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Name of Organization:                   Broadband Task Force

Date and Time of Meeting               October 20, 2016, 9:00 AM

Place of Meeting:                        Legislative Council Bureau  
401 South Carson Street  
Room 3137  
Carson City, NV 89701

This meeting will be video conferenced to the following location:

Grant Sawyer State Office Building  
555 East Washington Avenue  
Suite 5100  
Las Vegas, NV 89101

**MINUTES**

**I. Call to Order/Roll Call**  
Britta Kuhn, Vice Chair

Vice Chair Kuhn called the meeting to order at 9:03 am.

Members Present: Denise Inda, Britta Kuhn, Kevin Judice, Scott Gutierrez, Dr. Kim Vidoni, Randy Robison, Blaine Osborne for Todd Radtke, Thomas Nieva, James Earl for Shannon Rahming

Members Excused: Caleb Cage, Jeff Fontaine, Randy Brown

Guests Present: Brent Legg, Lou Holland, Lindsey Harmon, Jim Endres, Chris Ferrari, David Peissner

Staff Present: Debra Petrelli

A quorum was declared.

**II. Public Comment** (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item.)

No public comment. No one present in the Las Vegas Office.

**III. Approval of the Minutes From the August 18, 2016 meetings** (For possible action)

Britta Kuhn, Vice Chair

Vice Chair Kuhn pointed out the title needed to be changed from “Agenda” to “Minutes.” Ms. Inda made a motion to approve the minutes as amended. Ms. Vidoni seconded the motion. The motion passed unanimously.

**IV. Remarks and Announcements from the Vice Chair**

Britta Kuhn, Vice Chair

Vice Chair Kuhn said Chair Cage is absent today and will be traveling through the end of the month. She welcomed Thomas Neiva who is replacing Ed Anderson as a member of the Broadband Task Force. Tom is the Director of Network Services at Nevada System of Higher Education (NSHE) and added he will definitely be an asset to the Task Force.

Vice Chair Kuhn said one issue this month was an Internet outage reported in Austin, the cause of which was still unknown. She noted Ms. Harmon had a meeting in Lake Tahoe regarding incorporating conduit into their plans and work occurring on SR28. Ms. Harmon remarked that a discussion had occurred involving the Tahoe Prosperity Center and NDOT to potentially collaborate on installing conduit on SR28 as part of the bike project. She added Tahoe Prosperity received a grant to install a fiber ring around Lake Tahoe on the California side and is now looking for opportunities to install it on the Nevada side to complete a ring around the entirety of the Lake. She said it appears this project will move forward.

Vice Chair Kuhn commented that meetings recently took place with district engineers at Nevada Department of Transportation (NDOT) to discuss the proposed fiber/trade policy. In addition, two provider meetings were held, one in the North and one in the South. She said Ms. Harmon will be filling us in as to what occurred at those provider meetings.

Vice Chair Kuhn also advised the Task Force that a meeting recently took place in Ely, Nevada, between OSIT, Connected Nation, and guests/stakeholders

from Ely, Austin and Eureka to see what type of needs and demands could be aggregated. She said OSIT, Connected Nation and Connect Nevada also attended an economic development conference at University of Nevada, Reno (UNR) to address the need to expand fiber infrastructure to accommodate future demand. She added Mark Feest, President of CC Communications in Fallon, Nevada, was in attendance and gave a presentation at the conference, and that AT&T also held a meeting to discuss 5G in future smart cities. She said she is anticipating scheduling meetings with the State's school districts internet technology (IT) directors to get feedback on their challenges and potential issues moving forward with a state education consortium.

