. The understanding that that was drafted in 2021 during a time when it was unclear what federal restrictions would apply to a distribution of Broadband funds, included a clause that intended to give whichever State Agency would oversee the distribution of funds broad discretion to ignore the law as drafted and do what they chose with the funds as opposed to the clause, that same clause we're referring to here, being included as part of the effort of the drafting of that legislation to not lose the federal funding due to an inconsistency between Federal and State Laws. And as I'm sure you're aware, in other areas of the -- of that law, there are specific references to of trying to avoid that problem.

MR. CASWELL: Did you want to -- I'm going to let Mark talk a little bit about this issue. He's been --

MR. LALIBERTE: Hi, there. Thank you for the question. So when we read this again, any Federal funds received by the State for the purposes of expanding or improving Internet access that are not already otherwise committed to other programs. That is why we are here.

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I think for us other programs are this program, the RFP process, and that was why it was so important. And we have said this back in 2021, we said this during the 445, SB 445, and why we went to Fiscal in July to approve round one is to get those funds, as you say, committed to other programs. So we've been open about saying, okay, these are how we're going to utilize these funds and put them into these programs and get the approval of the proper entities, both Fiscal and Governor and Council.

REP. ERF: One more follow-up.

CHAIRWOMAN UMBERGER: Yes, please.

REP. ERF: Thank you for that. I actually did try to read through the Senate minutes from, I believe, the meeting you're referring to regarding SB 85 from 2021. Could you just refer me to where it -- where you raise those issues at that meeting?

MR. LALIBERTE: We actually raised it at February 1st, 2022, during the Senate Bill 445. The whole process is when we received this funding, we got this information for this funding for capital projects that was in September of 2021. And, actually, as we were reading drafts and the final bill for infrastructure, it was clear that we wanted to make sure that when we had Broadband Matching Grant Initiative ready to go that the funding source, the funding and the law itself could -- could coincide.

Plus, there was also an ask about the changes in the match and that was from both municipalities and ISPs had reached out about that. So that's why we went through that process. If you remember at the time when we went through this process, there was going to be a commitment of an X amount of money into the Broadband Matching Grant Initiatives.

During that process we were clear that we wanted to be able to have the flexibility to utilize those funds, but in exchange we would come to Fiscal and Governor and Council for anything

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that we decided to do, what programs we wanted to move forward with. So that was during the conversations in February of 2022 for the Amendment.

REP. ERF: Thank you very much for that. I really wish I could have gotten that information a month ago when this whole process started so that I would not have been put in this position but thank you.

CHAIRWOMAN UMBERGER: Representative Lynn, did you have a question? No. Okay.

JAY KAHN, State Senator, Senate District #10: Madam Chair.

JESS EDWARDS, State Representative, Rockingham County, District #04: Madam Chair.

CHAIRWOMAN UMBERGER: I'm sorry, Senator Kahn.

SEN. KAHN: Thank you, Madam Chair. So I'm -- I think that passing this today provides some clarity to towns that are -- have committees up and running that are trying to follow the guidance that we've provided, and it might have Broadband bonding and town meetings coming up where an action today will help that overall communication throughout the state. I think that's important.

Uh -- I also think that -- uh -- understanding because we won't reach all of the need with this allocation with this proposal, and that with the promise that there is more coming through a defined process the Legislature has participated in, that encourages towns to come forward with proposals, which is what the BMGI was designed to promote in partnership with providers -- um -- to understand then what is that full build out. And I think I'm through this process, Madam Chair, I think we have learned there's been more disclosure of what those dollars are. Twenty-five million and 40 million that are known today.

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Can you add something more to that as to what those decisions might be? You said by June, the end of the second quarter, you might know further about IIJA funding. What would that be so that the towns that are active not receiving funding in this next round to solve their overall needs, so that as they come forward with their proposals, public hearings that they need to hold between the second quarter of '23 and the end of Calendar '23. I'm trying to then get that -- that picture that you can paint for us as to how -- how deep the bucket is going to be -- uh -- and it's more than \$65 million.

MR. CASWELL: That's correct. Yeah. And so I guess in terms of the process, is that sort of where you're going with this, like how we're going to proceed or --

SEN. KAHN: I'm -- I'm looking for a dollar amount. How -- you can put a border on that -- uh -- border -- that amount, clearly it's no less than \$65 million.

MR. CASWELL: So the amount of money we expect to see under IIJA?

SEN. KAHN: Yeah, yeah.

MR. CASWELL: Okay. I might let Mark answer that question. He's been really in communication with U.S. Treasury way more than I have. So he might have some insight for you on that.

