



Brian Sandoval
Governor

STATE OF NEVADA

GOVERNOR'S OFFICE OF SCIENCE, INNOVATION & TECHNOLOGY

100 North Stewart Street, Suite 220
Carson City, Nevada 89701
775-687-0987 Fax: 775-687-0990



Brian L. Mitchell
Director

PUBLIC MEETING MINUTES

Name of Organization: Telecommunications Advisory Council (TAC)
Date and Time of Meeting: Tuesday, July 10, 2018 @ 2:00 P.M. - 5:00 P.M.
Place of Meeting: Nevada State Library and Archives
Boardroom (first floor)
100 North Stewart Street
Carson City, NV 89701

This Meeting will be Video-Conferenced to the following Location:

Grant Sawyer State Office Building
555 East Washington Ave
DHRM Conference Room
Suite 1400 (First Floor)
Las Vegas, NV 89101

If you are unable to join the meeting in person, please use the following numbers:

Northern: 775-687-0999 or
Southern: 702-486-5260
Access Code: 70987 then push #

I. Call to Order / Roll Call

Chair Jojo Myers Campos

The Telecommunications Advisory Council (TAC) was called to order by Chair Jojo Myers Campos, State Broadband Manager, at 2:05 P.M. on July 10, 2018, at the Nevada State Library and Archives Building, Boardroom, Carson City, Nevada. She will be running the meeting today.

Members Present:

Jojo Myers Campos, Chair
Cindi Chang
Ken Adams
Richard Burger
Thor Dyson
Keith R. Clark

Bob Moulton

Members Absent:

None

Guests Present:

Denise Inda, Nevada Department of Transportation (NDOT), Traffic Operations

Seth Daniels, Nevada Department of Transportation (NDOT), Traffic Operations

Christopher Gaub, Budget Director of System Computing Services (SCS) for Nevada System of Higher Education(NSHE)

Lou Holland, Nevada Attorney General representing NDOT

Tom Neva, Lead Network Engineer -Director of Nevada Net, Nevada System of Higher Education (NSHE)

Brian Reeder, Ferrari Public Affairs

Staff Present:

Debra Petrelli

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.)

There was no public comment.

III. Welcoming Remarks (For information only)

Chair Jojo Myers Campos

Chair Campos welcomed everyone, including the newest member, Thor Dyson, Assistant Director for Operations at NDOT. The rest of TAC introduced themselves as follows:

- Jojo Myers Campos, Broadband Manager, Governor's Office of Science, Innovation and Technology (OSIT)
- Bob Moulton, CIO and Executive Director of System Computing Services (SCS) for Nevada System of Higher Education(NSHE)
- Richard Burger, Nevada State Highway Patrol
- Ken Adams, Chief of Communications at Nevada State Department of Administration, Information Technology
- Keith Clark, Program Administrator, Outreach Center Director, Nevada State Office of Rural Health, University of Nevada Reno School of Medicine
- Cindi Chang, Programs Professional for Computer Science, Nevada Department of Education

IV. Update from Nevada Department of Transportation (NDOT) (For information only)

Denise Inda - Nevada Department of Transportation

- Review status of Fiber Trade Agreements
- Review Master License Agreement
- Review Fiber Request Document
- Review actual Fiber Trade Agreement (For committee understanding)

Ms. Inda said since the last TAC meeting, six months ago, progress has been made. She presented an update on SB 53. She said because only policy is required, and not the regulation component, NDOT started with non-interstate routes, which is a simpler and easier process than interstate routes. She said Traffic Operations, a group within NDOT, was brought together for this process, and had full support from leadership at NDOT, as well as support from Louis F. Holland and Dennis V. Gallagher of the Attorney General's office. She said the Right-of-Way Division of NDOT has also been very helpful and supportive. She added that in working together, a non-interstate policy was developed that references SB 53. She pointed out that once the framework was referenced, the Master License Agreement was developed. She said NDOT's approach includes telecommunication companies, firms and other vendors that would like to work under the auspices of SB 53, with one Master License Agreement being recommended, which lays out the over-arching guidance of cooperative efforts, followed by a location specific agreement, which would be for a single location or additional location specific agreements for multiple locations. Chair Campos referred the group to SB 53, section 28, which explains the difference between non-interstate and interstate, and pointed out there are more intricacies with interstates because they fall under additional federal policies and laws for transportation, as well as statutorily required regulations. Ms. Inda discussed a letter sent out by NDOT Assistant Director of Operations, Reid G. Kaiser dated March 22, 2018, explaining where NDOT is in this process, and the process for any firm or telecommunication company who wants to enter into an agreement with NDOT. She said NDOT is also in the process of developing an outward facing website for SB 53 located on the NDOT webpage in which documents like this letter will be included for additional informational purposes.

Ms. Inda said NDOT is also working on a telecom infrastructure request form. She pointed out that in Nevada, infrastructure, not just fiber, can be shared, and NDOT wants to expand to cover different types of infrastructure that can be shared. She said on the interstate side, NDOT wanted to make sure, as this moves forward, the interstate and non-interstate requirements mirror each other. She said once the policies for interstate were drafted, the regulations were put together, and pointed out that NDOT has now met the first deadline of SB 53 by drafting interstate regulations to the Legislative Council Bureau (LCB) in June 2018. She added the LCB will fine tune the draft interstate regulations, which will allow the formal process to follow including public hearings. She said NDOT will be establishing temporary regulations as well, because permanent regulations cannot be set within a certain window of a legislative session. She added once the upcoming legislative session has ended, NDOT will work through the process of the temporary regulations to the permanent regulations. It was discussed that NDOT has already filed their draft regulations with the LCB and received a verification number, which may have started the process, not necessarily requiring NDOT to produce temporary regulations. She said if there are interests on interstate routes, NDOT will do their best to work with the parties to facilitate progress. It was pointed out that until regulations are in place, and in accordance with SB 53 section 24, NDOT is allowed to continue business as they have done in the past;

Sec. 24. 1. The requirements set forth in sections 7 to 26, inclusive, of this act do not alter existing policies and procedures relating to other utility facilities within a right-of-way or for accommodating utility facilities or other facilities under the control of the Department.

