

**Unapproved Meeting Minutes**  
**Ultra High Speed Broadband Task Force Meeting**  
**Friday, April 24, 2009**  
**9:30 a.m. to 3:00 p.m.**



**Location:** Thomson Reuters, D4-Special Events Room

**Facilitator:** Anne Losby

**Task force members in attendance:** Steve Cawley, Bob Eddy for Brent Christensen, Tom Garrison, Barb Gervais, John Gibbs, Scott Bohler for JoAnne Johnson, Jack Ries for Gopal Khanna, Rick King, Tim Lovaasen, Dan McElroy, Mike O'Connor, Vijay Sethi, Dick Sjoberg, Karen Smith, John Stanoch, Chris Swanson, Craig Taylor, Mary Ellen Wells and Cindy Kevern for Robin West.

**Replacements:**

Cindy Kevern for Robyn West – [Cindy.Kevern@co.anoka.mn.us](mailto:Cindy.Kevern@co.anoka.mn.us) Director of Information Services, (763) 323-5368

Scott Bohler for Joanne Johnson - [Scott.bohler@frontiercorp.com](mailto:Scott.bohler@frontiercorp.com) midsize phone company

Bob Eddy for Brent Christensen—small rural phone company

**Unable to attend:**

Jack Geller, Kim Ross, Peg Werner

**Public attendees:** Ann Treacy, Jeff O'Neill, Myron Hall, Andy Schriener, Mike Martin, Emmett Coleman, Randy Young, Tom Berkelman

**Staff in attendance:** Carlos Seoane, Michelle Engdahl and Shirley Walz from Thomson Reuters; Diane Wells from the MN Department of Commerce.

**Opening comments; review meeting agenda – Rick King**

The meeting was called to order at 9:39 a.m.

Rick King went through the list of substitutes and discussed that there is a laptop at every table that the groups will be using later.

Rick King asked the group to pull out the agenda and minutes from their packets for review. Rick asked the members to take a look at the agenda. He indicated that Mike O'Connor has done a nice job with some videos that we'll view and then we will talk about values and then get into the writing assignment.

Rick King asked if there were any questions, issues, or comments and for a motion to approve the agenda. Motion made and seconded. Agenda approved.

Rick King indicated that the next item on the agenda is the approval of the minutes from the March 20 meeting. Any comments, additions, questions about the minutes? A motion was made and seconded. Further discussion: none. The minutes from March 20, 2009 were approved.

Rick King asked if Diane Wells or Dan McElroy had any comments on the stimulus package funding for broadband.

Dan McElroy indicated that he was going to Washington DC next week for the NGA meetings and hoped to learn more about the funding for broadband. The Governor has not received a

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response to the letter he sent to Commerce Secretary Locke. We are waiting guidance from NTIA and RUS. NTIA and RUS are under pressure to get the money out. We know little more than we knew a month ago.

Rick King indicated that they've done some inquiries with the FCC staff in DC and they are in the process of writing a public broadband policy. It is a staff effort that will go out for public comment. They did not bring in outside staff to help with that. The comment period will be in June and then they will finish.

Dan McElroy asked if anyone with strong industry connections had additional information.

John Gibbs agreed we are waiting for the NTIA to come out with its guidelines. Andy Schriener said it will be a few more weeks.

Dick Sjoberg said that the interesting thing is that the FCC is going to produce a report that won't be out until February of 2010 and by that time the federal stimulus money will be done with two and almost all three rounds of funding. It's challenging.

Rick King said that it sounds like the first round of money will be out this fall. If that is something where they need to invest in something structural then it isn't too far away from the end of the construction period in Minnesota. Any other comments on FCC or stimulus. Most documents that we've seen have been sent to you.

Rick King indicated that this brings us to correspondence. During this month, we are trying to organize items that are being sent in so that you are not getting email blasts. You have seen a packet that has been put together of comments in response to a Minn Post article. We've sent out some other things. When the public sends something in we are not editing. We will keep passing around things that you forward. When the public sends something we are trying to aggregate it and packaging it for you. Rick did want to highlight the hard copy of a TDS letter that all task force members were sent about the Monticello project and you also have a response from the city of Monticello. I give you that without comment. It is reasonable that you have the Monticello one. City of Monticello administrator is here if you have comments.

Mike O'Connor said he does not think it's in the packet.

