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WRITTEN COMMENTS OF THE NEW ENGLAND CABLE &
TELECOMMUNICATIONS ASSOCIATION, INC. ON BROADBAND
DEPLOYMENT IN VERMONT AND THE DRAFT EMERGENCY BROADBAND
ACTION PLAN

May 14, 2020

NECTA is a five-state regional trade association representing substantially all private cable telecommunications companies in Vermont, Connecticut, Massachusetts, New Hampshire, and Rhode Island. In Vermont, NECTA represents Charter Communications, Comcast, and Waitsfield and Champlain Valley Telecom. Our members serve 185 Vermont municipalities with broadband, video, voice, and home security and automation services. Over the past decade, our members have collectively invested over \$200 million developing state of the art networks in Vermont.

NECTA members have played a critical role in connecting Vermonters. Today, we provide high-speed broadband to 155,000 homes and businesses through approximately 9,000 miles of fiber. Moreover, our companies are identifying opportunities to expand their networks to even more consumers. Last week, in response to the COVID-19 crisis, Comcast announced a plan to serve an additional 430 homes and businesses by the end of 2020. This plan is independent of any franchise requirement.

During this unprecedented crisis, when we are living and working at home, our ability to access information, education and sometimes even food is reliant on the internet. We acknowledge that for many Vermonters, that vital connection is still out of reach. As broadband service providers, we know that our greatest obligation is to make those connections possible through fast and reliable internet service, in good times or during a pandemic.

Recent data tells us two things: that our networks are strong – we have built the capacity to meet the demand for Zoom meetings, distance learning, telemedicine, binge-watching and how-to videos for baking bread. NCTA, the Internet and Television Association, recently launched a dashboard of aggregated data from cable internet service providers to offer an ongoing depiction of how cable broadband networks are faring.¹ For Vermont, the data since March 1st reveals that although downstream usage has increased nearly 19 percent and upstream usage has increased nearly 40 percent, consumers have experienced no speed reductions to meet this significantly elevated peak demand. But the data also exposes a gap: some Vermonters still don't have access to high speed broadband.

¹ <https://www.ncta.com/COVIDdashboard>

We are well-suited to partner with Vermont to turn federal dollars into critical infrastructure because we've done it before. Vermont has an existing program that has proven successful in encouraging deployment of high-speed broadband to unserved addresses, the Connectivity Initiative.

Under Governor Shumlin, Vermont awarded Connectivity Initiative grants to reach hundreds of unserved addresses in multiple rural communities. These network construction grants, serving only unserved areas, is a model for success in other states. In Massachusetts, under the Massachusetts Broadband Institute (MBI), a public private partnership delivered sustainable and affordable broadband solutions on a large scale to previously unserved locations. Of the 53 communities defined by MBI in 2016 as either completely or partially unserved, only one town remains completely unserved, 17 projects are completed and the other communities are now working towards successful broadband connectivity. Charter and Comcast were the selected provider in nearly half of these MBI communities.

By providing internet speeds meeting or exceeding the FCC's definition of broadband to residents in unserved communities, it allows these people to access the communications tools, educational resources, and content they need to fully participate in the 21st century economy.

Another example of public private partnerships for broadband deployment is in neighboring New Hampshire where in 2018 the state passed legislation enabling the use of certain bonds to finance broadband deployment through public private partnerships in unserved locations. The law ensures that funding for broadband deployment can be used in any location within a municipality where the current FCC definition of broadband is unavailable. Like Massachusetts, the law requires an open, public process where internet providers are selected based on the technology solution that best meets the unserved area's needs.

Our networks are "future-proof". This is evidence by 18 to 24 months of investment planning our companies make to ensure their networks far exceed today's aggregate customer demand. Today, cable operators are starting to launch a next-gen network initiative that aims for symmetrical speeds of 10 Gigabits with low latency and advanced security. This may seem theoretical but the roadmap to delivering this service has been in place for years with a fiber rich broadband network that is already capable of providing up to 1 gigabit speeds to 80 percent of U.S. homes, including to all Vermont customers. By upgrading these existing networks with a combination of new hardware, software and other engineering techniques, the migration to 10G is both efficient and will not require a massive and protracted network overhaul.

It is not just about what our networks will deliver in the future, it is what they're capable of today. Any Vermonter in NECTA member service territories can choose from a variety of plans to suit their needs, whether that is basic internet browsing, distance learning, working from home, or streaming Netflix. Vermonters can choose from plans that capable of providing speeds of up to 2 Gigabits. Collectively, this variety of plans exceeds the FCC definition of high speed broadband currently defined as 25/3.

We appreciate the work of the Department of Public Service in drafting the Emergency Broadband Action Plan (EBAP). There are elements of the EBAP that, if adopted, will ensure that more Vermonters are connected by the end of 2020. In particular, the focus on cable line extensions, addressing delays by pole owners, and delivering Connectivity Initiative dollars to shovel-ready projects will ensure that providers who are ready today to serve communities can do so. As the state attempts to identify projects that can be completed in the coming months, these programs, particularly the cable line extensions and the Connectivity Initiative, presents the most opportunities for our members to get projects out the door and more Vermonters connected.

Focusing on a number like 100/100 symmetrical sounds high but provides no meaningful benefits for Vermonters over today's technologically advanced hybrid-cable networks. Such a focus appears to have a singular intent: to eliminate cable providers and support only fiber to the premises. Instead, the state should focus on the services needed by Vermonters and target its efforts at ensuring every household has access to broadband that can provide those services. At a time when connectivity is more important than ever, when our members are ready to deliver high-speed broadband today and are preparing to roll out 10G in the future over existing infrastructure, this exclusive rather than inclusive approach to deployment is difficult to reconcile. Our services are provided over networks consisting primarily of fiber and coaxial cable – a hybrid fiber coax network. Those networks are supported by cutting edge DOCSIS 3.1 technology which drives today's Gigabit speed offerings and tomorrow's 10G capabilities. Public policy requiring or favoring a fiber to the premise solution over our members' services fundamentally misconstrues the current and potential reliability and speeds of these networks. Given the Gigabit speed offerings of our companies, we provide products that far and exceed 25/3mbps speeds.

To be clear, no other state requires 100/100 symmetrical as a floor to broadband investment. Rather, Vermont's neighboring states like Massachusetts and New Hampshire have proven that building a successful public private partnership that uses the FCC definition of broadband as an entry point, is technology neutral, targets truly unserved areas, and has an open and public process so providers of all kinds can participate is a model for success. The more providers who participate and submit bids under this inclusive policy approach, the more solutions will be available for Vermont to choose from. We respectfully urge the legislature to consider a more inclusive path, one that is focused on ensuring Vermonters have access to sufficient broadband speeds to meet their needs now and in the future. That will ensure more Vermonters are connected in the short term to proven and reliable providers that are shovel-ready and who provide world-class service.

Our companies are committed to Vermont and are interested in partnering with the state to address the digital divide. With the potential for enhanced federal funding and cooperation between private and public sectors to address that problem, Vermont can emerge from this crisis stronger and better connected for the future.