

TESTIMONY BEFORE THE ENERGY AND TECHNOLOGY COMMITTEE
OF THE CONNECTICUT GENERAL ASSEMBLY

**HB-5473: AN ACT CONCERNING PUBLIC ACCESS OPERATIONS AND THE PERIODIC REVIEW OF
VIDEO PROVIDERS SECTION 5: REINSTATEMENT OF THE CONNECTICUT BROADBAND INTERNET
COORDINATING COUNCIL**

MARCH 15, 2012

**Request for Reinstatement of the Connecticut Broadband Internet Coordinating Council
Louis Manzione, PhD, Chair, Former Connecticut Broadband Internet Coordinating Council**

The Connecticut Broadband Internet Coordinating Council (BICC) was established pursuant to Section 3 of Substitute House Bill No. 7282, Public Act No. 07-254 (see excerpt). The legislation was the result of a December 2006 study by the Connecticut Academy of Science and Engineering entitled, "Advanced Communications Technologies." The first meeting was held in June 2008.

The duties of the BICC as stated in the legislation were:

1. Monitor trends and developments in the state's efforts to develop a state-wide world-class communications infrastructure;
2. issue any reports it deems necessary to the joint standing committee of the General Assembly having cognizance of matters relating to technology.

Mission Statement of the BICC: Monitor and report on trends and developments at both the state and federal levels to help assure that Connecticut remains a leader in deployment and adoption of broadband and related technologies. Translate this into a competitive advantage for the State's businesses and political and legal institutions, as well as benefiting the citizenry as a whole.

The BICC was repealed effective July 1, 2011:

"Section 4d-100, the statutory provision establishing the Connecticut Broadband Internet Coordinating Council, was repealed effective July 1, 2011, by section 140 of of Public Act 11-80, entitled "AN ACT CONCERNING THE ESTABLISHMENT OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION AND PLANNING FOR CONNECTICUT'S ENERGY FUTURE".

The Council is formally seeking reinstatement to active status based on the following:

- A. The BICC fulfilled its mission to serve as a state entity that was well positioned and with a diverse group of experts in the field to advance initiatives that would promote universal broadband access and address obstacles to digital literacy in the state.
- B. With representatives from all of the state's major broadband service providers, representatives from state government, the PURA, the small business community, and academia, the BICC had a very effective membership for discussing topics from relevant viewpoints. It was exceptionally well positioned to drive public-private partnerships which it made a regular focus of its discussions.
- C. The BICC maintained an active website at the address www.ct.gov/cbicc. The site contains the Council's enabling legislation, the list of members, information on upcoming meetings and meeting archives (i.e. agendas, minutes and guest presentations if available). The site also includes the BICC's Statement of Principles and accompanying submittal letter to the governor from April, 2009. In addition, links to the state's broadband providers, relevant state and federal agencies and broadband oriented non-profits and news organizations are included.
- D. The BICC met on a regular quarterly basis and also held teleconferences and additional council and subcommittee meetings as needed. Minutes were posted to the BICC website for all meetings. Meetings included guest speakers from various state and community organizations addressing the digital divide. There were also representatives of similar bodies in other states, the library systems, and leaders of the broadband industry.
- E. Among other duties, the BICC was charged with regularly keeping the General Assembly informed as to the status of broadband issues in the state. The BICC provided the General Assembly with regular

reports and recommendations for consideration in order to accelerate the rollout and usage of broadband in the state. The last report was in April 2010 and a new report to the General Assembly was in preparation when news of the disbanding of the BICC was received in January 2012. There was no report in April 2011, as the state had launched a broadband study conducted by the PURA and the state's Broadband Coordinator of the Office of the Consumer Counsel, and the BICC determined it would withhold recommendations until the outcome of that report was available in January 2012. BICC members participated in a review and commented on this Broadband study including a discussion of the study findings and recommendations at its December 2011 meeting.

- F. All BICC members served on a no compensation voluntary basis. Attendance and participation rates were outstanding with nearly all members in attendance at most meetings. Administrative costs were absorbed by the Connecticut Academy of Science and Engineering (CASE). The costs of the BICC to the state of Connecticut were exceptionally low with no direct billed costs.

SUGGESTED AMENDMENTS TO PROPOSED LEGISLATION:

- A. **Former BICC Suggested Amendments:** The former BICC reviewed the enabling legislation that created the BICC, which language is consistent with the Section 5 of the proposed legislation to reinstate the BICC for the purpose of suggesting amendments to the enabling legislation. The following suggestions are applicable to the proposed bill and are offered for the General Assembly's consideration (*suggested amendments are in bold with underline for additions and strikethrough for deletions with regard to proposed raised bill language*):

- **Member Terms:**
 - Purpose: To eliminate term limits for BICC members and to provide for the start of a member term as of the date of appointment.
 - **Suggested Amendment:** "Members shall serve on the council for terms of two year each, such term commencing on the date of the first meeting of the council subsequent to appointment ~~and no member shall serve for more than two consecutive terms.~~"
- **Duties of the Council, Sec. 5(c):**
 - Purpose: To add an additional duty to the list of Council duties.
 - **Suggested Amendment:** Following (c)(2) add the following duty: "and (3) serve in an advisory capacity upon request to any state agency, board, commission, council, task force or other body on matters pertaining to broadband technology and communications infrastructure."

B. Additional Suggested Amendment

1. Ex-Officio Members:

- a. Purpose: The enabling BICC legislation and the proposed bill names OPM and PURA as ex-officio members of the Council. This amendment suggests adding the Consumer Counsel or the Consumer Counsel's designee as an ex-officio member to broaden state agency and consumer related participation on the Council.
- b. **Suggested Amendment:** "The chairperson of the Public Utilities Regulatory Authority, or the chairperson's designee, ~~and~~ the Secretary of the Office of Policy and Management, or the secretary's designee, and the Consumer Counsel, or the Consumer Counsel's designee, shall be ex-officio members of the council without vote and shall attend its meetings.

SUMMARY:

The membership of the BICC is energized and eager to continue its work to promote broadband as an economic and educational enabler in the State of Connecticut. The Council believes that it was effective in its role and its cost to the state was minimal with no direct charges to support its operation. The Chair and the membership request re-instatement to normal operations so that Connecticut can continue to move toward a leadership role in broadband implantation to benefit its citizens, its educational system, its government operations, and its private enterprise.