

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Petitions Pursuant to Section 706 of the)	WC Docket No. 14-115
Telecommunications Act of 1996)	WC Docket No. 14-116
for Removal of State Barriers to)	
Broadband Investment and Competition)	
)	
)	

COMMENTS OF THE INSTITUTE FOR LOCAL SELF-RELIANCE

I. INTRODUCTION

The Institute for Local Self-Reliance mission is to provide innovative strategies, working models and timely information to support environmentally sound and equitable community development. To this end, ILSR works with citizens, activists, policymakers and entrepreneurs to design systems, policies and enterprises that meet local or regional needs; to maximize human, material, natural and financial resources; and to ensure that the benefits of these systems and resources accrue to all local citizens.

II. STATEMENT OF SUPPORT/SUMMARY

ILSR emphatically supports the petitioners' requests for the FCC to remove barriers that currently prevent it from investing in expansions to their fiber networks that will allow them to serve nearby communities that are lacking fast, affordable, and reliable Internet access.

As noted in the Wilson Petition (WC Docket No. 14-115) and Chattanooga Petition (WC Docket 14-116), municipal networks have brought services to communities that large corporate providers do not find profitable due to low population density or other challenges. Networks like that of Glasgow, Kentucky, the first municipal broadband network operate under different incentives and expectations.¹

There are laws in some 20 states that limit or preempt local communities from the ability to invest in municipal broadband infrastructure or provide advanced telecommunications services. In February, Chairman Wheeler announced the agency will consider preempting such state laws. ILSR supports this policy. Being closest to the people they serve, local communities are best poised to decide for themselves what

¹ See Attachment 1 and "The Birth of Community Broadband," where Billy Ray explains how the municipal model differs from the Wall Street model. Video from ILSR at <http://www.muninetworks.org/content/birth-community-broadband-video>

partnerships or direct investments will best serve to expand access to this essential infrastructure.

III. LOCAL GOVERNMENTS HAVE PASSED RESOLUTIONS URGING THE RESTORATION OF LOCAL AUTHORITY

ILSR has collected official resolutions from a number of municipal governments that support the Commission's public intention to restore local authority. Some of these communities own fiber optic networks serving municipal facilities, local business, and /or local residents. Others are in the process of deploying networks to serve their communities. We have collected some of these resolutions in Attachment 2.

IV. LOCAL ELECTED LEADERSHIP SUPPORTS THE RIGHT OF LOCAL GOVERNMENT TO DECIDE MATTERS OF TELECOMMUNICATIONS

Elected officials from local communities have expressed their support of preemption in order to allow their communities access to advanced telecommunications services via municipal network infrastructure. ILSR has collected letters of support from local leadership in communities from different regions of the U.S. and a letter of support from the League of Minnesota Cities, representing leadership in over 800 communities. We have submitted some of these expressions as Attachment 3.

V. LOCAL BUSINESS COMMUNITIES HAVE EXPRESSED SUPPORT FOR LOCAL AUTHORITY OF TELECOMMUNICATIONS SERVICES

Business establishments need advanced telecommunications services. Increasingly, these services are a critical part of daily operations. The Chamber of Commerce in Boulder Colorado and several local Internet service providers have shared their expressions of support with ILSR. These are attached as Attachment 4.

Boulder's Chamber of Commerce released this statement on the community's efforts to regain local authority that was limited in 2005 by Colorado State Bill 152:

“[P]artnership with the private sector may well represent the fastest, most seamless path to providing service to our residents and students, and to attracting and retaining the companies that drive our innovation economy. And there are partners in the community who could leverage such an opportunity.”²

VI. LOCAL MEDIA OUTLETS RECOGNIZE THE NEED FOR BETTER CONNECTIVITY AND HAVE REPEATEDLY PUBLISHED EDITORIALS IN FAVOR OF COMMUNITY BROADBAND PROJECTS

² <http://boulderchamber.com/business-advocacy/innovation/>, see also Attachment 4

Having recognized the importance of affordable, reliable, redundant connections to government, business, and residential facets of society, local news outlets have strongly discouraged measures that limit local authority over how to best deal with expanding high speed Internet access. Attachment 5 collects some of these editorials.

VII. CONCLUSION

ILSR stands with local businesses, residents, media outlets, and many others in encouraging the FCC to grant this petition, restoring the capacity of local governments to invest in next generation Internet access or partner to the same effect, if they so choose. We have worked with communities across the nation and recognize that this is not a partisan issue at the local level. It is about jobs, education, and quality of life. Restoring the right of communities to invest in fiber networks will result in faster deployment of fast, affordable, and reliable Internet networks.

Respectfully submitted,
Institute for Local Self-Reliance

ATTACHMENT 1

Video:
“The Birth of Community Broadband”

Available to view at:
<http://www.muninetworks.org/content/birth-community-broadband-video>

The Birth of Community Broadband - Video

Fri, August 15, 2014 | Posted by christopher

ILSR is excited to announce a new short video examining an impressive municipal broadband network, Glasgow Kentucky. Glasgow was the first municipal broadband network and indeed, seems to have been the first citywide broadband system in the United States.

We partnered with the [Media Working Group](#) to produce this short documentary and we have the material to do much more, thanks to the hard work of Fred Johnson at MWG and the cooperation of many in Glasgow, particularly Billy Ray.

People who only recently became aware of the idea of community owned networks may not be familiar with Billy Ray, but it was he and Jim Baller throughout the 90's and early 2000's that paved the way for all the investment and excitement we see today.

I'm excited to be helping to tell part of this story and look forward to being able to tell more of it.

Video:



[10gbps](#) [cable](#) [glasgow](#) [history](#) [hospital](#) [kentucky](#) [muni](#) [predatory pricing](#) [price war](#) [public benefits](#) [public v private](#) [video](#) [wall street](#)

1806 reads

ATTACHMENT 2

Local Resolutions in Support Of Local Telecommunications Authority

CITY OF AMMON
BONNEVILLE COUNTY, IDAHO

RESOLUTION NO. 2014-005

**A RESOLUTION SUPPORTING ACTION TO EXPAND INTERNET ACCESS THROUGH
MUNICIPAL BROADBAND NETWORKS**

WHEREAS, the universal availability of affordable high speed Internet access for all citizens has been identified as a national priority; and

WHEREAS, community/municipal broadband networks provide an option for market competition, consumer choice, economic development, and universal, affordable Internet access; and

WHEREAS, historically, local governments have ensured access to essential services by banding together to provide those services that were not offered by the private sector at a reasonable and competitive cost. This involvement has included electrification, water supply, public libraries, and other important services; and

WHEREAS, the City Council of the City of Ammon recognize that their economic health and survival depend on connecting the community, and they understand that it takes both private and public investment to achieve this goal; and

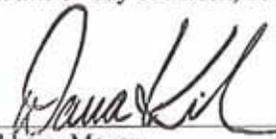
WHEREAS, state constitutions and state statutes exist that may limit or prohibit local government deployment of municipal Internet services, which has the potential of prohibiting or limiting the ability of local government to provide important information and services to their citizens in a timely, efficient, and cost effective manner; and

WHEREAS, local governments, being closest to the people are the most accountable level of government and will be held responsible for any decisions they make; and

WHEREAS, the DC Circuit Court has determined that Section 706 of the Federal Telecommunications Act of 1996 unambiguously grants authority to the Federal Communications Commission (FCC) to remove barriers that deter network infrastructure investment;

NOW, THEREFORE, BE IT RESOLVED that the City of Ammon supports FCC efforts to ensure local governments are able to invest in essential Internet infrastructure, if they so choose, without state---imposed barriers to discourage such an approach.

IN WITNESS WHEREOF, I have hereunto set my hand and to this instrument on this 6th day of March, 2014, at the City of Ammon, Idaho.



Dana Kirkham, Mayor

ATTEST:



Rachael Brown, City Clerk



RESOLUTION NO. 2014-07

Preserving Local Control and Restoring Community Determination for Broadband Deployment

WHEREAS, local governments, being closest to the people are the most accountable level of government and will be held responsible for any decisions they make; and

WHEREAS, community/municipal broadband networks provide opportunities to improve and encourage innovation, education, health care, economic development, and affordable Internet access; and

WHEREAS, historically, the City of Chanute, has ensured access to essential services by providing those services that were not offered by the private sector at a reasonable and competitive cost. Chanute's infrastructure investments have included electricity production and distribution, gas distribution, water treatment and distribution, wastewater collection and treatment, sanitation and landfill, streets, parks, and other vital community services; and

WHEREAS, local government leaders recognize that their economic health and survival depend on connecting their communities, and they understand that it takes both private and public investment to achieve this goal; and

WHEREAS, the universal availability of affordable, high speed internet access for all citizens has been identified as a national priority; and

WHEREAS, attempts have been made at the state level to limit or stop further local government deployment of municipal Internet services through legislation, which has the potential of reducing the ability of local government to provide important services to their citizens in a timely, efficient, and cost effective manner; and

WHEREAS, the DC Circuit Court has determined that Section 706 of the Federal Telecommunications Act of 1996 unambiguously grants authority to the Federal Communications Commission (FCC) to remove barriers that deter network infrastructure investment;

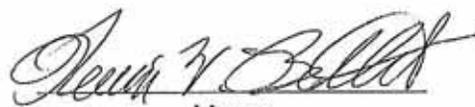
NOW, THEREFORE, BE IT RESOLVED that the City Commission of the City of Chanute, Kansas, supports FCC efforts to ensure local governments are able to invest in essential telecommunications infrastructure, if they so choose, without state-imposed barriers to discourage such an approach.

