

Unapproved Meeting Minutes
Ultra High Speed Broadband Task Force Meeting
Friday, September 18, 2009
9:30 a.m. to 3:00 p.m.



Location: Thomson Reuters
D4 – Special Events Room
610 Opperman Drive
Eagan, MN 55123

Facilitator: Anne Losby

Task force members in attendance: Steve Cawley, Brent Christensen, Tom Garrison, Jack Geller, Paul Bergman (for Barb Gervais), John Gibbs, JoAnne Johnson, Tim Lovaasen, Jack Ries (for Gopal Khanna), Rick King, Dan McElroy, Mike O'Connor, Kim Ross, Vijay Sethi, Dick Sjoberg, John Stanoch (Andrew Schriener substituting at end), Chris Swanson, Craig Taylor, Mary Ellen Wells, Peg Werner, and Robyn West.

Replacements:

Jack Ries for Gopal Khanna – jack.ries@state.mn.us
Paul Bergman for Barb Gervais

Karen Smith and Glenn Wilson were not in attendance.

Public attendees: Ann Treacy, Randy Young, Andrew Schriener, Bill Hoffman, Brent Legg, Wes Kerr, Myron Lowe, Emmett Coleman, Peter Fleck, Mike Reardon, Ann Higgins, Bill Coleman, Jim Hickle, David Arbeit, Rep. Sandra Masin.

Staff in attendance: Carlos Seoane 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 9:35. Rick King welcomed everybody and noted the substitutes. Rick King reminded everyone of the remaining meeting schedule and that he was targeting to have the mid October meeting be the final meeting. Rick King noted appreciation for the work of the sub-groups in between meetings and that there will probably be some continued work by a few of them. Regarding the draft report, if you have comments on things like transitions, grammar, etc. please send to Shirley. Those are editing suggestions and we won't spend our time together talking about them. There is a full agenda today and we will hear from all the sub-groups. A tour of the Thomson Reuters data center is being offered after the meeting concludes.

Rick King asked for comment or additions to the agenda. None. Motion to approve the agenda. Seconded. Approved.

Rick King noted that we have not gotten the DVD copies of the minutes yet from the August 21 meeting and as soon as we do he will get that out to those that want it. The minutes from the August 21, 2009 meeting were moved and seconded. Approved.

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Public Comments

Rick King opened up the meeting for public comment and asked those commenting to please identify themselves and who they represent or where they live, whichever is relevant.

Peter Fleck of the Digital Inclusion Fund with the City of Minneapolis made the following statement to the Task Force:

Good morning. My name is Peter Fleck. I sit on the Digital Inclusion Fund Committee with the City of Minneapolis and I write the [PF Hyper blog](#) which among other things, covers the US Internet Wi-Fi deployment for Minneapolis. I'm here today to comment on the broadband mapping process.

My understanding is that we have allowed the companies that have not provided the needed broadband coverage in our state to steer the broadband mapping process itself because of a stated need for confidentiality. That need is questionable. And it puts the state in a position where if the maps show there is no problem with broadband coverage, then we won't need legislation, regulation, or any other policies and it creates the risk that the telecom industry can continue to provide inadequate coverage to underserved areas — usually areas of low-density and low-income. And because of the inadequacy of these maps, eventually we will have to undertake broadband mapping again at taxpayer expense. To me, this is an irresponsible use of public money.

As my colleague Christopher Mitchell wrote at the [MuniNetworks blog](#), this is like asking the Minnesota Vikings to create a nonprofit to study whether a new football stadium for the Minnesota Vikings is a good idea.

As a citizen and resident of Minnesota, I would like this Task Force to let Gov. Pawlenty and the Commissioners at the Department of Employment and Economic Development know how I feel. I don't like my money spent in this way. I believe that ubiquitous ultra high-speed broadband at an affordable price will benefit everyone in Minnesota and that it's unlikely that this mapping process will bring us any closer to goal.

Thank you.

John Stanoch asked Mr. Fleck when he referred to telecommunications providers, if he knew that Qwest does not provide funding to Connected Nation.

Peter Fleck responded no but funding started with providers and there are providers on the board.

John Stanoch indicated that we are talking about Minnesota and Minnesota broadband maps and Qwest does not finance Connected Nation.

Peter Fleck stated that the interest of all providers are the same and this will not get us an accurate map.

John Stanoch mentioned the Minneapolis Wi-Fi project and asked if Peter was familiar with that and what the city of Minneapolis is paying for it.

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Peter Fleck indicated that he was in favor of the municipal Wi-Fi, but not in favor of wasting tax payer money.