MR. LALIBERTE: Yes. So it's a separate program. So Capital Projects Fund is the U.S. Treasury. The infrastructure bill is NTIA and the FCC working together. They have -- that program, BEAD Program, which is the major funding source for that program is \$42.5 billion nationwide. Every state is going to receive a minimum of \$100 million. We don't know what that final allocation's going to be. They're going to tell us that sometime in mid to late June of 2023. So that number could be higher. We don't know. So we -- but to do what we're doing we have to stay with, I think, the most conservative number we can and treat it as a hundred million dollars.

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So you would have that \$40 million commitment. There's still 60 million minimal -- minimum that we could look at for other avenues. And those funding mechanisms are for unserved, then underserved in what's called tier three is connecting anchor institutions. So working with communities to determine other areas to make sure that communities are connected beyond just locations, but work with the communities to determine what some of their needs are.

SEN. KAHN: And the timing -- Madam Chair?

CHAIRWOMAN UMBERGER: Please go ahead.

SEN. KAHN: The timing then that you see for subsequent rounds would be what?

MR. LALIBERTE: The census, you get the number in June of 2023. We're -- we have been getting an indication from the Feds that we're in the right track moving forward with everything. So my sense is by the end of 2023 we should be being able to utilize those funds for additional programs. And these funds, I believe, go until 2028. So whatever that number may be. And, like I said, was a hundred or hundred twenty, whatever that may be, we'll have a better sense. When that happens we can let you know that because we do that quarterly report for Fiscal to get that information out. We can include that information in part of that report. So then when we know more we can tell you all.

SEN. KAHN: Thank you.

MR. LALIBERTE: I can call you directly 'cause you won't be on this Committee anymore if you want.

SEN. KAHN: Thank you.

CHAIRWOMAN UMBERGER: Representative Edwards, you had a question.

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REP. EDWARDS: Thank you, Madam Chair. I'm generally in support of this. I'm not voting today. But as I'm listening to this, we heard a description from Representative Leishman that we still have places out there relying on dial-up. And -- uh -- I -- I think it's going to be great when those dial-up places get 100 Meg by 100 Meg. But the technologists I've been talking to suggest that we're going to be going to an eight gig standard in 2025 or '26. It will be rolled out nationally with five -- five gig down, three gig up, which will be amazing. That will support all kinds of 3-D applications and immersive technologies.

And so -- so my question for you is as we're investing this money now, are we basically going from sort of a horse and buggy era to a Model T era right when we see, you know, the interstate highway system getting ready to be rolled out? Are we -- are we anticipating -- will this technology deployment support the emerging eight gig standard, not the 100-100 Meg, but the eight gig.

MR. LALIBERTE: So in -- in Senate Bill 85 in the BMGI law one of the things that was put in there is that we need to look at, at least, what the next steps are. How do we get everybody at least one gig. That was more -- I don't know if it's aspirational, but look for strategies to get to us at that point. So it's not quite the five and three, but it certainly was an indication from this Legislature to look to the next steps.

So during our process, not only did we meet with all of the providers of landline, of -- of ground fiber wired, but we also met with Starlink. We also met with Project Kuiper, which is Amazon. We've met with a lot of different people to kind of give us the sense of what are the next steps. And we hear that and so the great part about it is is like, yeah, you could go from there. You could go to even higher. We're hearing the different companies saying, well, these technologies bring us all the way up to 2 gig right now. So what can we do for more than that.

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I think where BEAD is going to come into play and the connecting anchor institutions talks about what you're looking to do, because then you're going to have hospitals, you're going to be looking at that's, for example, hospitals if they have to send x-rays or some very intense documents. They want us to be looking at that. We talked to the Telehealth Health people about that. So we have to keep an eye on that. And I think our process through BEAD and the IIJA will be to do that and keeping track of that sort of thing. And that's why I think they've also extended it to 2028. So we'll certainly be trying to stay on, not -- not necessarily the bleeding edge but the cutting edge of where things stand.

CHAIRWOMAN UMBERGER: Yes, you may, one.

REP. EDWARDS: Thank you, Madam Chair. Okay. So I just want to put something away in my memory bank on this. What I think I'm hearing you say is that, yes, you're aware of the emerging gains that we're seeking in our Broadband bandwidth. But what I'm not hearing directly is that, yes, you believe that the technologies we're investing in and deploying are going to be inherently capable of that, because I'm concerned that if we aren't inherently capable of meeting that next technology wave, then we will be back here in five years looking for another \$200 million. So I -- I just want to make sure we're investing in a flexible way or a way that will support the future.