ADOPTED by the Governing Body on February 24, 2014.



Attest

City Clerk


Mayor

RESOLUTION NO. 2014-03-017R

**A RESOLUTION TO SUPPORT FCC EFFORTS IN PROTECTING LOCAL AUTHORITY
TO BUILD BROADBAND INFRASTRUCTURE**

WHEREAS, the universal availability of affordable high speed Internet access for all citizens has been identified as a national priority; and

WHEREAS, community/municipal broadband networks provide an option for market competition, consumer choice, economic development, and universal, affordable Internet access; and

WHEREAS, historically, local governments have ensured access to essential services by banding together to provide those services that were not offered by the private sector at a reasonable and competitive cost. This involvement has included electrification, public libraries, and other important services; and

WHEREAS, residents of Urbana have a history of advocacy for expansion of Internet access worldwide and the City has invested in local projects to achieve broader access that would not have been realized using private investment alone; and

WHEREAS, local government leaders recognize that the ability to thrive economically and to improve quality of life depends on connecting their communities, and they understand that it takes both private and public investment to achieve this goal; and

WHEREAS, attempts have been made in other states to limit or stop further local government deployment of municipal Internet services through legislation, which has the potential of reducing the ability of local government to provide important information and services to their citizens in a timely, efficient, and cost effective manner; and

WHEREAS, the DC Circuit Court has determined that Section 706 of the Federal Telecommunications Act of 1996 unambiguously grants authority to the Federal Communications Commission (FCC) to remove barriers that deter network infrastructure investment;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, supports FCC efforts to ensure local governments are able to invest in essential Internet infrastructure, if they so choose, without state-imposed barriers to discourage such an approach.

PASSED by the City Council this ____ day of _____, 2014.

AYES:

NAYS:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this ____ day of _____, 2014.

Laurel Lunt Prussing, Mayor

RESOLUTION 2014-17

A Resolution Supporting Telecommunications Infrastructure For Local Governments

WHEREAS, local governments, being closest to the people, are the most accountable level of government and are held responsible for any decisions they make; and

WHEREAS, community/municipal broadband networks provide opportunities to improve and encourage innovation, education, health care, economic development, and affordable Internet access; and

WHEREAS, historically, the City of Sallisaw, has ensured access to essential services by providing those services that were not offered by the private sector at a reasonable and competitive cost; and

WHEREAS, in 2004 the City of Sallisaw took steps to construct its own Fiber to the Premise telecommunications system and now provides the community with quality state-of-the-art broadband services including video, High Speed Internet and telephone services, that otherwise would not be available today; and

WHEREAS, local government leaders recognize that their economic health and survival depend on connecting their communities, and they understand that it takes both private and public investment to achieve this goal; and

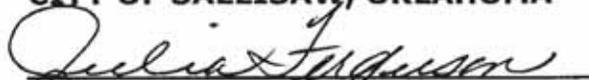
WHEREAS, the universal availability of affordable, high speed internet access for all citizens has been identified as a national priority; and

WHEREAS, the DC Circuit Court has determined that Section 706 of the Federal Telecommunications Act of 1996 unambiguously grants authority to the Federal Communications Commission (FCC) to remove barriers that deter network infrastructure investment.

NOW, THEREFORE, BE IT RESOLVED that the Board of City Commissioners of the City of Sallisaw, Oklahoma, supports FCC efforts to ensure local governments are able to invest in essential telecommunications infrastructure, if they so choose, without state-imposed barriers to discourage such an approach.

ADOPTED by the Governing Body this 14th day of July, 2014.

CITY OF SALLISAW, OKLAHOMA


Julia Ferguson, Mayor

ATTEST:


Dianna Davis, City Clerk

(SEAL)



**RESOLUTION OF THE COUNCIL
OF THE CITY OF MOULTRIE, GEORGIA**

WHEREAS, the universal availability of affordable high speed internet access for all citizens has been identified as a national priority; and

WHEREAS, community/municipal broadband networks provide an option for market competition, consumer choice, economic development, and universal, affordable internet access; and

WHEREAS, historically, local governments have ensured access to essential services by banding together to provide those services that were not offered by the private sector at a reasonable and competitive cost. This involvement has included electrification, public libraries, and other important services; and

WHEREAS, local government leaders recognize that their economic health and survival depend on connecting their communities, and they understand that it takes both private and public investment to achieve this goal; and

WHEREAS, attempts have been made at the state level to limit or stop further local government deployment of municipal internet services through legislation, which has the potential of reducing the ability of local government to provide important information and services to their citizens in a timely, efficient, and cost effective manner; and

WHEREAS, local governments, being closest to the people are the most accountable level of government and will be held responsible for any decisions they make; and

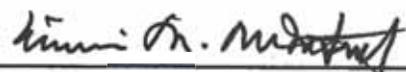
WHEREAS, the DC Circuit Court has determined that Section 706 of the Federal Telecommunications Act of 1996 unambiguously grants authority to the Federal Communications Commission (FCC) to remove barriers that deter network infrastructure investment.

NOW, THEREFORE, BE IT RESOLVED that the City of Moultrie supports FCC efforts to ensure local governments are able to invest in essential Internet infrastructure, if they so choose, without state-imposed barriers to discourage such an approach.

So Done this 4th Day of March, 2014



City Clerk



Mayor

RESOLUTION

WHEREAS, the universal availability of affordable high speed Internet access for all citizens has been identified as a national priority; and

WHEREAS, community/municipal broadband networks provide an option for market competition, consumer choice, economic development, and universal,affordable Internet access; and

WHEREAS, historically, local governments have ensured access to essential services by banding together to provide those services that were not offered by the private sector at a reasonable and competitive cost. This involvement has included electrification, public libraries, and other important services; and

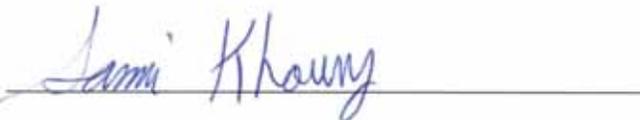
WHEREAS, local government leaders recognize that their economic health and survival depend on connecting their communities, and they understand that it takes both private and public investment to achieve this goal; and

WHEREAS, attempts have been made at the state level to limit or stop further local government deployment of municipal Internet services through legislation, which has the potential of reducing the ability of local government to provide important information and services to their citizens in a timely, efficient, and cost effective manner; and

WHEREAS, local governments, being closest to the people are the most accountable level of government and will be held responsible for any decisions they make; and

WHEREAS, the DC Circuit Court has determined that Section 706 of the Federal Telecommunications Act of 1996 unambiguously grants authority to the Federal Communications Commission (FCC) to remove barriers that deter network infrastructure investment;

NOW, THEREFORE, BE IT RESOLVED that Village of Sebewaing and Sebewaing Light and Water supports FCC efforts to ensure local governments are able to invest in essential Internet infrastructure, if they so choose, without state-imposed barriers to discourage such an approach.



President, Village of Sebewaing
Sebewaing, MI

RESOLUTION

**A RESOLUTION IN SUPPORT OF
FCC EFFORTS TO ENSURE LOCAL GOVERNMENTS
ARE ABLE TO INVEST IN ESSENTIAL INTERNET INFRASTRUCTURE,
IF THEY SO CHOOSE, WITHOUT STATE-IMPOSED BARRIERS
TO DISCOURAGE SUCH AN APPROACH**

WHEREAS, the universal availability of affordable high speed Internet access for all citizens has been identified as a national priority; and

WHEREAS, community/municipal broadband networks provide an option for market competition, consumer choice, economic development, and universal, affordable Internet access; and

WHEREAS, historically, local governments have ensured access to essential services by banding together to provide those services that were not offered by the private sector at a reasonable and competitive cost. This involvement has included electrification, public libraries, and other important services; and

WHEREAS, local government leaders recognize that their economic health and survival depend on connecting their communities, and they understand that it takes both private and public investment to achieve this goal; and

WHEREAS, attempts have been made at the state level to limit or stop further local government deployment of municipal Internet services through legislation, which has the potential of reducing the ability of local government to provide important information and services to their citizens in a timely, efficient, and cost effective manner; and

WHEREAS, local governments, being closest to the people are the most accountable level of government and will be held responsible for any decisions they make; and

WHEREAS, the DC Circuit Court has determined that Section 706 of the Federal Telecommunications Act of 1996 unambiguously grants authority to the Federal Communications Commission (FCC) to remove barriers that deter network infrastructure investment;

NOW, THEREFORE, BE IT RESOLVED that the Town of Vidalia, State of Louisiana, supports FCC efforts to ensure local governments are able to invest in essential Internet infrastructure, if they so choose, without state-imposed barriers to discourage such an approach.