Rick King responded that it's in an e-mail that was sent yesterday. Any other correspondence that you want to bring up?

Rick King then asked for public comments. None.

Rick King commented on upcoming meetings. Everyone should have the information on the first one in Grand Rapids from Jack. We've gotten some information about the August meeting from Peg and Brent is finalizing the Mankato meeting in July. Once we get the material from Brent we will put the material in one document and email it out. Likely that you will get that in a week or two.

Tom Garrison said there is a hotel reservation deadline, what was that for Grand Rapids?

Karen responded that it is May 18.

Rick King said that the outstate meetings will likely include some writing. We will have a speaker and questions to start each outstate meeting. Rick also indicated that we will meet in this

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location at Thomson Reuters for May. Dick Sjoberg has arranged for a speaker from One Economy. Rick asked if there were questions about upcoming meetings? There were none. Rick also indicated that we have been able to work with the Department of Commerce and we've resolved the budget for the lunches. We also have secured some funds for our ultimate report writing and we should be able to have the report look good. We did not get everything we wanted. If it comes to pass that we can ask for contributions, we'll go ahead and do that.

Rick King stated that Mike O'Connor went and talked to two people and videotaped them. I think we'll find it interesting. Rick will let Mike open it up.

Mike O'Connor indicated that he will be playing two videos and the videos will have a few breaks in them. The taped interviews are with Robert Stephens, founder of the Geek Squad now within Best Buy. The other is Vint Cerf, VP and Chief Internet Evangelist at Google. He tells about his role in the development of the Internet.

[Robert Stephens and Vint Cerf Videos](#)

Rick King thanked Mike O'Connor for doing the videos.

The Task Force took a 15 minute break.

Rick King stated that we have a couple of thinking, writing segments for the rest of the day. Anne will run us through the values statement exercise. We should look at some on the list and see if we want to add more to the agreed upon values and we've flagged others for discussion. We can go after the low hanging fruit first. We'll break for lunch at 12:30 and we wanted to briefly discuss the afternoon's writing assignment before we break for lunch.

Anne Losby referred task force members to the Values document in their packet. The areas in red we had agreement around. The text in blue we had areas that we did not agree and wanted additional discussion. In addition to the values document that captures all the feedback there is the color-coded criteria for selection chart, that we worked on at the February 6 meeting when we thought we might be involved in selection of criteria for the economic stimulus projects for broadband. The items that surfaced in that discussion are linked to values so Ann thought it would be helpful to have. We did a quick voting exercise in that discussion and the results are sorted by highest to lowest votes received and color coding is to organize similar items. Anne then referred to the flipcharts in the room. Just two points of reference for us. Anne went back through the notes and pulled forward what the task force said we had agreement around so part of what we want to do is to confirm those areas where we have agreement. And, what do values really mean? We can think of them as guiding principles. All the state reports spoke to value or principles and we think it is important to look at.

Anne ran through the agreed upon values.

Dick Sjoberg said in the esoteric world of Internet policy it means more about technology neutral versus neutrally.

Ubiquity, does that mean everyone has service or everyone has it available to them.

Chris Swanson asked whether we were including satellite or leaving satellite out of it.

John Gibbs said he thinks it would include all of them.

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Can we have a value that says it needs to be available for all and its technology neutral?

Tom Garrison said he is ok with technology neutral but it needs to be tied to the speed and our other task force goals. Whatever technology can deliver the speeds we discuss elsewhere is fine but he doesn't want to be held back by whatever that technology can do. He wants to underscore that if we set a reasonable goal then it is whatever technology can get us there.

Anne asked if there was anything on the list that people question.

Karen said there are a lot of things on the list for affordability. Is that affordability to get to the basic level of service. What does the task force want to say?

Rick King indicated that we are talking about levels of service.

Steve Cawley said affordability at each tier. Apply affordability to each class of service. You don't want to have an affordable tier for residential service in a rural area but no affordability for business service.

Dan McElroy said the affordability that is here today always looked at as percentage of income. Other question on service to underserved business and residence to get the service they need. Is that what we mean, is it the capacity they need versus the capacity they want?

Scott Bohler said he is a little leery of saying or defining what someone else needs. If someone wants more and it is that valuable to them that they want it, they will pay for it.

Rick King asked if it is better to say want versus need.