## **V. Announcements from Task Force Members**

Britta Kuhn, Vice Chair

Ms. Inda, Nevada Department of Transportation (NDOT), reported they are currently working on two projects. The first includes the US-50 fiber project and the purpose of that project is to upgrade the fiber capacity for installing fiber huts at Fallon, Cold Springs, Austin, Eureka and Ely. She added this project is moving forward nicely. It has been broken down into two separate contracts that will be advertised. One will be in District 2 which includes the Northwestern part of the State, advertising on November 2, 2016 and the District 3 portion of the State which includes the eastern portion of US-50, and will advertise on November 9, 2016. She added these plans are almost finalized and are going through their last reviews and checks before those contracts can be advertised. Work is expected to be completed in the fall of 2017. She said the second project currently underway is the replacement of the 800 MHz radio system which is the State's Shared Radio System (SRS). She added the Request for Proposal (RFP) is coming together nicely and expects those documents to be completed within the next month. She said they have also been working on an updated agreement between infrastructure owners, NDOT, NV Energy and Washoe County. She said the RFP will enable the partners to come together and select the vendor for the replacement of the system. She added once the vendor is selected, it will be up to each of the three infrastructure owners to enter into an agreement and then move forward with developing the program for replacing each of their systems. With coordination between the three groups, we can have a system that will continue to operate and function for all the users as we transition from the existing system to the new system over approximately the next five years.

Vice Chair Kuhn asked when the RFP is going out. Ms. Inda responded it should be ready within the next month. Our plan at the moment is to provide an update to the Transportation Board at the January 2017 meeting. She said they were hoping to do an update in December, however that December meeting was just recently cancelled due to a conflict from the Governor. Vice Chair Kuhn said she knows there are areas within the state that have dead spots and asked whether the new plan will be addressing them. Ms. Inda

replied they will be strategically improving those dead spots. She added once the new vendor designs their system there will be an analysis to determine what kind of coverage can be provided using the existing mountaintop sites. She said we have included in the proposed budget providing additional sites to make sure any gaps or dead spots are included. The idea is to make a robust and complete system for existing users. Ms. Inda said it will not provide 100% coverage over the entire state, however, it will provide good coverage and better coverage than the existing system. She added that NDOT is currently moving forward with two sites, one is at Painted Rock in Reno to provide improved coverage in that area and one in the area of USA Parkway in Reno, because that entire section currently has no coverage. She said we are working on sites currently to improve the existing coverage, then as we transition to the new system those two sites will be converted or upgraded as necessary.

Dr. Vidoni said she and Brent Legg with Connected Nation met with Brett Barley who is Deputy Superintendent with Department of Transportation (DOT) to brief him on reports and studies they had conducted and that a press release from the DOT should issue within the next couple of weeks on those studies.

Dr. Vidoni said the State Educational Technology Director's Association, named Dale Erquiaga, Policy Maker of the Year for his work with Nevada Ready 21.

Mr. Gutierrez advised Switch is nearing completion of all the operational models for the new network along I-95, and expects in the next 30 days to facilitate any introductions anyone might need to order services on that network. They are interested in working with carriers installing equipment on the fiber backbone and will offer services to rural towns in between and along that route. He said it is getting very close, however, the electronics are not yet installed. He said delivery to the rural towns will initially include up to 10 Gig, and for those who want it, potentially up to 200 Gigs. Ms. Harmon asked whether there is a commitment from the providers offering wholesale services and not just a long-haul route that will pass through the communities. Mr. Gutierrez stated the purpose of these providers is to provide services to anyone who needs services whether it be a provider, enterprise customer or whatever the case may be - that they will provide service to everyone. Ms. Harmon asked if they had anything in writing confirming this information. Mr. Gutierrez replied that any contract entered into with a provider is confidential and cannot be disclosed in an open meeting or to anyone outside of the employees of that company. Ms. Harmon said asked if there is an extension to the grant that outlines the obligation of the providers maintaining and operating this project to fulfill the requirements of the grant. Mr. Gutierrez pointed out the new network is open to any carrier and anyone who wants to invest in lighting the route so how they sell those services will be up to them. Switch has, through the acquisition of the network and through the grants' hospital obligations, been

able to deliver services and fiber to certain locations within the state and the remaining fiber is available for anyone who wants to go into the market and compete.