THE ABOVE RESOLUTION WAS ADOPTED AT THE MARCH 11, 2014 MEETING AND THE VOTE WAS RECORDED AS FOLLOWS:

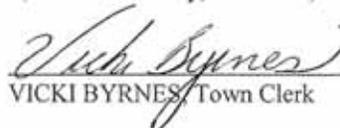
YEAS: 4 (Aldermen Betts, Knapp, McCoy, and Stevens)
NAYS:
ABSTAINING:
ABSENT: 1 (Alderwoman Saunders)



HYRAM COPELAND, Mayor,
Vidalia, Louisiana

CERTIFICATE

I, Vicki Byrnes, Town Clerk for the Town of Vidalia, Louisiana, do certify the above Resolution to be a true and exact extract from the minutes of the regular meeting of the Mayor and Board of Aldermen of the Town of Vidalia, Louisiana, held on Tuesday, March 11, 2014.



VICKI BYRNES, Town Clerk

RESOLUTION of The Mayor and Common Council of Westminster

SUBJECT: STATEMENT IN SUPPORT OF THE FCC RESTORING AND PRESERVING
LOCAL AUTHORITY TO BUILD NETWORKS

WHEREAS, the universal availability of affordable high speed Internet access for all citizens has been identified as a national priority; and

WHEREAS, community/municipal broadband networks provide an option for market competition, consumer choice, economic development, and universal, affordable Internet access; and

WHEREAS, historically, local government leaders recognize that their economic health and survival depend on connecting their communities, and they understand that it takes both private and public investment to achieve this goal; and

WHEREAS, attempts have been made at the state level to limit or stop further local government deployment of municipal Internet services through legislation, which has the potential of reducing the availability of local government to provide important information and services to their citizens in a timely, efficient, and cost effective manner; and

WHEREAS, local governments, being closest to the people are the most accountable level of government and will be held responsible for any decisions they make; and

WHEREAS, the DC Circuit Court has determined that Section 706 of the Federal Telecommunications Act of 1996 unambiguously grants authority to the Federal Communications Commission (FCC) to remove barriers that deter network infrastructure investment;

NOW, THEREFORE, BE IT RESOLVED that the City of Westminster supports FCC efforts to ensure local governments are able to invest in essential Internet infrastructure, if they so choose, without state-imposed barriers to discourage such an approach.

BE IT FURTHER RESOLVED that this Resolution shall become effective upon the date of its adoption and approval.

INTRODUCED this ____ day of _____, 2014.

Margaret L. Wolf, City Administrator

ADOPTED this ____ day of _____, 2014.

Margaret L. Wolf, City Administrator

APPROVED this ____ day of _____, 2014.

Kevin R. Utz, Mayor

APPROVED AS TO FORM AND SUFFICIENCY
this ____ day of _____, 2014.

Elissa D. Levan, City Attorney

ATTACHMENT 3

Letters From Local Elected Officials
In Support of
Local Telecommunications Authority

CITY OF



March 24, 2014

Federal Communication Commission
445 12th Street SW
Washington, D.C. 20554

Subject: Statement of Support for the FCC

Dear Federal Communications Commission:

As you are aware, there has been a recent effort at the state level to legislate restrictions upon municipal broadband networks or even partnerships between local governments and independent providers. If local control is not upheld it will harm both the public and private sectors, stifle economic growth, potentially strangle the creation and/or retention of hundreds of jobs, hamper work force development, and diminish the quality of life in local communities. Many Kansas communities will continue to be underserved because there will be no incentive for the major telecommunication communities to increase their investment in broadband infrastructure in what they perceive as a marginal markets.

Currently, The City of Ottawa is providing broadband to business customers who could not receive adequate broadband service or were paying oppressive costs to do so. For example the City was able to provide more than double the bandwidth at less than half the cost to the local school district, saving USD 290 and the taxpayers several thousand dollars a month while at the same time providing greater service and speed. In addition, the City's electric utility uses the network for improved communications between the substations and the power plant. Several businesses in Ottawa connect via the network, including a farmer's cooperative that uses the network for timely information on crop production, grain prices and weather. Without a fast and reliable communications network the farmers would be at a critical disadvantage.

The City of Ottawa strongly supports the FCC restoring and preserving local authority to build networks or partner with other broadband providers. By its very design, Home Rule authority keeps decision making at home, close to the customer where they can best be served. In addition, the revenue generated locally is retained and invested back locally instead of going out of state to the big providers.

City Hall • 101 S. Hickory • P.O. Box 60 • Ottawa, Kansas 66067-0060
(785) 229-3637 • Fax (785) 229-3639 • www.ottawaks.gov

The City of Ottawa respectfully requests that the FCC restore and preserve the ability of local governments to invest in and in some cases partner with other broadband network providers.

Sincerely,



Sara Caylor

Mayor, City of Ottawa, KS

cc: Honorable Senator Pat Roberts
Honorable Senator Jerry Moran
Honorable Representative Lynn Jenkins
Honorable Representative Tim Huelskamp
Honorable Representative Kevin Yoder
Honorable Representative Mike Pompeo



March 17, 2014

Chairman Tom Wheeler
U.S. Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Wheeler:

Economic development flourishes where there is fast, affordable, and reliable access to the open Internet. Some communities have found the best way of ensuring this access is by taking an active role, whether by working with a trusted partner, deploying conduit and dark fiber, or even offering services directly. A recent GAO report titled, *Telecommunications: Federal Broadband Deployment Programs and Small Business*, notes that Internet service from municipal networks results in more reliable, faster, and less expensive access for small businesses.

On February 19, 2014, you announced that the FCC will exercise its authority under Section 706 of the Telecommunications Act of 1996 to "enhance Internet access competition." We encourage the FCC to use this authority to remove state legislative barriers limiting local authority to deploy Internet infrastructure. Any decision on these matters should be made at the local level.

Access to fast, reliable, and affordable broadband is essential for any community thrive. We encourage the FCC to exercise its full power, including that of the bully pulpit, to remove any restrictions on local authority for a community to decide whether such an investment is a wise decision.

Respectfully,

A handwritten signature in green ink, appearing to read "Jill Boudreau".

Jill Boudreau
Mayor



CLARKSVILLE DEPARTMENT OF ELECTRICITY

P.O. BOX 31509 • Clarksville, TN 37040-0026 • (931) 646-8151

March 17, 2014

Mr. Tom Wheeler, Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Wheeler:

Economic development flourishes where there is fast, affordable, and reliable access to the open Internet. Some communities have found the best way of ensuring this access is by taking an active role, whether by working with a trusted partner, deploying conduit and dark fiber, or even offering services directly. A recent GAO report titled, *Telecommunications: Federal Broadband Deployment Programs and Small Business*, notes that Internet service from municipal networks results in more reliable, faster, and less expensive access for small businesses.

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Sincerely,

A handwritten signature in black ink that reads "Brian D. Taylor".

Brian D. Taylor
General Manager
CDE Lightband
Clarksville, TN

Continuous Dedication to Excellence



115 East Choctaw P.O. Box 525 Sallisaw, OK 74955
Ph. 918-775-6241 Fax 918-775-4194 www.sallisawok.org

July 14, 2014

Dear Chairman Wheeler:

Economic development flourishes where there is fast, affordable, and reliable access to the open Internet. Some communities have found the best way of ensuring this access is by taking an active role, whether by working with a trusted partner, deploying conduit and dark fiber, or even offering services directly. The community of Sallisaw, Oklahoma realizes that access to fast, reliable, and affordable broadband is essential for any community thrive. For these reasons, and others, Sallisaw constructed its own Fiber to the Premise system in 2004 and now provides quality video, High-Speed Internet and telephone services to our community.

On February 19, 2014, you announced that the FCC will exercise its authority under Section 706 of the Telecommunications Act of 1996 to "enhance Internet access competition." We encourage the FCC to use this authority to remove state legislative barriers limiting local authority to deploy Internet infrastructure. We believe any decision on these matters should be made at the local level.

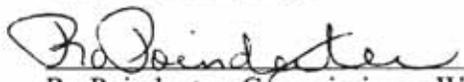
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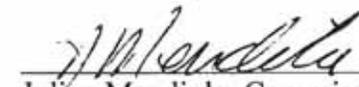
Sincerely,

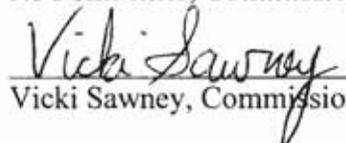
Board of City Commissioners
City of Sallisaw, OK


Julia Ferguson, Mayor


Ronnie Lowe, Commissioner Ward 1


Ro Poindexter, Commissioner Ward 2


Julian Mendiola, Commissioner Ward 3


Vicki Sawney, Commissioner, Ward 4

Missoula City Council
City Hall
435 Ryman St.
Missoula, MT 59802

Chairman Tom Wheeler
445 12th St SW
Washington, D.C. 20554

July 29, 2014

Dear Chairman Wheeler:

Economic development flourishes where there is fast, affordable, and reliable access to the open Internet. Some communities have found the best way of ensuring this access is by taking an active role, whether by working with a trusted partner, deploying conduit and dark fiber, or even offering broadband services directly. A recent GAO report titled, *Telecommunications: Federal Broadband Deployment Programs and Small Business*, notes that Internet service from municipal networks results in more reliable, faster, and less expensive access for small businesses.