Tom Garrison asked if we could go back to the affordable value. Is affordable only if people are willing to pay for it. We've heard that there are low income and they can't afford it. In general he is ok with affordability and tiers, but do we want to leave people behind if we can do something creatively to bring those people along.

Anne Losby said that the disconnect that Tom is talking about may be that we have two statements that don't go together, affordability at each tier. The by-line is that people are willing to pay.

Tim Lovaasen said that the way it should start out is with a specific minimum speed to be affordable and then you have to have a mechanism to make it affordable. Whatever the number is for what people should have in terms of speed, that speed should be affordable and we then need a mechanism to make it affordable if it isn't or if you don't have the take rate to have someone make that investment. Affordability should be at the minimum speed that we agree on.

Tom Garrison said that then, at the basic tier, whatever that is, it should be affordable for everyone.

Tim Lovaasen said that just like for telephone service, there was a universal service fund (USF) to make the service available to bring service out to people so that they would take it. That would be the next step to move into broadband and it has to be affordable at the minimum that people need/want whatever word we want to put in there. As speed goes up, then maybe the minimum speed also goes up so that there is a new minimum speed level.

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Bob Eddy said that they have advocated that the USF be used for broadband. There is a difference between industry or ratepayer funded and taxpayer funded. The USF fund does not have any government money. It's not taxpayer money.

John Gibbs said that there is a more refined difference. It would be a subset of consumers subsidizing another set of consumers. He liked Tom's idea about vouchers and if someone needs some threshold of coverage there is some option for them to make the choice.

Anne Losby asked if you want your affordability tied to a minimum, is this a value.

Cindy Kevern said that when you talk about affordability you talk about the consumer but it is an issue for small businesses as well who have a hard time getting affordable access. Small businesses could probably get what they want if they had all the money in the world but they do not. They are not looking for a handout, but looking for something that is reasonably priced.

Anne Losby asked if there was something that needed to be added to affordability.

Cindy Kevern said that one of the speakers said it today and that is can I create my small business at my cabin or anywhere and then affordability gets to be an issue.

John Gibbs said that it might be reasonable to have a writer have access at some price to make it work at the cabin but it might not be for Thomson Reuters to run their business from a cabin.

Steve Cawley addressed geographic disadvantages. If I want to run my business out of my house in the metro, I can get affordable access. But if I want to do that someplace else in the state, I probably cannot. Geographic location in the state and are you going to be disadvantaged by it. Steve thinks we should try to understand how we minimize the differences. If home based businesses are going to be an important part of our economy coming out of this recession, we need to look at it.

John Gibbs agreed that it is important. The cabin and the house in Roseville have wildly different costs associated with serving them which affects affordability so he is not sure there is consensus on it.

Mary Ellen Wells stressed that we've been using cabin for rural Minnesota. She is less interested in providing a cabin with a business level service. She is thinking about the person who lives in a house in rural Minnesota and that is where they live and want to make their living. That has different connotations

Barb Gervais said that she lives at the cabin and that is her choice. She said you cannot separate the cabin and the home because a lot of people have made it their home. That is where her husband tries to run his small business. People that have home-based businesses need broadband.

Anne Losby said that some of you have tied this to economic development and that is good. Someone said the values have ties to each other.

Mary Ellen Wells said that local people can live there and people who have the small businesses.

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Cindy Kevern said that they have issues in the metro counties so you cannot say it is a metro v. rural issue.

Anne Losby noted that so far our affordability has a link to how we do tiers. There is nothing on the chart that says rural versus metro. Can they be under umbrellas to link them?

Rick King said that since we are including almost every group do we need to specify. He doesn't disagree with John Gibb's point about what a bigger business will buy. Bigger business is also looking for affordability. What he thinks we are really trying to say is that at the lower tier if you want to drive up the take rate then the affordability is important especially at the lower tier. Rick is not sure that specifying into groups adds anything.

Tom Garrison noted that we have a lot of agreement except on defining small business. For the next meeting, if we are going to subsidize anything, what is the appropriate level to consider for a small business. He is also sensitive to some discussion from some folks that may be too profit driven and they are not investing in their own business. We need to balance that. He has heard a lot of people talk about home based businesses and that our plan should support them. They are the incubator.