John Stanoch indicated that the numbers he has are that roughly \$1.2 million had been spent on the project and that the city of Minneapolis received about \$50,000 in services in return.

Peter Fleck indicated that he believes the \$1.2m is accurate and he knows there is a discrepancy in services received.

John Gibbs asked if there was some mapping exercise that has been done better elsewhere that we could look to.

Peter Fleck indicated the he knew that the U of M put forward a proposal, but due to confidentiality issues they could not work out the issues. That was one alternative. What Public Knowledge recommended was that the state do it itself and contract out with a reputable mapping company.

John Gibbs asked if any state was doing this.

Peter Fleck indicated that he knows Kentucky is no longer using Connected Nation and it looks like their broadband has not improved all that much.

John Gibbs asked if Kentucky has done any mapping since that done by Connected Nation.

Peter Fleck indicated that he did not know, but that it is important to get the mapping done because there are too many people without high speed broadband service.

Rick King asked if anyone else wanted to speak. No other public comments.

10:00 – 10:45 Final Broadband Mapping Report – Brent Legg, Connected Nation

Refer to PowerPoint presentation posted to the task force website (www.ultra-high-speed-mn.org)

There were questions by task force members. There was also a discussion about the current mapping information being reformatted to show the speed levels being recommended in the report and the state's progress towards meeting those goals i.e. what happens to the 94% availability rate when you raise the speed goals to 10 and 20Mbps. Brent Legg indicated that the mapping project under the NTIA requirements would have speed by census block but he would work with the task force to see what could be provided with the current data.

The task force also discussed with Connected Nation on the inclusion of mobile wireless in the mapping process and how the next mapping project will be conducted under the contract with the NTIA. Mike noted that the language in the report should be revised to reflect the updated mapping information that we have today. Connected Nation then went through an overview of BroadbandSTAT and highlighted some of the areas where the new mapping features will be improved over the old maps.

Rick King thanked Brent for his presentation.

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10:45 – 10:55 Review and Approve Symmetry Language

Rick King asked JoAnne Johnson to go over the redrafted symmetry language. JoAnne referred to the paragraph in the packets. JoAnne noted that the first section of the paragraph discusses that symmetry is sometimes necessary. The second part acknowledges that when in fact someone thinks they need symmetry having a faster up and download speed solves the problem. There was discussion of the location of the definition of the term “symmetry” as being in the glossary and perhaps also in parenthesis the first time the term is used in the report. The task force discussed whether the language in the paragraph was what the task force intended with regard to symmetry. Mike suggested including the chart at page 41 of the report draft which addresses the speeds needed by various types of services.

Anne wrote on the chart the agreed upon language. Rick King asked if everyone agreed. The Task Force reached consensus with the following language:

The Task Force heard from a variety of experts who believe certain applications require symmetrical speeds (i.e., equal upload and download speed) in order to work properly. Examples cited include tele-medicine, tele-work, and distance education. The Task Force found that many consumers asking for symmetrical service are in fact in need of faster upload speeds. When that application upload need is met, whether the download speed is symmetrical or faster, consumers or businesses have a solution to their problem.

BREAK 10:55 to 11:10

11:10 – 11:50 Role of Government – sub-group report

- Review and approve language for the report (Tom Garrison, Mike O’Connor, Vijay Sethi, Karen Smith, John Stanoch, Robyn West)

Rick King stated his hope that the task force can look at this and approve it for the report. The focus is to agree in principal and not to ensure that every word is grammatically correct. If we agree to the principal, we’ll move forward.

Tom Garrison presented the work of the sub-group and said after the feedback we got from the full task force last time; he thinks we are mostly there. The yellow highlighted language in the draft is to address comments made the last time.

Rick King reminded the group that the task force would be discussing the work of the subgroup that looked into the ongoing council after the lunch break.

Tim Lovaasen mentioned his concern about government providing service and taking the anchor institutions with them. The incumbent would then not have the money to be able to invest to serve the rural areas. He does not want this committee to overlook the issue.

Jack Geller responded that what we see is that some communities do, for example, garbage pick-up themselves and some contract out. There are lots of different enterprises so that communities have options and sometimes they work with a provider and sometimes they go it alone. Sometimes they make the wrong decision but that is where you sit back as a policymaker

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and say you cannot take away that option. So we encourage these collaboration models. Jack is not sure what you change in the report language except maybe a stronger tone.

John Stanoch said that when we came together as a sub-group some within the group thought some providers were good and some were bad and some governments were good and some were bad. We've decided to avoid the extremes. We had discussions during the phone calls of the sub-group. John is comfortable with the language because we aren't endorsing one or the other. And if you look at the maps and where they don't have broadband service, it's not because the providers are bad but because our advisors tell us we can't make a business case to go there. What the stimulus funding is for is to get to those areas. So let's take the middle ground and promote partnerships. We spent a lot of time on the role of governments and providers and came out with a middle ground.