On February 19, 2014, you announced that the FCC will exercise its authority under Section 706 of the Telecommunications Act of 1996 to “enhance Internet access competition.” We encourage the FCC to use this authority to remove state legislative barriers limiting local authority to deploy Internet infrastructure. Any decision on these matters should be made at the local level.

Access to fast, reliable, and affordable broadband is essential for any community to thrive. In the spirit that local communities should be determine their own broadband future, we encourage the FCC to exercise its full power to remove any restrictions on local authority for communities to invest in community networks.

Sincerely,

Members of the Missoula City Council



Homer Nicholson, Mayor

516 E. Grand
P.O. Box 1450
Ponca City, Oklahoma 74602-1450
580-763-8095 Fax 580-767-0344

9 June 2014

Tom Wheeler, Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Wheeler:

Economic development flourishes where there is fast, affordable, and reliable access to the open Internet. Some communities have found the best way of ensuring this access is by taking an active role, whether by working with a trusted partner, deploying conduit and dark fiber, or even offering services directly. A recent GAO report titled, *Telecommunications: Federal Broadband Deployment Programs and Small Business*, notes that Internet service from municipal networks results in more reliable, faster, and less expensive access for small businesses.

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Access to fast, reliable, and affordable broadband is essential for any community to thrive. We encourage the FCC to exercise its full power, including that of the bully pulpit, to remove any restrictions on local authority for a community to decide whether such an investment is a wise decision.

Sincerely,

A handwritten signature in black ink that reads "Homer Nicholson". The signature is written in a cursive style.

Homer Nicholson
Mayor
Ponca City, Oklahoma

Copy: Craig Stephenson, City Manager
Craig Baird, Technology Services Director



CONNECTING & INNOVATING
SINCE 1913

March 28, 2014

Chairman Tom Wheeler
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Wheeler:

Telecommunications and information technology have become integral to delivering efficient, equitable, and affordable services that local governments provide to residents. Economic development flourishes where there is fast, affordable, and reliable access to broadband. Some communities have found the best way of ensuring this access is by taking an active role, whether by working in a partnership with a private entity, deploying conduit and dark fiber, or offering services directly. A recent GAO report, *Telecommunications: Federal Broadband Deployment Programs and Small Business*, notes that Internet service from municipal networks results in more reliable, faster, and less expensive access for small businesses.

As you know, on February 19, 2014, it was announced that the FCC will exercise its authority under Section 706 of the Telecommunications Act of 1996 to “enhance Internet access competition.” We encourage the Commission to use this authority to remove state legislative barriers limiting local authority to deploy Internet infrastructure. Any decision on these matters should be made at the local level.

Access to fast, reliable, and affordable broadband is essential for economic development, health care, and education for a city. The League of Minnesota Cities, an association of 832 cities in the state, and the over 90 Mayors listed below, encourage the FCC to exercise its full power to remove any restrictions on local authority for a community to decide whether to engage in such an investment.

Signed,

Jim F. Miller
Executive Director
League of Minnesota Cities

Signed:

Nancy A. Adams, Mayor, Pequot Lakes, MN
Bruce Ahlgren, Mayor, Cloquet, MN
Nick Amb, Mayor, Karlstad, MN
Joann Anderson, Mayor, Minnetonka Beach, MN
Robert W. Anderson, Mayor, International Falls, MN
Greg Ardner, Mayor, Mora, MN
Michael Aulie, Mayor, Deerwood, MN
Tim Auringer, Mayor, Eagle Lake, MN
Kip Averill, Mayor, Gilman, MN
Denny Baker, Mayor, Spicer, MN
Lawrence Baker, Mayor, Hill City, MN
Brenda Bartz, Mayor, Browns Valley, MN
Patrick Baustian, Mayor, Luverne, MN
Steve Berkner, Mayor, Ortonville, MN
Robert Beussman, Mayor, New Ulm, MN
Eugene Bies, Mayor, Canby, MN
Bill Blesener, Mayor, Little Canada, MN
Randy Bolen, Mayor, Two Harbors, MN
Bob Byrnes, Mayor, Marshall, MN
Patricia Carlson, Mayor, Braham, MN
Samuel Clark, Mayor, Cromwell, MN
Kevin Crowley, Mayor, Pennock, MN
Dr. Mark D. Dehen, Mayor, North Mankato, MN
Melissa Drange, Mayor, Grove City, MN
Jo Emerson, Mayor, White Bear Lake, MN
Debra Lee Fader, Mayor, Montevideo, MN
Jerome O. Faust, Mayor, St. Anthony Village, MN
Joe Flaherty, Mayor, Mounds View, MN
Fred Froehlich, Mayor, Nicollet, MN
Tony Gabriel, Mayor, Elko New Market, MN
Sheldon Giese, Mayor, Morris, MN
Debbie Goettel, Mayor, Richfield, MN
Jason Goodwin, Mayor, Barnum, MN
Bill Gossman, Mayor, New London, MN
Dana Graham, Mayor, Northfield, MN
Richard Groothuis, Mayor, Maynard, MN
John Grutsch, Mayor, Avon, MN
Jim Guthmiller, Mayor, Lyle, MN
Chris Hallum, Mayor, Rushford, MN
Don Hawk, Mayor, Warba, MN
Dave Jacobsen, Mayor, New Brighton, MN
Marvin D. Johnson, Mayor, Independence, MN
Jean Keogh, Mayor, Montgomery, MN
Tammy Konz, Mayor, Kimball, MN
Michael Kuehn, Mayor, City of North St. Paul, MN
Tom Kuntz, Mayor, Owatonna, MN
Andrea Lauer, Mayor, Royalton, MN
Peter Lindstrom, Mayor, Falcon Heights, MN
Hank Ludtke, Mayor, Frazee, MN
Mary McComber, Mayor, Oak Park Heights, MN
Jeffrey E. McCool, Mayor, West Concord, MN
Timothy Meehl, Mayor, Perham, MN
Todd A. Miller, Mayor, Bethel, MN
Robert Mickus, Mayor, Onamia, MN
Doug Munsch, Mayor, New Auburn, MN
Regan Murphy, Mayor, Robbinsdale, MN
Deb Myrfield, Mayor, Warren, MN
Brad Nauman, Mayor, Buffalo, MN
Joyce Nyhus, Mayor, Buffalo Lake, MN
Greg Ommen, Mayor, Fulda, MN
Greg Osterdyk, Mayor, Carver, MN
Molly Park, Mayor, Sunfish Lake, MN
Christopher Parker, Mayor, Stockton, MN
Joe Perske, Mayor, Sartell, MN
Gary Peterson, Mayor, Columbia Heights, MN
Sandy Peterson, Mayor, Swanville, MN
Tony Peterson, Mayor, Tracy, MN
Dennis Phelps, Mayor, Westbrook, MN
Vern Rasmussen, Jr., Mayor, Albert Lea, MN
Kyle P. Riel, Mayor, Kettle River, MN
John M. Schumann, Mayor, Darfur, MN
Dale Schwanke, Mayor, Rushford Village, MN
Ted Shaw, Mayor, Moose Lake, MN
Dave Smiglewski, Mayor, Granite Falls, MN
Roy Srp, Mayor, Waseca, MN
Susan St. Ores, Mayor, Bayport, MN
Steve Stotko, Mayor, Winsted, MN
Brian Thompson, Mayor, Kerkhoven, MN
Mike Troumbly, Mayor, Taconite, MN
John Tuorila, Mayor, Calumet, MN
Ray Urban, Mayor, Biscay, MN
JoAnn Weaver, Mayor, Breezy Point, MN
Jim Weikum, Mayor, Biwabik, MN
Paul Whitcomb, Mayor, Princeton, MN
Mark Windschitl, Mayor, Chaska, MN
Aaron Lee Wittnebel, Mayor, Lake Park, MN
Ben Woessner, Mayor, Pelican Rapids, MN
Wayne Wolden, Mayor, Wadena, MN
Marlene A. Young, Mayor, Annandale, MN
John Zanmiller, Mayor, West St Paul, MN
Peter Zimmerman, Mayor, Howard Lake, MN

ATTACHMENT 4

Letters From Local Business
In Support of
Local Telecommunications Authority

June 24, 2014

Dear FCC Chair Tom Wheeler,

My company, XMission, was the first Internet Service Provider in Utah. Over the past 20 years, we have built a great reputation for the services we deliver.

One of our strategies in delivering services has been to operate on networks owned by other entities, including both incumbent telephone companies and publicly owned fiber optic networks. We are a strong proponent of open access fiber networks to encourage a truly competitive market for telecommunications services.

State laws that restrict local authority to build these kinds of networks harm our ability to invest and deliver next-generation services to residents and businesses that want it. We encourage you to restore local authority so communities are not barred from investing in fiber infrastructure and related assets.



