NEW YORK STATE OF OPPORTUNITY.

ConnectALL

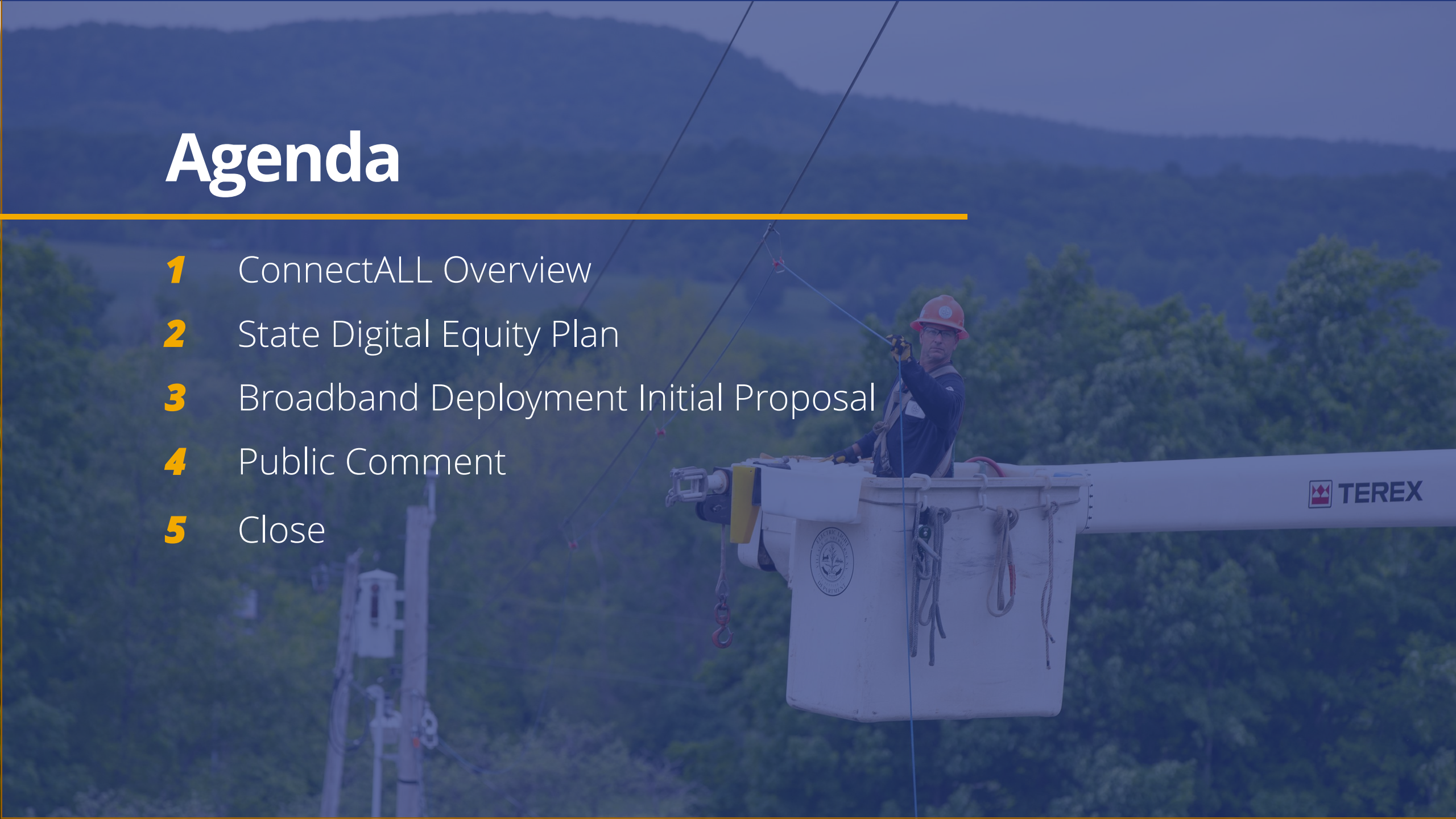
A Division of Empire State Development

Broadband Deployment Advisory Committee

November 21, 2023

Agenda

1. ConnectALL Overview
2. State Digital Equity Plan
3. Broadband Deployment Initial Proposal
4. Public Comment
5. Close



01

ConnectALL Overview

CONNECTALL OVERVIEW

ConnectALL is Governor Hochul's initiative to transform New York's digital infrastructure, build a robust broadband marketplace, and bring affordable, reliable, high-speed internet service to all New Yorkers.