Dick Sjoberg said he is trying to set minimum and maximum for business. If you try to subsidize a small business, at what point do you stop subsidizing them. Does that allow a bad business plan to just continue for a few more years? The cost of broadband is small compared to the other costs of running a business.

Steve Cawley said we are not talking about subsidies. We are talking about a goal. Later we'll talk about how to get to the goal.

Anne Losby added that we are agreeing on the "what" and how we get there we will do that in the report.

Bob Eddy said that there are two aspects to affordability. One is the cost to provide. That is not just because it is rural or urban. Mr. Stephens made that comment in the taped interview that digging in downtown London can be very expensive. It can be expensive in northern Minnesota too where you have all rock. The cost to provide is an important facet of affordability. The second aspect is the opportunity cost to the customer. For my aunt who only uses e-mail, she would be mad if it costs \$100 a month whereas Rick would be very happy if Thomson Reuters got their service for \$100 a month. How much is affordable for you, what does it take to get it there and how important is it to get it there.

John Stanoch said we are going to have to dice this down into categories. This is hovering. We are required by statute to address it.

John Gibbs added that affordability in the commercial context is the point.

Anne Losby said that the good point is that there is a lot more to talk about here for the purpose of trying to identify values. Were there others on the list that we want to talk about?

Vijay Sethi said that the thing that came home to him was when Danna Mackenzie was talking about all the public services that go over one fiber. When you look at the rural areas and when you have limited service being out there and you are putting more and more over the one pipe, how important is redundancy of service?



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Anne Losby asked what the task force wants to say.

Chris Swanson said he doesn't know if anyone has had Internet go down but you are immediately unproductive if you lose access to the home or to the business level. Redundancy is critical.

Mike O'Connor suggested a broader description with quality and reliability

Dick Sjoberg said that some of this stuff will evolve. It's difficult if we have to say we need 5 - 9's of reliability to the barn that is 5 miles out of town and we create a bar that is so high no one could afford to provide it. What is our definition of reliability? Are we talking about the best effort of the provider or are we talking about SONET rings to the barn. You can easily have services that cost thousands of dollars per month. This is true in rural areas and even in residential areas in the metro.

Steve Cawley said that we all agree that quality and reliability is the value. What is practical? We should think about things like competition and we should not get into the details underneath the value.

Anne Losby asked if people agree to the quality and reliability.

Tom Garrison said the level of quality and reliability are based on importance.

Mike O'Connor said he thinks that falls in the same category, the value is there.

Rick King said we will make a note.

Mary Ellen Wells said that it also needs to be tied to affordability.

Anne Losby asked if there were other comments.

John Gibbs said that the value might be quality and reliability.

Dan McElroy said that one of the things Robert Stephens mentioned is that we look at choice. Is choice a value?

Anne Losby said that choice is definitely a value but does the task force want to have choice as one of its values.

Rick King asked how would you quantify it. Are you talking about voting choice or sending choice? Multiple people have said choice is best.

Dan McElroy said that he doesn't know but concedes that choice will look different in dense versus less dense areas.

Anne Losby asked besides the word "choice" how do you want to capture.

Karen Smith said that she likes the word competition.

John Gibbs said that we may want to prioritize. We may want to think about values and priorities and serving unserved areas is value number one and priority number one.

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Mike O'Connor said he was going to say the same thing. There may be times when it is not going to be practical to use choice as the tactic to arrive at what we need to achieve, especially in rural areas where you won't have 2 or 3 wires to the barn. Mike said he is back to his rant about the bottom of the protocol to not have choice at that provisioning layer isn't critical. Whereas at the service level, when you only have one choice of ISP to choose from, one is not so good.

Steve Cawley said that choice is important and the reason he would like to see it as a value. He thinks it is important that whatever we do here we do not cut off new innovation which is fostered by competition. We don't know what the next Twitter might be. In that context he likes the value of choice. If for most task force members, choice gets us thinking about tactics, then it is ok to not list as a value.

Bob Eddy said that you might define two different ways with horizontal meaning more than one provider and vertical meaning many choices from one provider.

Dan McElroy suggested choice may be as an addendum to competition.

Anne Losby indicated that since it needs additional work, we will put in on the additional discussion list. Competition is listed there and she doesn't know if we want to use interchangeably. Anne asked if there was anything that needed to be moved or clarified.

Craig Taylor indicated that he did not see openness on the list and he is not sure exactly what definition we are talking about.