Pete Ashdown,
XMission.com

To FCC Chair Tom Wheeler:

Forethought.net is a private company investing in next generation, fiber networks in Colorado. We recognize the demand for faster, more reliable Internet access in many markets and are committed to meeting that need.

One of our strategies for investment is to partner with local governments. We fully support the ability of communities to decide locally how they can best invest in Internet infrastructure and how they can partner with other entities to either create or use those assets to improve telecommunications access.

State laws, like SB 152 in Colorado, limit our ability to invest in the networks necessary keep our communities competitive in the modern age. These restrictions are counterproductive to meeting community needs and encouraging investment. They introduce uncertainty in our ability to partner or lease assets from communities and give more opportunity to incumbent providers to disrupt new investment.

Since 1995, [FORETHOUGHT.net](http://forethought.net) is one of Colorado's largest independent locally owned internet, cloud and communications service provider with offices in Denver, Grand Junction and Durango. We offer enterprise-level cloud hosting, colocation, Internet, voice and data solutions. We serve schools, cities, small and mid-size businesses around the state. We would be delighted to talk with you more about our efforts to bridge the digital divide that slow Internet causes so that our community at large can compete globally. We are extremely passionate about our continued growth and ability to serve Colorado communities.

Sincerely,

Jawaid Bazyar
President, FORETHOUGHT.net
303-815-1814
Jawaid.Bazyar@forethought.net

INDIANOLA MUNICIPAL UTILITIES



111 SOUTH BUXTON STREET • P.O. BOX 356 • INDIANOLA, IA 50125

515.961.9444 • WWW.I-M-U.COM • 515.961.9439 FAX

June 25, 2014

FCC Commissioners:

I am writing in support of the FCC's pending actions to eliminate state barriers to forming & operating municipal telecom utilities. Indianola Municipal Utilities has been able to forge an effective partnership with MCG, a private Internet Service Provider, in spite of Iowa's state laws regulating municipal telecom utilities.

Indianola was required to approve the formation of its utility by public vote, however Iowa's current laws allow local policymakers to structure the operations of that utility as they see fit. Few states are that flexible. The result of our public/private partnership has led to more investment in Indianola's broadband infrastructure, more competitive pricing for customers, and new ways for Indianola's businesses to reach local customers. Troubling aspects of Iowa's laws are:

1. They are subject to change depending on political will, not based the needs of citizens. Service providers, through their well-paid lobbyists, have been able to threaten even tighter restrictions when municipalities seek removals of barriers to entry or operating restrictions.
2. Well-funded private carriers are able to subsidize their pricing in competitive markets in order to run new competitors out of business. Newly-founded municipal telecom utilities are restricted in matching these subsidized short-term discounts. The effect is an incentive for what appears to be predatory pricing.
3. State limitations impede otherwise-protected local government authorities. The public's best interests can easily be usurped, by incumbent carriers' funding of grass-roots efforts that only support their own interests, as a community debates how to support broadband growth.

IMU & MCG have demonstrated that private carriers can benefit from partnering with progressive municipal utilities, when they are both allowed to do so. In our case, IMU owns the fiber and MCG delivers its service on IMU's infrastructure. This is a model that works well for Indianola, Iowa but is preempted in other states. Thank you for your attention to this matter.

Sincerely,

Todd R. Kielkopf
IMU General Manager



MEMBERSHIP

INNOVATION BLUEPRINT

ECONOMIC VITALITY

ADVOCACY

EVENTS

NEWSROOM

JOBS



Membership

JOIN LOGIN MEMBERS

Stay Informed: Get Email Updates

enter your email



EVENTS

Aug 18 - Boulder Star Card

Sep 9 - Social Media Made Simple

Sep 10 - BWLG - Business & Non-profit Partnerships

Sep 12 - Day of Caring

Sep 13 - Bolder Young Professionals Buffs Tailgate

Sep 15 - Networking and Prelude to the Latino Business Expo

Sep 17 - Bolder Young

Innovation

NATIONAL BUSINESS COALITION OF CHAMBERS OF COMMERCE URGES CONGRESS TO INCREASE FUNDING FOR FEDERAL RESEARCH ACCOUNTS

The Boulder Chamber recently joined "Business for Federal Research Funding", a coalition of 48 Chambers of Commerce from across the country, in urging the U.S. Senate to increase federal budget accounts responsible for dispersing research funding, a move the group says will drive innovation and spur economic growth. In written testimony submitted to the U.S. Senate Committee on Appropriations for a hearing on "Driving Innovation Through Federal Investments," the coalition stated:

In order to provide for the development and advancement of a strong innovation economy, and to remain global leaders in research, we encourage the Committee to increase federal accounts responsible for dispersing research funds at a steady rate above inflation each year beginning with the fiscal year (FY) 2015 appropriations process. [More >](#)

City of Boulder 2014 Ballot Measure 2C – Affirming the City's Right to Provide Telecommunication Services

Colorado State Bill 152 precludes cities from offering broadband services without an exemption provided by a vote of the people. Boulder currently has over 100 miles of fiber-optic cable providing high-speed Internet capabilities to city offices, the University of Colorado and the federal labs. If 2C passes, the City would be granted the authority to expand that net-



TWITTER FEED

Follow @BoulderChamber

Tweets by @BoulderAdvocacy

Professionals Brain Food Lunch

Oct 23 - Esprit Entrepreneur

Oct 30 - Email Marketing for Success

Dec 20 - Volunteer with Share-A-Gift

work to residents or businesses.

The Boulder Chamber has taken a leadership role on 2C, stating: “[P]artnership with the private sector may well represent the fastest, most seamless path to providing service to our residents and students, and to attracting and retaining the companies that drive our innovation economy. And there are partners in the community who could leverage such an opportunity.”

ADVANCING BOULDER’S INNOVATION ECONOMY BY JOHN TAYER

Thanks to many decades of planning and effort to make Boulder a great place to live and work, Boulder achieved national recognition in 2013 as the acknowledged leader in business innovation and entrepreneurship. We can afford to be proud of what we have accomplished together. We cannot afford to be complacent. As the New Year prompts us to set new goals for achievement, I recently invited City Council to collaborate with the Boulder Chamber on a set of community goals to foster creativity and innovation in 2014.

[Read full article >](#)

INNOVATION “FOURTEENERS”

- o Boulder “Innovation HQ” – a world-class multi-tenant, nonprofit business support center
- o Strengthen Boulder’s brand as an innovation leader
- o Attract capital to help businesses start and grow
- o Expand mentoring and education programs

GUIDING PRINCIPLES

We support the “Innovation Blueprint 3.0” initiative, as a comprehensive plan to advance Boulder’s leadership as a hub for creative entrepreneurship. The strength of our economy has always been grounded in creativity, innovation, collaboration and entrepreneurship. We support efforts to strengthen Boulder’s innovation ecosystem and ensure our long term, broad-based success.

Tweets
Follow

27 Aug

BoulderAdvocacy
@BoulderAdvocacy

RT @chambersinnov8:
Charging into the transportation future: Orlando Regional Chamber of Commerce, is an early...
<fb.me/1sl1KSx0u>

26 Aug

Erica Meltzer
@meltzere

Message to #Boulder council: Fight homelessness with more housing <bit.ly/1pfCY7b>

Retweeted by
BoulderAdvocacy

Expand

25 Aug

Boulderopolis
@boulderopolis

#Colorado State of Innovation report reveals strength but also threats facing state as it

Tweet to
@BoulderAdvocacy

ATTACHMENT 5

Editorials from Local Media
In Support of
Local Telecommunications Authority,
Preemption of State Laws Limiting Local Authority,
And
Municipal Networks



THE DENVER POST
(http://www.denverpost.com)

OPINION (/OPINION)

Weather:
(http://www.denverpost.com/weather)

Denver, CO | Now: 71°
(http://www.denverpost.com/weather) | High: 77°
(http://www.denverpost.com/weather) | Low: 51°
(http://www.denverpost.com/weather) | 5-Day Forecast
(http://www.denverpost.com/weather)

HOT TOPICS: [Beauprez Border Remarks \(http://www.denverpost.com/election2014/ci_26419124/bob-beauprez-draws-criticism-border-remarks?source=hot-topic-bar\)](http://www.denverpost.com/election2014/ci_26419124/bob-beauprez-draws-criticism-border-remarks?source=hot-topic-bar)

[Home](#) > [Opinion](#) > [Story](#)

OPINION

Meyer: Colorado law hinders cities' efforts to expand broadband networks

By *Jeremy P. Meyer*
Denver Post Editorial Writer

POSTED: 08/08/2014 11:59:38 AM MDT | UPDATED: 17 DAYS AGO

5 COMMENTS (HTTP://WWW.DENVERPOST.COM/OPINION/CI_26300274/MEYER:-COLORADO-LAW-HINDERS-CITIES-EFFORTS-TO-EXPAND-BROADBAND-NETWORKS#DISQUS_THREAD)

Denver City Councilman Albus Brooks not long ago in a meeting with the mayor raised an interesting question: Why didn't Denver offer a free citywide Wi-Fi service?

The answer: Because it is illegal.

The city also cannot legally provide free Wi-Fi in libraries or in any of its buildings — though it does.