**VI. Report from Department of Education – Update on WAN/Broadband Grant.**

Dr. Kim Vidoni, Department of Education  
Lindsey Harmon, Connect Nevada  
Britta Kuhn, Vice Chair

Dr. Vidoni remarked the only updates include an RFA that has been active for approximately one month, since September 20<sup>th</sup> for approximately \$1.8 million available to school districts and are encouraging partnerships with providers. The current application deadline is October 25, 2016. She added hopefully the outcome of the review will come up for approval at the next Commission on Education Technology meeting on November 14, 2016. It will be a go-to-meeting and starts at 8:00 am. She added she would like to thank Ms. Harmon and Vice Chair Kuhn for all their help offered throughout the RFA process and they both have been instrumental in developing the RFA. She said it was one of the aspects of the provider meetings to sit down with these providers and walk them through the E-Rate process. We also discussed this particular grant and encouraged them to participate. Dr. Vidoni added we did get our first application in yesterday.

**VII. Discussion on Establishing 2016-2017 Task Force Priorities and Future Actions (For possible action)**

Britta Kuhn, Vice Chair

Vice Chair Kuhn commented that at the last Task Force meeting in August, 2016 a survey was sent to each member of the Task Force to rank proposed recommendations. She asked for two rankings, the first was order of importance of improving broadband implementation and access in the state, the second was which of those would be the easiest to implement.

Vice Chair Kuhn said with regards to the highest need of importance, several Task Force members felt listing broadband assets as part of critical infrastructure was the most important and that it tied in with NDOT fiber sharing as well. Basically the same number of people felt NDOT fiber sharing was just as important as designating digital highways as part of the critical infrastructure.

Vice Chair Kuhn said the next item was the creation of a five-year plan, after that was the creation of the education consortium, next was matching funds for telemedicine and promoting the dig-once policies throughout the state at the local level. Vice Chair Kuhn commented that telecommunications and information technology are both listed with the Department of Public Safety as critical infrastructure, but the issue is, it is not defined in the Nevada Statutes.

She inquired of the Task Force whether this needed to be defined and what assets would need to be designated critical infrastructure. Also, if long haul fiber lines were to be so designated would that obligate companies to provide a Critical Infrastructure Protection Plan (CIPP)?

Mr. Robison said this item relates to defining and protecting critical infrastructure whether its telecom or utilities. He said there exists in the statutes a current method where infrastructure can be deemed critical and protected by physical security and cyber security standpoints. He said after his participation in conversations over the last few months with the Task Force, his interest was in protecting that critical infrastructure. There are a couple of bills in the last legislative session that talked about the capacity of various types of distribution lines and what would be deemed critical and what would not. He added the issue was if and when there is damage to an infrastructure, where would the liability rest and who would be responsible for not only repair but also for notification of interim services.

Mr. Robison asked whether we need additional clarifying language in the statute for protection from both a physical security and cyber security standpoint and how to define it. Ms. Harmon commented that particular language with this specific item was to include broadband as something that could be considered critical infrastructure designated as a document the Governor would decide. For now it may make more sense to keep the language generalized and leave it under the discretion of the Governor. He may decide that the capacity is something he wants to keep confidential.

Mr. Judice suggested they get together with regulatory compliance and legal people to weigh in on that subject just to provide some protections in terms of disclosure. He added our specific regulations around CIPP's are constantly evolving and they are expanding the scope fairly substantially for what they determine to be critical infrastructure. Vice Chair Kuhn said since this came in as a top three item we need to make sure the Task Force knows what to address with it. Mr. Robison added he agrees with bringing in experts and in regards to Ms. Harmon's suggestion, believes there may be some proposed language geared more towards Broadband and its general definition, cautioning that we don't want to complicate it or be duplicative. Vice Chair Kuhn said the focal point was public records request and being able to keep certain documents concerning broadband assets out of public records requests if they deemed those assets to be critical infrastructure. To reiterate, the initial recommendation dealt with public records request, but Vice Chair Kuhn questioned whether it was necessary to define these types of assets in the statutes as critical infrastructure and if we do, will it complicate the matter? She asked whether anyone agreed with that assessment. Mr. Robison said he agrees. Mr. Judice also agreed based on his current understanding.

Vice Chair Kuhn asked, moving forward with the Task Force recommendations, where do we want to focus our efforts and energy from this point until the Task Force expires in June of 2017? Mr. Robison said he believes pushing the E-Rate Consortium effort forward and doing as much as possible to get more federal dollars here to serve students is key. He added we also should take the time to develop more clearly a long term strategic plan, which is also critical. Dr. Vidoni said she agrees and believes it could be expedient for the state. Mr. Gutierrez agreed the creation of a five-year plan including well thought out state network leveraging of all assets that exist and a way to pay for them are two very critical demands.