2. The Department may consider the financial and technical qualifications of a telecommunications provider when determining specific insurance

requirements for contractors authorized to enter a right-of-way to construct, install, inspect, test, maintain or repair telecommunications facilities with longitudinal access or wireless access to the right-of-way.

3. If the Department authorizes longitudinal access, wireless access or the use of and access to conduit or related facilities of the Department for construction and installation of a telecommunications facility, the Department may require an approved telecommunications provider to install the telecommunications facility in the same general location as similar facilities already in place, coordinate their planning and work with other contractors performing work in the same geographic area, install in a joint trench when two or more telecommunications providers are performing installations at the same time and equitably share costs between such providers.

4. The placement, installation, maintenance, repair, use, operation, replacement and removal of telecommunications facilities with longitudinal access or wireless access to a right-of-way or that use or access conduit or related facilities of the Department must be accommodated only when in compliance with NRS 408.423 and any regulations adopted pursuant to this chapter.

5. Access to a right-of-way must be administered in compliance with the Telecommunications Act of 1996, Public Law 104-104, 110 Stat. 56-161, as amended.

Ms. Inda said partnering opportunities became available when the Nevada State Route (SR) 439 extension (a four-lane state highway in Lyon, Storey and Washoe Counties, better known as USA Parkway connecting US 50 in Silver Springs to Interstate I-80) was constructed. She said under a change order, work was added that included conduit for NDOT's use as well as spare conduit. She said another NDOT priority is to get full connectivity from I-80 to US-50, in all areas. She said in reference to SR 439 (USA Parkway), NDOT is in the process of finalizing an agreement with SWITCH to share conduit infrastructure. Chair Campos added there are also others interested, as well, including Blockchains, LLC. Ms. Inda replied NDOT has currently been working with multiple firms along with SWITCH. She said in addition to a conduit sharing agreement, there is another new section beyond the roadway that SWITCH is adding connectivity to their facilities, which in-turn NDOT has initiated joint-build encroachment permits, which allows infrastructure for their use as well as infrastructure for the state's use, including spare additional conduit. She said NDOT has already begun expanding infrastructure available for sharing. She added NDOT has had conversations with other interested parties regarding expanding infrastructure as well as joint-build opportunities.

Ms. Inda shared an example of a calculation summary developed for the value of the trade of conduit on SR 439 (USA Parkway), which is the same premise to be used on any remaining conduit or portions of conduit along this section of road. She said by adding this information into a contract, NDOT knows exactly the cost of the infrastructure. She said NDOT applied two factors according to their Telecommunication Infrastructure Sharing Policy; the first factor estimates operations and maintenance (O&M) costs for the duration of the agreement, the second factor is a geographic factor as specified in the language of SB 53. She said NDOT holds the right of way within the State of Nevada, primarily easement only, meaning there is an underlying owner on the adjacent property holder. She said values have been established for both rural and urban locations including outlying areas with a significant impact to an urban

area. She added that one of the main purposes of SB 53 is to encourage system expansion in rural areas. She said because there are less users in rural areas, the cost per mile of installation for telecom goes up so as not to exasperate those types of costs, and NDOT believes the charge in rural areas should be lower than urban areas. It was further discussed that impact is a common denominator along with geographic and population. Ms. Inda further discussed the agreement already entered into with SWITCH in expanding infrastructure.

Ms. Inda pointed out that NDOT recently had a vacant fiber management position, which has just recently been filled by an individual from the telecommunication industry. She said this person will be keeping track of all infrastructure and connections within the state that connect into the existing infrastructure, as well as expanding infrastructure via a software program. She said this person will also be working with the NDOT website getting information out on SB 53, and acting as liaison to the Governor's Office of Science, Innovation, and Technology.

Ms. Inda said it is very important that NDOT looks at its own needs for system expansion including where existing infrastructure is, where it needs to go, and where it needs to be expanded. She said NDOT can then overlay that information with their work program and decide what areas should receive infrastructure expansion. She said this is where TAC, State of Nevada Enterprise IT Services (EITS) and NSHE come in, which will include meetings to discuss combined needs for the state.

Chair Campos pointed out the bigger purpose of TAC includes that all members begin reaching out to each of their individual sectors and begin discussions on upcoming projects, both short-term and long-term and include NDOT in those discussions, working directly with their endeavors, which will benefit everyone. She said if any member has any questions to please contact her. She said she will put those questions together and direct them all at once to NDOT, copying all members.

V. Review of Key Provisions in SB 53 (For information only)

Chair Jojo Myers Campos

- Best Practices
- Examples of Infrastructure Trades
- Advantages of Dig Once and Fiber Trade Agreements
- Key Benefits

Chair Campos said this item was discussed in detail at the last TAC meeting and asked if any member had any questions on any of these topics. There were none.

VI. Consider Agenda Items for the Next Meeting (For possible action)

Chair Jojo Myers Campos

Chair Campos said agenda items for the next meeting will correspond with NDOT accumulating policies, regulations and requests for infrastructure documents.

VII. Determine Next Meeting Date (For possible action)

Chair Jojo Myers Campos

Chair Campos said the next meeting will be at the call of the Chair, but will keep all members updated on any incoming, new information.

VIII. 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.

IX. Adjournment

Chair Jojo Myers-Campos

Chair Campos adjourned the meeting at 2:58 P.M.

DRAFT