Brooks didn't know his question was touching on a vexing state law that has been protecting the turf of the big, wealthy telecom companies since it was

passed in 2005.

Not only does it affect public Wi-Fi, Senate Bill 152 also has hindered the expansion of high-speed broadband networks across Colorado. It has kept consumer prices high and download speeds slow and has arguably cost the state jobs.

The bill was passed when the general public was years away from using terms like "gigabit." Similar to other laws across the country enacted at the same time, SB 152 was pushed by large telecommunications companies as a way to restrict future municipal broadband efforts.

At the time, bill proponents said the laws were intended to limit government from taking on the private sector, saying it was unfair to let tax-supported entities compete with tax-paying businesses.

The legislation, they said, would protect taxpayers from funding risky municipal broadband schemes and allow the free market to work without government intervention.

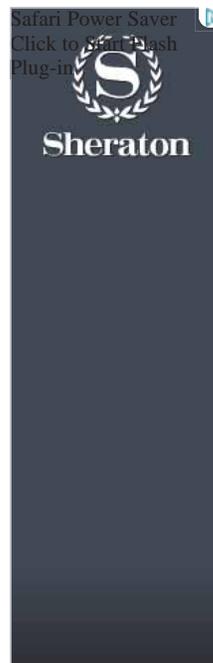
"Pure and simple, it was a statute written to limit competition," said Ken Fellman, a Denver attorney who specializes in telecom issues and has been fighting against SB 152 for years. "They didn't want government to compete directly or indirectly. There are millions of dollars in private capital that haven't come to Colorado because of this statute."

Only now is [CenturyLink promising](http://www.denverpost.com/business/ci_26275048/centurylink-turn-denver-into-gig-city-1-gigabit) (http://www.denverpost.com/business/ci_26275048/centurylink-turn-denver-into-gig-city-1-gigabit) to bring superfast broadband service to a "high percentage" of Denver by next year. (It is



(/portlet/article/html/imageDisplay.jsp?contentItemRelationshipId=6150919)

A Comcast spokeswoman defended the company's stance against municipal broadband systems. (Matt Rourke, The Associated Press)



...that service will be available in poorer quarters of the city like Globeville or Westwood.)

Colorado's law, however, let communities opt out with a vote. Some states with similar types of legislation cannot undo the stranglehold so easily.

So far, every Colorado community that has put the question on the ballot has succeeded. Centennial and Montrose are recent examples. Boulder is expected to ask its voters in November.

The bill appeared to create a democratic process, but it really presented an obstacle.

Campaign finance laws prohibit cities from raising money or advocating for an issue once it's on the ballot. That gave telecom companies an advantage.

In 2009, when Longmont asked voters for the exemption to build out its broadband network, city officials were stunned when telecom giants spent \$192,228 to defeat the measure compared to the proponents' \$95. It was the most money spent in an election in Longmont's history.

The city came back again in 2011 and was successful, even though the same group spent \$419,629 in an effort to defeat the initiative. In 2013, voters approved a \$45.3 million bond to bring the network to every home and business in the city.

Fiber optics allow data to be transmitted nearly at the speed of light or one gigabit per second (1,000 megabits per second or Mbps) — roughly 100 times faster than typical download speeds today.

Steve Elliott, (<http://constantimprovementinc.com/2013/10/24/speed-versus-speed/>) a Longmont blogger, was one of the first users on the system and clocked his download speed at 739.66 Mbps compared to 26.08 Mbps from cable. And he is paying \$49.95 a month compared to \$72 a month for cable broadband.

"Folks, this is fast," he said in a blog post, comparing his download to a road race between a Vespa motor scooter and a Bonneville race car.

Longmont's network (<http://www.ci.longmont.co.us/lpc/TC/index.htm>) is being built in six phases and is expected to be completed in 2017. The initial price is the cheapest rate in the country for such a fast system and discounts will be available for low-income families or people with disabilities, said Tom Roiniotis, general manager of Longmont Power & Communications.

SB 152 created a barrier for the city-owned utility from completing the network that had been in the works since 1997, he said. Now, the city expects to reap the benefits of becoming Colorado's first "gig city."

"More businesses believe (high-speed broadband) is critical for their ability to compete, particularly on a global stage," he said. "Cities like Longmont could wait for the incumbent providers to upgrade ... or we could do it ourselves."

Roiniotis said no tax money was used to build the system. Funding came through the city-owned utility that operates as an enterprise fund, meaning it does not operate using tax dollars but instead generates its own revenue.

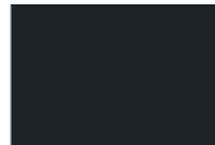
"The bonds are being backed by (Longmont Power & Communications) revenues," he said. "The cost of providing the broadband services will be covered by what we charge."

Neighboring Boulder wants what Longmont has, though it doesn't have its own utility and would likely seek to partner with a provider. "Longmont is going to eat our lunch," said Boulder Mayor Matt Appelbaum. "They are going to kill everyone."

The council will vote later this month to put the measure on the ballot. Already, the issue has the support of the Boulder Chamber, Appelbaum said.

Boulder already has 100 miles of fiber-optic cable connecting government buildings, school district, the University of Colorado and federal labs. But the city cannot begin discussing using that cable because of the law.

Google Fiber, which is putting in networks around the country and got requests from 1,300 cities, looked seriously at joining with Boulder's network but bypassed the city because of SB 152,



MOST POPULAR (/POPULAR)

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SPORTS (/POPULAR) BIZ (/POPULAR) A&E (/POPULAR)

EMAIL (/POPULAR) LIFE (/POPULAR)

[Whiskey-based coffees make morning the new happy hour](http://www.denverpost.com/food/ci_26403840/m-s-new-hour-whiskey-based-coffees?source=most_viewed)
(http://www.denverpost.com/food/ci_26403840/m-s-new-hour-whiskey-based-coffees?source=most_viewed)

[Colorado Republicans launch new, well-funded opposition](http://www.denverpost.com/election2014/ci_26416137/colorado-republicans-launch-new-well-funded-opposition-site?source=most_viewed)
(http://www.denverpost.com/election2014/ci_26416137/colorado-republicans-launch-new-well-funded-opposition-site?source=most_viewed)

[Greenback cutthroat trout recovery gets stronger with Colorado project](http://www.denverpost.com/environment/ci_26420672/greenback-cutthroat-trout-recovery-gets-stronger-colorado-project?source=most_viewed)
(http://www.denverpost.com/environment/ci_26420672/greenback-cutthroat-trout-recovery-gets-stronger-colorado-project?source=most_viewed)

[Denver flight diverted after fight breaks out over "Knee De](http://www.denverpost.com/business/ci_26403277/denver-flight-diverted-after-fight-breaks-out-over-knee-de?source=most_viewed)
(http://www.denverpost.com/business/ci_26403277/denver-flight-diverted-after-fight-breaks-out-over-knee-de?source=most_viewed)

[Kiszla: NFL out of line to penalize Broncos' Prater for drink](http://www.denverpost.com/kiszla/ci_26411885/kiszla-nfl-short-matt-prater-ban?source=most_viewed)
(http://www.denverpost.com/kiszla/ci_26411885/kiszla-nfl-short-matt-prater-ban?source=most_viewed)

[Sources: OtterBox pursuing potential sale valuing compar \\$2.5B](http://www.denverpost.com/business/ci_26416333/otterbox-pursuing-potential-sale-Valuing-compar-2.5B?source=most_viewed)
(http://www.denverpost.com/business/ci_26416333/otterbox-pursuing-potential-sale-Valuing-compar-2.5B?source=most_viewed)

[Crested Butte, Bud Light controversy builds as Whatever I starts](http://www.denverpost.com/news/ci_26416766/crested-butte-bud-light-controversy-builds-what-ever-rollout?source=most_viewed)
(http://www.denverpost.com/news/ci_26416766/crested-butte-bud-light-controversy-builds-what-ever-rollout?source=most_viewed)

[Denver police are asking for 800 body cameras for officers](http://www.denverpost.com/news/ci_26417279/denver-police-asking-800-body-cameras-officers?source=most_viewed)
(http://www.denverpost.com/news/ci_26417279/denver-police-asking-800-body-cameras-officers?source=most_viewed)



Appelbaum said.

"They realized we would have to go to voters and Comcast would fight them," he said. "It would have at least brought competition. They need competition. There is no incentive to innovate or move to the next generation of service levels. Who is pushing them?"

Synthia Payne years ago saw the problem in trying to set up a website in Denver that would use high-speed broadband to allow musicians across the world to jam together in real time. Instead, she picked up her bags and moved to Kansas City, Kan., where Google Fiber was setting up a network, and where she created CyberJammer.net.

"With music, we have to have it fast both ways, upload and download," she said. "I thought this is a great opportunity to go and be part of this pioneering business model. The possibilities were really endless."

Cindy Parsons, spokeswoman for Comcast, defended the company's stance against municipal broadband systems.

"Comcast does not believe that government-owned networks are a good use of municipal funds in areas where the private market is already providing services," she said in an e-mailed statement. "To the extent such deployments occur, they should be targeted to unserved areas and managed as a commercial enterprise without subsidization and subject to the same rules as a private provider."