Anne Losby asked if openness were a value what would it mean to you.

Craig Taylor responded that he is still a little unsure of how we are defining broadband. Openness has to be defined and it depends on how we define broadband.

Scott Bohler said there is this net neutrality. You can go and do whatever you want.

Craig Taylor said that basically at a low end it is a utility and the pipe can be used by anyone.

Anne Losby asked if there was a value we wanted to put on the list.

Steve Cawley would agree to put on the list. He believes that openness is critical to the design of the Internet. The other discussion is in terms of utility.

Mary Ellen Wells wanted to understand how the focus on both supply and demand is a value.

Scott Bohler responded that supply means folks can buy the service and it is not useful if they can't use it. Demand is that they want to buy it.

Tom Garrison said that we had testimony about counties that had higher speeds. The focus on demand is more of the economics piece. We understand the economics of the supply piece. We need to find ways to increase demand for broadband service.

Mike O'Connor said to build on that, maybe we change that one to be clearer and focus on increasing broadband demand.



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Rick King said that he thinks that it was to remind us to focus on both, to make sure we speak in equal parts.

Anne Losby said if we are sure we have enough on supply in here, we want this as a reminder to focus on demand.

Mary Ellen Wells asked if that is a tactic for economic development.

Anne Losby asked if there was anything else we want to say? You modified and clarified, but did not add. One more minute to wrap up.

Anne Losby then directed the task force to the writing assignment for an overview of what will happen after lunch. In regards to the process for the writing assignment, this is something that she has not done in the past. As a result of your homework assignment, you've received by email the product. People took liberties, but that is ok. People did a lot of work. We also pulled over the work that JoAnne, Mike and Brent did on history but we aren't going to focus on that. We are going to have six groups and you will have a screen on each table and you can see what the group is doing. It is a group writing assignment. We looked at what you sent us and put it into clumps. The groups are as follows:

Table 1 will discuss values.

Table 2 will discuss where we are today

Table 3 will discuss where we want to be, sub bullet 1 (where we want to be)

Table 4 will discuss where we want to be, sub bullets 2, 3, & 4 (everything else)

Table 5 will discuss how are we going to get there, sub bullets 1 & 2

Table 6 will discuss how are we going to get there, sub bullets 3 & 4

You will pick where you want to work. Over lunch we will label the tables. Ideally you will get to work on what you want. We will do this for about 45 minutes and then rotate so you will get to work on two sections. It's a writing session so create, create, create, and write in the third person. You do not have to agree with what has already been written, if you disagree then put it in there. It isn't wordsmithing at this point. If you can tie your writings to a value, that would be good. We'll break in about 1 minute for lunch. Promptly at 1:00 you should be sitting at your table of choice and use respect with that. We need a volunteer at each table to be the scribe. Anne will have the thumb drive with your section on it and you will keep editing that and the group that sits down after you will build on it. We will stop with about 10 minutes to go to see how this is working so give honest feedback. Questions? None.

Rick King dismissed the group for lunch and indicated that when you get your lunch you can go out to the left to eat or just wonder down to the cafeteria

Lunch break.

1:00 to 1:45 Creative writing assignment

Task Force took a 10 minute break.

2:00 to 2:50 Creative writing assignment.

Anne Losby asked the full group how they thought this worked.

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Mike O'Connor said that they came up with a clever approach. The group added notes to staff. Put in a note if they could not find something. It might be good to clarify what the product is that we are trying to produce.

Chris Swanson indicated that he is trying to get the point of the exercise. Some of what he wrote was erased and now he is putting it back in. He did state that he saw some other ideas so is making some changes to it to word it better. He thinks we are kind of doing this backwards. We should be hitting on key issues first otherwise we are going back and forth.

Dick Sjoberg said that he doesn't think we should erase each other's work. Make comments but do not erase because while he may disagree with what someone else wrote doesn't mean it should be deleted.

Anne Losby indicated that if we choose to do another exercise, what she is hearing is that we need to be clear on ground rules.

Tom Garrison is it insert comment versus line out.

Steve Cawley noted that we've got a few issues that are going to be contentious, but we are wondering how in our process we are going to get to them. Do we write around them or table them and leave for the end. He isn't sure of the right way, but it would be good to know how we are going to approach those topics.