MR. LALIBERTE: I believe the way that we're doing it and then the Feds using their guidance and we have been using it, we're future proofing the Internet for the State of New Hampshire. So, yes, I believe the technologies will get us to those places, and I believe that the infrastructure will get us there.

CHAIRWOMAN UMBERGER: Yes, Senator Daniels.

GARY DANIELS, State Senator, Senate District #11: Thank you. I think we've established that -- that there are (Inaudible) out there, some with no service and some that are

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underserved, slower speeds. We've also established that the money that's being requested today will not cover everyone. So my question is about the process of selecting. In your selection process as to where this money is to be used, could you talk a little bit about how that's going to be used when you compare the underserved versus the no service? Is one going to have a priority over the other?

MR. LALIBERTE: So in the RFP process that was we were leaving it to the -- to the applicants to determine those areas. And so that way we weren't necessarily picking the winners or losers. So we're going to let everyone apply and then we go through the verification process and do what needed to be done in that way. BMGI will be municipalities working directly with the providers themselves in a local area to make those determinations as well. And what's going to be great is that they will -- the municipalities will have a say in working with whom they decide to work with so those questions can be answered by them; and for us, we'll be granting -- providing the resources based upon the application and making sure everything is approved and that the scoring requirements are met. But those things will have happened at the municipal level between the towns and the providers.

SEN. DANIELS: Thank you.

CHAIRWOMAN UMBERGER: I do have one. Are there any further questions? I do have one quick question. When I read the RFP, it indicated the proposals had to be in by the 28th. Uh -- can you tell me how many people apply or whatever?

MR. LALIBERTE: I can say how many; three.

CHAIRWOMAN UMBERGER: Okay. Thank you. Appreciate that. Okay. Seeing no further questions, will the Clerk please call the roll. We have a motion.

REP. EMERICK: Leishman (Inaudible).

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CHAIRWOMAN UMBERGER: Yeah. The Leishman/Bradley motion at the very beginning so that we could discuss it with a motion on floor.

REP. EMERICK: Okay.

CHAIRWOMAN UMBERGER: Okay.

REP. EMERICK: Emerick votes yes. Representative Erf.

REP. ERF: Yes.

REP. EMERICK: Representative Leishman.

REP. LEISHMAN: Yes.

REP. EMERICK: Representative Lynn.

REP. LYNN: Yes.

REP. EMERICK: Senator Daniels.

SEN. DANIELS: Yes.

REP. EMERICK: Senator Morse. I'm sorry, Senator Bradley.

SEN. BRADLEY: Yes.

REP. EMERICK: Senator Gray.

SEN. GRAY: Yes.

REP. EMERICK: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. EMERICK: Senator Kahn.

SEN. KAHN: Yes.

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REP. EMERICK: Representative Umberger.

CHAIRWOMAN UMBERGER: Yes.

REP. EMERICK: Madam Chair, the vote is 10 to zero in favor.

CHAIRWOMAN UMBERGER: The vote being 10 to zero, the replacement FIS 22-404 passes.

***** {MOTION ADOPTED}**

CHAIRWOMAN UMBERGER: And -- um -- I just want to thank everybody for coming out to this meeting today. And I want to thank BEA for the work that they were -- accomplished in the last week or two with Thanksgiving interrupting a lot of -- a lot of what was going on. So there will be no other Fiscal Committee meeting in the month of December. I can see big smiles from -- from people that may be serving on it next year.

So our first Fiscal Committee meeting will be in January sometime. So, with nothing else, I will -- oh, yes, Senator Bradley.

SEN. BRADLEY: Um -- I think it's really important that we all pay tribute to you, Madam Chair, to Senator Daniels, to Senator Kahn, for the work that you've done for all these years. I think it's exemplary and we're going to miss you and thank you, the three of you, very much.

(Applause).

CHAIRWOMAN UMBERGER: You're welcome. Senator Rosenwald.

SEN. ROSENWALD: Thank you. I echo those sentiments and also like to thank the LBA for their always stellar work in staffing those committees.

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CHAIRWOMAN UMBERGER: Yes. Okay. I would just like to wish everyone a very happy holiday season. And -- uh -- get some rest and relaxation, and be ready to hit the road running January 2nd. So thank you very much. Have a good day. Adjourned.

(Meeting adjourned.)

C E R T I F I C A T E

I, Cecelia A. Trask, a Licensed Court Reporter, do hereby certify that the foregoing is a correct transcript from the YouTube video/audio recording of the Fiscal Committee meeting on Friday, December 2, 2022, and has been transcribed to the best of my professional skill and ability.

Cecelia A. Trask, RMR, CRR
NH Licensed Court Reporter #00047

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