She added that "government entry into direct ownership of broadband facilities is risky and costly — especially at a time when other priorities, like transportation infrastructure, desperately need public funds. Building, maintaining, and upgrading a broadband network is a complex endeavor requiring enormous funds and experience. In case after case, localities and their citizens have found that building broadband networks has created severe financial hardship."

Several cities around the country that have become "gig cities" are touting their systems as being catalysts for economic growth. Chattanooga, Tenn., used \$111 million in federal stimulus money to complete a fiber-optic network over 600 square miles, offering 1 gigabit per second service to all businesses, residences and public and private institutions.

Chattanooga has added 1,000 new jobs over the past three years and is emerging as an incubator for tech startups, reports say. [The New York Times said](http://www.nytimes.com/2014/02/04/technology/fast-internet-service-speeds-business-development-in-chattanooga.html) (http://www.nytimes.com/2014/02/04/technology/fast-internet-service-speeds-business-development-in-chattanooga.html)the signs of growth in Chattanooga are unmistakable.

FCC chair Tom Wheeler [wrote in a June blog post](http://www.fcc.gov/blog/removing-barriers-competitive-community-broadband) (http://www.fcc.gov/blog/removing-barriers-competitive-community-broadband)that Chattanooga was the poster child for the benefits of community broadband and the prime example of efforts to restrict them.

"Commercial broadband providers can pick and choose who to serve based on whether there is an economic case for it," Wheeler wrote. "Chattanooga believes that it has a duty to ensure that all of its citizens have affordable broadband Internet access."

Wheeler said the FCC should exercise "its power to pre-empt state laws that ban or restrict competition from community broadband."

In communities that have put in broadband systems, prices have gone down and speeds have gone up, he said. "No wonder incumbent broadband providers want to legislate rather than innovate," Wheeler said.

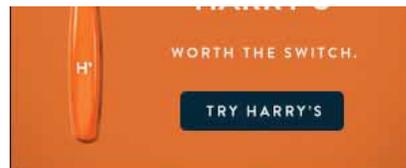
The statute created by SB 152 needs to go away. While civic and business leaders tout ambitious projects to connect the state with the rest of the world, Colorado is falling behind because of artificial constraints to broadband expansion.

Longmont pioneers saw past all of that and pushed through, even in the face of well-financed opposition. A few other communities are starting to see the advantage of bucking SB 152.

Longmont's Roiniotis says the question he hears almost constantly is, "When am I going to get my gig?"

It is a question the entire state should ask.

E-mail Jeremy Meyer at jpmeyer@denverpost.com. Follow him on Twitter: twitter.com/jpmeyerdpst



Top 7 Internet Providers

comparestores.net

2014 Bestselling Broadbands in US. Compare Latest Deals & Save Big!

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DIRECTV® +Internet Offers

Cable & Internet Packages



Denver Local Guide [\(http://mylocal.denverpost.com/\)](http://mylocal.denverpost.com/)

Featured Businesses

- Bruno Event Team Llc (<http://mylocal.denverpost.com/birmingham-AL/recreation/golf-courses/Bruno-Event-Team-Llc-205-967-4545>)
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Published on the *Concord Monitor* (<http://www.concordmonitor.com>)

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Editorial: Concord should embrace municipal fiber optic network

Thursday, May 1, 2014

(Published in print: Friday, May 2, 2014)

The online world that most of us have come to depend upon for information, communication, commerce and entertainment is changing in ways that could leave Concord residents paying more for less.

In response, the city should prepare to create a municipal fiber-optic network of its own. That means that every time a city street is dug up and repaved, high-capacity fiber-optic cable should be installed. Compared to the cost of laying open and repaving a street, the cost of the cable is small.

Comcast, the internet service provider with a virtual monopoly on service in the city, is seeking to merge with Time Warner, the nation's No. 2 internet provider. Comcast is No. 1.

The companies serve different geographic regions, so proponents of the merger claim prices won't increase. The flip side of that, of course, is that prices won't go down because the two companies won't compete against each other for future business. The merger needs regulatory approval and may never happen. But other factors suggest the city should, as technology expert Susan Crawford suggests, see high-speed internet service as a basic utility like the provision of electricity or water.

Crawford is the author of the new book *Captive Audience: The Telecom Industry and Monopoly in the New Gilded Age*.

“Truly high-speed wired internet access is as basic to innovation, economic growth, social communication and the country’s competitiveness as electricity was a century ago,” Crawford contends in the book, “but a limited number of Americans have access to it, many can’t afford it, and the country has handed control of it over to Comcast and a few other companies.”

That’s the situation in Concord.

In what some see as a more frightening development, the Federal Communications Commission may allow internet service providers to charge higher rates for faster service. That would spell the end of net neutrality, the principle that every content provider has equal access to eyeballs. Tier internet service and companies that transmit massive amounts of data – think Netflix – will have to pay more and charge customers more.

Cable companies have no real competition and thus no incentive to upgrade their networks. But internet service at 10 times the speed for an affordable price creates a powerful draw for business. Communities that lack such service will be left behind economically. That must not happen to the capital city. Instead, Concord should offer the fastest internet service available in the state.

Some 340 cities and towns have installed a municipal fiber-optic network. Typically they charge lower rates than for-profit competitors and in some cases, Cambridge and Amherst, Mass., Clearwater Beach, Fla., Binghamton, N.Y., Denver and Houston, for example, service is free in some or all parts of the city.

In most cases, service is provided by the local, municipally owned electric utility, alone or in partnership with an experienced internet provider. When that happened in Chatanooga, Tenn., the price of gigabit service fell from \$300 per month to \$70.

Concord does not have a municipally owned electric company, but it does have a municipal utility known for dependable service and a high-quality product at a fair price – its water department.

Who’s to say that it couldn’t someday provide internet service as well as water? All these developments bear watching. But in the meantime, the city is about to dig up Main Street and repave Loudon Road. When it does, it should lay down the cables that could eventually connect Concord to a future free of exorbitant cable bills.

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Our view: Strike up the broadband

Roanoke Times Editorial Board | Posted: Wednesday, July 23, 2014 2:00 am

Roanoke and Botetourt county supervisors cannot be faulted for taking a hard look before investing \$2 million in broadband infrastructure during tough financial times. That's their job.

But when the debate strays into broad ideological discussions about the proper role of government, they are on shaky ground.

Government at the federal, state and local levels all have a role to play in creating the common infrastructure that even capitalist systems need to be competitive today – and to be well positioned to remain competitive in the future.

Legitimate worry on both counts prompted the counties to join with the cities of Roanoke and Salem to create the Roanoke Valley Broadband Authority. It now has before it a business plan offering the opportunity to build a high-speed fiber-optic on-ramp to two of the largest Internet hubs on the East Coast, Atlanta and Washington, D.C.

If the authority acts quickly and with purpose, it's conceivable the connection, at Bonsack, could be made by next July.

Roanoke and Salem are wise in their determination to jump on, whether their partners back out or not.

A \$2 million investment that can be expected to leverage many more times that in private investment – read “job creation” – is an opportunity worth the risk.

It might not pay off for years. But consider, in a global, digital marketplace, access to reliable ultra-high-speed Internet will become only more critical to businesses and manufacturers looking to relocate or expand to take advantage of new technologies that can improve their products or reduce their costs.

The speed and reliability of fiber-optic broadband is crucial, too, in other aspects of a community's life – from expanding the practice of telemedicine to opening a world of information and wonders to students sitting in their classrooms.

Does the valley not have private Internet providers, Roanoke County's tea party philosopher, Supervisor Al Bedrosian, asked rhetorically when the authority's consultant presented the plan to the board last month. It does.

“But some services simply are not available,” consultant Robert Picchi pointed out.

The authority would be making a capital investment private providers have not made, but would not compete with them in the retail residential market. Its customers will be large data users, like business parks and schools – perhaps, one day, those ISPs – wanting Internet speeds that smaller markets like the Roanoke Valley otherwise will not soon see.

“I like free enterprise,” Bedrosian commented – and who doesn’t? But public financing of infrastructure that stimulates free enterprise works to the good of all.

Capitalism, Picchi pointed out, deploys capital where it can realize the maximum return on investment. The Roanoke Valley is not that place. At least not yet. “All the capital will go to places like Charlotte and Raleigh.”

“This is really intended to stimulate the marketplace,” Picchi explained – first and foremost, for mega-data users.

Localities in the region have come together in once unimaginable comity in an effort to attract companies to a gorgeous area that has a great quality of life – but also topographic challenges and a relatively small workforce.

Connecting to the Mid-Atlantic Broadband Communities’ fiber-optic network would put the region on a more even playing field.

If ISPs could offer fiber optic connections throughout the valley without the capital costs of building the backbone, that market might become more competitive, and offer better services at lower prices. That is in no way a bad thing for residents.

But, Bedrosian mused, “If governments give money to compete, is that fair?”

He might have asked: Is it “fair” to open a market to competition? It drives innovation and efficiency.

