

# Integrated Knowledge Solutions

March 7, 2017

Senator Woodsome, Representative Berry, and Members of the Joint Committee on Energy, Utilities, and Technology:

My name is Page Clason and I am one of the core committee members implementing a Fiber-To-The-Premise project for the Town of Islesboro. I'm also the owner of a small business supporting technology needs in my community. I'm here as a Maine resident sharing my personal experiences and perspective of the broadband challenges in Maine.

I am in favor of LD 406. I believe the changes proposed are necessary to help accelerate the pace of broadband buildouts in Maine.

The Islesboro project has overcome many challenges and so far the biggest has been the process of getting our fiber on the poles. A significant portion of this hurdle arises from uncertainty in Maine statute and rules. LD 406 will improve this situation.

Islesboro wanted to have our \$3.8 million dollar investment in infrastructure authorized by statute and protected by PUC oversight. We found current statute to be ambiguous with respect to providing us authority to attach to the poles. While Central Maine Power and FairPoint signed the multiparty pole attachment agreement with the town, any future disputes would fall to the courts rather than the knowledgeable PUC.

The proposed definitions in §711 will eliminate a significant amount of uncertainty for many new service providers wishing to make investments in broadband buildouts. Significantly reduced hurdles will reduce the cost of starting and completing new broadband builds while increasing the pace with which providers can offer competitive services to all our residents and businesses.

Early in our journey we invited companies to help find a solution. We conducted an RFI process seeking a partner to help implement a solution. Some responses suggested the Town pay for the network which the proposed partner would then build, operate, and own as they do elsewhere. This reinforced findings in our feasibility study suggesting

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that much of Maine's rural demographics wouldn't meet thresholds of these established business models. For some of Maine's small, rural towns the excessively long period required to realize a return on investment suitable for many businesses will continue to keep providers away unless something changes. There will be times that the only entity which can or will build a network might be a government entity.

Thus, while I am in strong support of the proposed changes to LD 406, I believe it would be strengthened by directly defining municipalities, counties, and/or other governmental entities as being permitted attachers.

Islesboro decided we would have to fix the problem ourselves even though it would be expensive and difficult. We sought statutory authority for joint use of the poles to protect our investment by applying for CLEC status with the PUC. While the Town's primary objective is to provide broadband service to every property, CLEC status would provide statutory rights to the poles and PUC oversight of our assets. Predictably our CLEC application had interveners. Some intervenors questioned whether a local government should be providing telecommunication services. While we believe this issue would resolve in our favor we saw the battle as being prohibitively expensive and time consuming. We withdrew our application.

I hope the committee finds a way to definitively include municipalities and regional entities in LD 406 to further eliminate ambiguity for those seeking solutions to broadband access. The PUC's reinforced ability to refine the rules will improve the chances that Maine's residents and businesses will have equal opportunity to participate in the rapidly expanding world of opportunities enabled by broadband Internet access.

This leaves me with an additional question. Should LD 406 be enacted, how would the Islesboro project be handled? The project in Islesboro started before LD 406. Would there be complications or challenges to our status due to the timing of our project and the modified law?

With minor and thoughtful refinement LD 406 can be even better for our State.

Page Clason

President  
Integrated Knowledge Solutions  
pclason@iknowsolutions.biz  
207-734-6955