John Stanoch said he was going to say something similar to Steve's point. Everyone was able to come in with five paragraphs and now what we have is people not agreeing. We are going to have to pull those issues out for group discussion. We need to have a process to identify hot topics and if we are not going to resolve put it in a parking lot and then decide how to address.

Rick King noted that he absolutely never thought we would resolve all the issues this way. But he does think we should address sooner versus later. We have to give some concentrated time to them. Writing and thinking gets the ideas flowing. He is open as to how to work to resolve the controversial issues. His thought was to not bulk up to the end. We could talk about some when we are in the rural areas. It would be hard to go out to Greater Minnesota and just sit in small groups writing whereas if we were to discuss some of the contentious issues with an audience listening, that would be interesting for the listeners.

Tom Garrison said that if we are intellectually honest, we could identify the four or five issues we are going to have the most trouble with and then identify the four or five arguments either way and then give us time to reflect and then come and discuss. I've learned some stuff from different points of views provided here for my own thinking so I think it would be good to see some pros and cons and then we can arrive at a consensus.

Anne Losby noted that one of the goals for today was to jump start the writing. She thinks the group did a fine job today to get to some content. She thinks now there is the challenge to fine tune and then moving to a point where you can deal with the issues. For May we'll try to think about some of the best approaches.

Rick King asked whether as part of the May meeting, is there interest in continuing with this type of exercise? Thoughts?

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John Gibbs said that he thinks about how this exercise reflects the values and then there are the 8 questions in the statute. We might want to think about, somewhere in the process, these key consensus areas and those 8 points and see if this process will result in answering those areas. We are probably well served to build that in.

Tom Garrison said that he doesn't disagree but we've got some apples and oranges issues as some of the values were applicable to the discussion of economic stimulus funding for broadband. We have to be careful what is in the report.

John Gibbs added that we at least not find ourselves with the second to last meeting before the report is due and realize we only addressed three of the eight questions.

Mike O'Connor said that he is fine with doing the exercise again, but the process folks should think about what we want out of this. More content is easy. If you want more content, give us another month and we can each write five paragraphs again. We have a lot of content and we might run into the same issue as we did last time. Let's not postpone. Let's get to the hard stuff.

Rick King suggested that we take as an assignment the following. Identify 3-5 contentious issues that you think are important and know that there is disagreement on. Then we use Tom's model and say here's the plus side and minus side, let's say work on 3 that you are for or against. Then we use some of that to discuss next time and some of that output would yield consensus. This allows us to get information out about the contentious issues. We do have a lot of written stuff that we can start collapsing towards the report. Does that make sense?

Tom Garrison indicated that the other thing he wanted to say was that he was excited to read what others wrote and we did not have time to discuss holistically. What we could do is if you really liked what someone else wrote, point it out. We might have more agreement than we think we do.

Rick King added to the homework assignment to go back and read the submissions and highlight what you liked.

Mike O'Connor added that we could do the same thing and also identify those that you do not agree with.

Craig Taylor asked if we were going to do it overall or section by section.

Tom Garrison suggested doing it all as we do not have a lot of time.

Craig Taylor asked if we do it overall what are we trying to get. We won't be consolidating. If you pick three, and I pick a different three and someone else another three, we are going to have a lot.

Mike O'Connor said that he is willing to bet if you upped to 5 you would see a huge pile that people agreed and disagreed with.

Rick King asked if you are saying to identify 5 things you agree with and 5 you don't and the issues come out of that and not identify contentious issues.

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Anne Losby said that she sees two separate tasks. One is to look at the whole report and find three issues you agree with and that you disagree with and list the pros and cons. The second task is to review the entire 48 pages and identify submissions you agree with and disagree with.

Rick King noted that we only have three weeks until the next meeting. Can this be done in 2 weeks time? Do we agree to do it? It will highlight the stuff you want to talk about. It will be everything on the agenda but the One Economy speaker.

Dan McElroy requested that a summary of the homework assignment be sent out.

Rick King agreed and asked if there were any other comments.

Mike O'Connor asked if there were any other rock and roll people that want to play while we are on the road.

Rick King concluded by saying that we'll send out the charge. He noted that the work assignment that was done for this meeting is good, really good stuff. That is the kind of effort we like to see. We will not have trouble getting the report done.

Motion to adjourn – 3:10.