Other members of the task force agreed with John Stanoch's statements.

Rick King asked if others from the sub-group wanted to comment. Does the task force want the language to stay as is?

The task force discussed the intent that the language not affect current laws that allow municipalities to provide service if certain conditions are met and also the affect of the language on the priority to serve the unserved and underserved.

Rick King summarized that looking at the impacts on the financial side makes sense. We can say we definitely want to put some language in the cost section on how the funds get directed and dealing with the unserved areas. If people are happy with that we can maybe approve the Role of Government language without dealing with that.

John Gibbs indicated that in the Role of Government language there is one reference to the ongoing broadband council which is going to be addressed in a different section.

Rick King asked if John's point was whether that is in or out depends on the other discussion. John agreed.

Rick King asked if there was any objection to the language from the subgroup. None. Approved.

11:50 – 12:30 Recommendation #5 – Evaluation and recommendation of security, vulnerability, and redundancy actions necessary to ensure reliability – sub-group report

- Review sub-group recommendation (Mike O'Connor, Steve Cawley, Craig Taylor, Jack Ries/Gopal Khanna, Shirley Walz)

Rick King asked Mike O'Connor to lead the discussion.

Mike said that one of the overarching notions is that security is going to get solved by a whole lot of work by a whole lot of collaboration. So what the sub-group tried to get at is how could that collaboration start without a lot of mandates. The sub-group came up with the front page and the goal. The goal would provide a competitive advantage to attract residents and businesses. It would strengthen the businesses within the state. Clearly a strong consumer, citizen protection

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notion (not regulatory consumer protection but bad guy protection). Finally, one of the things the sub-group was interested in was returning Minnesota to the role of Minnesota as technology leader. In subsequent meetings, the sub-group thought it would be good to get some specifics out there, including some technical issues that bear on security: single points of failure, redundancy, and confidentiality of information. Finally, one of the things the sub-group felt most strongly about and where we could start with this multistakeholder collaborative is around security. There are lots of people working on security but they aren't talking to each other. There is the opportunity to do a new thing and do it better.

Rick King said that the goal on this one is to get some feedback and have the sub-group go back and do some work. It would be good to have a few minutes to have the members provide the sub-group with some feedback.

Tom Garrison wanted to echo his support for the idea to get various security professionals together. Recently they had some state people out to have a security discussion with people in the county. The state people were very knowledgeable of their redundant route but when asked what would happen if Dakota County went down and the effect on jobs and lost revenues to the state, they didn't have an idea.

Mike O'Connor said that he used to be a provider a long time ago and he used to think about the security as his silo. But now the silos have to be broken down at the edges. We aren't asking to see the secret stuff but the boundaries between these issues are really blurred.

Other items mentioned were state agency security; the number of people losing money over the Internet or from a credit card when a hacker gets in; who oversees this at the state level; the huge cost implications for this; the single points of failure; and if you compile the information how do you protect it so it's not a roadmap for a terrorist.

Jack Geller said that the only question right now is who does this.

Mike said that a lot of answers are in the TBD column right now. What we have is here is a statement of the problem. We didn't really have an answer except to say that a bunch of people, not just this task force, need to be strongly encouraged to sit around the same table and come up with useful constructive ways to get this done.

Steve referred to the higher ed example where they own their own high speed networks in various collaborations but one thing they do very well is peering arrangements. For security specifically, Indiana University which also provides the network operations center is funded to do network security research.

Vijay Sethi reminded the group that redundancy also needs to be addressed.

Rick King thanked the task force for good feedback, said we would take a few more minutes on this, and if people have more feedback, give it to Mike for the sub-group. On the recommendations, Rick King would like to see them broken out in three buckets by priority (critical, etc.) and then some ideas for pushing forward. Additional issues raised by the task force were which issues are Minnesota specific v. those that are national or broader network issues; rolling up federal issues into one place; referring federal issues to the Congressional delegation, and funding.

Lunch break until 1:10

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1:00 – 1:30 Ongoing Council – sub-group report

- Review and approve sub-group recommendations (Mike O'Connor, Steve Cawley, Mary Ellen Wells, John Stanoch)

Mike O'Connor presented (see language).

Peg Werner noted that a group had discussed this topic over lunch and concluded it was especially important to have a mechanism for citizen feedback.