Ms. Inda added the plan is important and will help set the stage if this Task Force is not continued. From NDOT's perspective the BDR is in place to work through the legislative session for fiber sharing. Vice Chair Kuhn added she agrees the Consortium will be a bigger topic for discussion in terms of getting feedback and how to improve it, as well as implementing a strategic plan. Dr. Vidoni commented she believes the previous Task Force had put together a plan and perhaps that would be a good starting point. Ms. Harmon said there was a state plan compiled and believes this Task Force has already executed many of those goals. She added the E-rate planning portion is huge and will take a lot of capacity and time for both the Task Force, OSIT and the Department of Education. She said a five-year strategic plan should focus on the direction it is moving as far as a policy standpoint.

Vice Chair Kuhn pointed out the Task Force will have to address recurring funding to support E-rate. She commented that Douglas County has a fairly high property transfer tax and a portion of it actually goes into funding their county IT, for example. We need to look at all possible funding options that can be included into this strategic plan. Dr. Vidoni asked whether we intend to put this plan together by the upcoming Legislative Session. Vice Chair Kuhn said not until the end of June 2017.

#### **VIII. Update on October Providers' Meeting and Mapping**

Lindsey Harmon, Connect Nevada

Ms. Harmon updated the Task Force on current initiatives including the opening of the observatory in Baker. She said they attended the Economic Development Conference on September 22, 2016 and the Western States NTAI Broadband Conference to share best practices across the Western United States. She added the federal government is following suit with many practices already in Nevada. She said they hosted the Highway Consortium Meeting on September 10, 2016, which highlighted how Zayo Communications could potentially offer additional wholesale capacity to help address an ongoing issue in that community. We discussed issues in Ely and McGill and how to start aggregating community demand. They also facilitated an Ely to Las Vegas connection so there is an additional transport route coming out of Ely. We have

yet to see it fully functional, but there is additional capacity. She said between AT&T, Zayo Communications and the new Ely to Las Vegas route now going north-south, this is a huge win for that community. We are looking at ways to leverage those transport services and encourage last mile carrier deployment.

There was also a meeting with Tahoe Prosperity Center to explore leveraging some of the assets and resources they have at Lake Tahoe to deploy fiber. She has also worked with Western Manufacturer Alliance to identify potential solutions for a manufacturing hub in North Carson City and provided them with fiber information, ideas and details of how they could potentially serve those manufacturers. She said they also participated with the WAN Infrastructure Grant and are trying to spend down the funds and make investment in education where it is most valuable. She added the City of Reno has released an RFP for a broadband pilot project which she has been involved with prior to her current role with Connect Nevada. She attended two provider workshops in October 2016, one in Reno and one in Las Vegas which covered E-Rate Reform and Educator Survey Results. She said they discussed middle-mapping because of vocabulary and definition issues. She said they solicited feedback and the response was positive. It was decided that the focus should be on non-urban long-haul routes and points on a map that demonstrate an ability to serve a community. There has been progress in the last two months as far as executing and building support for some of the Governor's recommendations and executing initiatives that have already been set as priorities by the Task Force.

**IX. Consider Agenda Items for the Next Meeting**

Britta Kuhn, Vice Chair

Dr. Vidoni suggested they include making a discussion on the strategic plan. Britta asked everyone, with regards to the initial strategic plan, to email her with points and what they want to see addressed within the strategic plan.

**X. Next Meeting Date**

Britta Kuhn, Vice Chair

Vice Chair Kuhn said they have been making changes and improvements in the meeting rooms, we anticipate the next meeting will take place in the Guinn room. Currently the only date available is November 16, 2016. The meeting will be video conferenced between Carson City and the Grant Sawyer State Office Building, Room 4412 in Las Vegas.

**XI. Public Comment** (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item.)

There was no public comment in Carson City or Las Vegas.



**XII. Adjournment**

Britta Kuhn, Vice Chair

The meeting was adjourned at 10:04 am.