This project is not designed to discourage private investment, but to encourage it by laying a foundation upon which private enterprises can build and grow. Localities need to consider it in that light.

syracuse.com

Municipal broadband for Syracuse? It's worth study and debate (Editorial)

Editorial Board By Editorial Board

on August 14, 2014 at 7:15 AM, updated August 14, 2014 at 7:17 AM

Syracuse Mayor Stephanie Miner is researching options for bringing **municipal high-speed Internet service** to the city. She's the first to admit there are a lot of questions to be explored, starting with: How would the cash-strapped city pay for it?

Before this idea suffocates under a heap of scorn, let's hand it to Miner for recognizing that affordable, high-speed Internet service is a necessity in today's world. A city without it is going to be left behind -- and so are its residents and businesses.

Let's also recognize that the for-profit Internet service providers that built high-speed networks have largely given up on some urban areas like Syracuse. Yet the industry fears municipal broadband enough to lobby furiously for state and federal laws banning it.

Should Syracuse step into the breach? It's worth study and debate. If City Hall is going to argue that Internet access a critical piece of 21st century infrastructure, it needs to figure out how to fix and maintain the 19th century infrastructure we already have. Perhaps they can be done in tandem.

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Guest commentary

Boulder broadband built for speed

By Sean Maher and John Tayer

POSTED: 06/27/2014 01:00:00 AM MDT

Last Tuesday the Boulder City Council took a welcome step toward making faster internet available for Boulder businesses and residents. They are moving forward a ballot item for this fall which will allow the city to offer access to the 100 or so miles of fiber-optic cable that currently provides higher-speed internet to city offices, the University of Colorado and federal labs. State Senate bill 152, signed into law in 2005, prohibits cities from offering such access without a voter-approved exemption, so the City Council will be going to the voters to get one. With nothing less than our competitive edge as an entrepreneurial innovation hub on the line, we encourage the voters to give it to them.

Secure, affordable ultra-high speed broadband is a required upgrade for any city looking to retain the highly educated, uber-wired, creative talent that drives today's upwardly mobile workforce. One local example is our friend Tim O'Shea, who responded to last September's flood by launching the grassroots online needs and resources matching tool, Boulder Flood Relief. As a local expert on start-up communities, development and network technology O'Shea said, "It is imperative that we have the capability to expand service to diverse start ups and innovative companies. We must recognize the need to have high capacity as a requisite part of doing business in the current professional landscape."

Beyond the immediate needs of the business community, higher-speed connections stretch the vision of broader opportunities for tomorrow's talent that we are currently developing in our schools.

Community-wide high speed internet access can bridge the digital divide, extends the school day by allowing all kids to access educational resources at home and thereby squeezes the most value out of education tax dollars. The Boulder Valley School District, which has been a leader in bringing better internet connectivity to schools, also has capacity on its taxpayer-built fiber network and is taking note of the city's actions. Chief Information Officer Andrew Moore commented on the school district's potential ability to augment and support the city's assets. This opportunity seems ripe for collaboration.

The University Community Next Generation Innovation Project, or Gig.U, is also tracking Boulder's progress. Gig.U is a broad-based group of leading research universities seeking to accelerate the deployment of ultra high-speed networks to leading U.S. universities and their surrounding communities, understanding that "next-gen networks lead to next-gen opportunities." There is some scrutiny for Boulder to not only take the fastest path to ultra-high speed internet access but to do so seamlessly.

Although the city has already built a fiber backbone, the connections to homes and businesses would still need to be constructed and for this the city would either need to partner with a private



company, or pass a separate bond measure in the future. Thus, partnership with the private sector may well represent the fastest, most seamless path to providing service to our residents and students, and to attracting and retaining the companies that drive our innovation economy. And there are partners in the community who could leverage such an opportunity. "We support the decision to provide increased access to bandwidth," said John Real, VP of Strategic Channels at Zayo, "we look forward to opportunities to partner with the city on this initiative."

Many questions remain. Who would those partners be? How much would it cost? How long would it take? Should the city ultimately choose to bring a bond to the taxpayers to build out the system?

Clearly a transparent public process is appropriate for identifying the best path to higher-speed infrastructure. One thing is certain. Approving the exemption to State Law 152 is a step in the right direction.

Sean Maher is Executive Director of Downtown Boulder Inc.; John Tayer is President and CEO of the Boulder Chamber.



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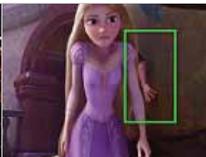


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Racing towards the future

Published 5:41pm Saturday, August 9, 2014

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I recently got a new cell phone. Even though I got a newer version of the same brand, it was a painful process. I had trouble transferring my contacts to the new phone.

I needed all new chargers. I thought what I often think about technology: why can't I just keep what I have? It works fine and I don't like change.

I sometimes hear the same reaction to the proposed Gig Austin ultra-broadband project.

People have Internet that is fine right now and they don't like change. I know where they are coming from. If ultra-broadband were another incremental step in data-transfer technology, I might agree.

But ultra-broadband is not an incremental step. The proposed ultra-broadband project in Austin would install fiber optic cable throughout the community. Fiber optic cable will carry data at very high speeds now—up to one gig—and is scalable in the future. By switching the technology sending data, fiber optic cable will support higher and higher speeds.

These higher speeds are necessary to support a strong business sector as bandwidth needs for both businesses and residents double every two years. Ultra-high-speed data is fast becoming an expected utility. Businesses and residents comparing potential communities for relocation rank quick, easy and affordable access to ultra-high-speed data transfer infrastructure a key factor in decision-making.

Building community-wide infrastructure for ultra-broadband is like building railroads in the nineteenth century. We all know that Austin's economy enjoyed growth and prosperity because of geographic proximity to the Milwaukee Road railroad starting in the late 1870s.

Austin has the opportunity to build our own 21st-century infrastructure that will connect us to the world and facilitate growth and prosperity for generations to come: ultra-broadband. I think that is a good idea.

The Olympian

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Could local cities provide equitable Internet access?

The Olympian May 8, 2014

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The Time Warner Cable logo is displayed on the back of a van in New York in this February 13, 2014, file photo. Comcast Corp's merger with Time Warner Cable Inc would not deprive consumers of TV or broadband choices and would help the two companies compete against newcomers including Google Inc and Apple Inc in the video market, Comcast told U.S. regulators on April 8, 2014. REUTERS/Joshua Lott/Files

JOSHUA LOTT — REUTERS

The Federal Communications Commission will meet May 15 to consider new rules that would allow Internet service providers to charge premium rates to companies such as Google and Netflix for a guarantee that their content will reach consumers first.

If approved, individual consumers in the South Sound and other U.S. communities can expect slower speeds for smaller services, nonprofits and independent content creators. Why pay for the "HOT" lane, unless traffic is backed up on the main line?

While the FCC kowtows to lobbyists from big phone and cable companies that provide Internet access to most Americans, the European Parliament is going the opposite direction. It recently voted 534-25 to prohibit Internet service providers from blocking or slowing down any online content or service.

If the FCC votes to effectively end net neutrality, residents of the South Sound do have a potential alternative that is gaining traction elsewhere: turning to local Internet service providers who ride on municipally-owned fiber optic networks.

Here's how it works: when a city opens up streets for other infrastructure work, such as sewer or water lines, it adds conduits of fiber optics. Or, the city installs hundreds of routers on outdoor utility poles to create a wireless mesh network.

The city then sells wholesale access to its broadband network to local Internet service providers who act as a middle man and provide fair and equitable — net neutral — Internet service to individual end users. It is also a possible new source of municipal revenue.

This is known as the Australian model. Municipalities, ports or public utility districts provide the infrastructure, which private sector ISPs use to provide service to customers.

Several Washington cities, ports and PUDs have opened up their networks to promote economic development or to extend broadband to under-served areas.

The Northwest Open Access Network (NoaNet) is an organization of 10 public utility districts and a joint operating agency that attempts to provide statewide broadband services in rural areas. Headquartered in Tacoma, NoaNet currently has 1,831 fiber miles providing Internet access to more than 260,000 customers.

Some port authorities, mostly in Eastern Washington, are providing wholesale broadband services. The Port of Whitman County extends its infrastructure countywide and to a business park. The Port of Clarkston is currently building out fiber optic infrastructure.

Republican Sen. Trent Lott championed a 1996 bill that prohibited states from blocking any entity that provides telecommunications services. Despite that far-sighted bill, big provider lobbyists have persuaded 20 states to pass legislation making open access difficult. Fortunately, Washington state is not one of them.

Still, the city of Edmonds was forced to seek a state attorney general's opinion in 2003 to offer broadband as a public service. In response to Rep. Jeff Morris of the 40th District, the attorney general said "First-class and code cities and charter counties may offer telecommunications services to their residents to the extent not specifically barred by state statute."

Lacey, Olympia and Tumwater have all laid fiber optics in city-owned conduits covering varying proportions of each jurisdiction, which they use primarily for internal data and communications. And all three cities share access with the state Department of Transportation.

By extending fiber optic networks throughout the metro area, the three cities could open their infrastructure to private companies and, in turn, provide equitable Internet access to families wanting to Skype with loved ones across the country, or download a movie on family night.

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