There was a discussion on the various types of boards that exist, their authority and funding. JoAnne referred to the summary work that had been done earlier to see what other states had done regarding ongoing councils. She noted that most advisory councils in other states do not have taxing or fundraising authority; most do not have spending authority; most are in an advisory capacity to advise the legislature, governor or an agency. Some have convened working groups to pull in expertise.

The task force discussed an advisory council staffed by a state agency and with a sunset date.

Rick King noted that we had a lot of discussion last time and asked if there was opposition to the idea of an ongoing council. Some opposition was noted, in part because the optics of establishing a council could be viewed as regulatory and thus Minnesota not be viewed favorably as a good place to do business. There was discussion of the ongoing council as comparable to a steering committee to ensure that the recommendations contained in the report get carried out. There are examples of previous reports having been done on this topic and nothing being done as a result because there wasn't an oversight group to keep it moving.

Rick King called for a fist-to-five vote with five being in favor of an advisory council. Some members noted a preference for the term advisory council v. steering committee and to identify the state agencies and their roles.

Rick King summarized that the fist-to-five vote was for an advisory body with no regulatory power, no taxing or spending authority; strong 2015 sunset; call out agency that should take responsibility. Show of hands. By his count, three task force members don't support the concept of an ongoing advisory council. Rick King asked if there is there anything we can do with the base idea to make it more supportable.

John Gibbs said we fundamentally have enough government agencies already to carry it out.

Tim Lovaasen said he didn't have any druthers and that it will be fought out at the legislature.

Dick Sjoberg said he would like to see the details actually nailed down. If the concept were more nailed down he could possibly be persuaded to support. The other problem he has is we could recommend but then the legislature could turn it around and give it additional power.

Rick King said this suggests to him that Tim and Dick might yield but John has a philosophical point that we aren't going to be able to overcome. This is not unanimous yet and it might not be. But Rick King would like to see another iteration of this with what we discussed, including more detail of the duties.

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2:15 – 2:45 Recommendation #4 – Evaluation of strategies, financing, financial incentives used in other states/countries to support broadband development and Recommendation #6 – Cost estimate

- Review sub-group recommendations (John Gibbs, Dan McElroy, John Stanoch, Dick Sjoberg, Diane Wells)

John Gibbs went over handout. He noted that wireless may not go as fast but is not as costly. To serve the 6% with wireless would be just under \$70m. For wireline the range is \$100m to \$225m.

The task force discussed that the number would be considerably higher than 6% if you are looking at those that cannot get the speeds recommended by the task force for 2015 instead of those that were identified as not having broadband service under the FCC's definition. And wireless may not get us those speeds. There was discussion of whether the data is available to determine whether houses that are served by wire that don't have sufficient facilities on it now could be upgraded. The speed of fixed wireless and whether it meets the 2015 task force goals was discussed; the most recent information is that fixed wireless speeds appear to reach the low end of the 2015 speed goal range. A suggestion was made that the FTTH Council be contacted and that the task force use the range that they have.

A suggestion was also made to go beyond just tax incentives to lower costs, such as bonding authority. Rick King said that if members have ideas to give them to the subgroup. JoAnne mentioned grant funding in California. Ideas should be put on the list even though in the current economic environment they aren't likely to be adopted. The list should be a laundry list. Tom also suggested that if several states are using the same mechanism, that should be noted. The work of this subgroup will be discussed at the October 2 meeting.

2:45 – 3:00 Plans for Upcoming Meetings (reference planning calendar)

Rick King had a few housekeeping items in closing: We have gotten a little bit of feedback from the Native American population. The task force website received a couple of items. We have been asked to speak to the MACTA conference in Lake Elmo in October and Rep. Johnson will be there also. Jack had an item published in Prairie Business. Also in your material there is a submission from Peg about libraries. We are going to include that in the report so read it and we'll discuss at the next meeting. There is only two weeks til the next meeting so sub-groups have less time to meet. There will be no speakers at the next meeting. The topics are smaller in number and bigger in discussion.

Jack Geller noted that the state's economic conference overlaps with the October 2nd meeting and he will not be attending at all. Dan indicated they are expecting a large turnout for the conference but he hopes to get to the task force meeting later in the day.

Rick King indicated that the October meetings will be at Thomson Reuters and we will try to finish in two meetings instead of the scheduled three.

Rick King also noted that the task force has its own time slot at the Blandin Conference held November 18-19. This will be after the report has been submitted. Rick King is proposing a

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panel of provider, municipal, user and is discussing with John Stanoch or John Gibbs, Chris, Mike, Dan or Glenn, Mary Ellen and himself as being on the panel.

Meeting adjourned at 3:02 p.m.

3:15 – 4:15 Optional: Thomson Reuters Data Center Tour