Governor Hochul delivering the 2022 State of the State address.

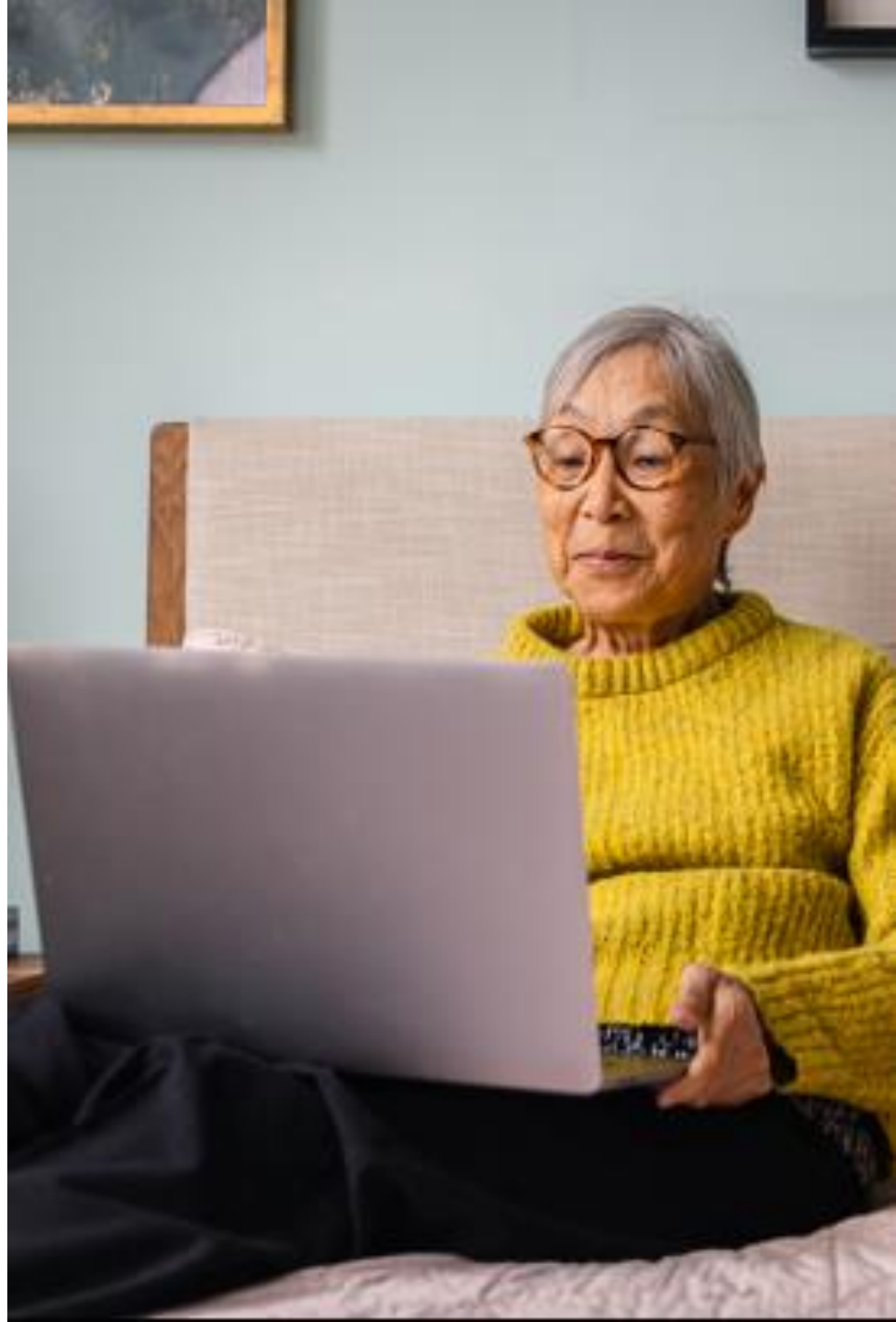
ConnectALL Signature Programs

- Broadband Deployment Program
- Affordable Housing Connectivity
- Digital Equity Program
- Connectivity Innovation
- Municipal Infrastructure Program

CONNECTALL OVERVIEW

ConnectALL's purpose as established by the NYS Legislature in the NYS WIRED Broadband Act is to address three needs for New York:

- **Access to high-speed, reliable, and affordable broadband** is essential for education, economic growth, and full participation in civic life
- The **digital divide disproportionately affects marginalized populations;** broadband access should be available to all
- **A robust and competitive internet marketplace supports economic development** and benefits New Yorkers



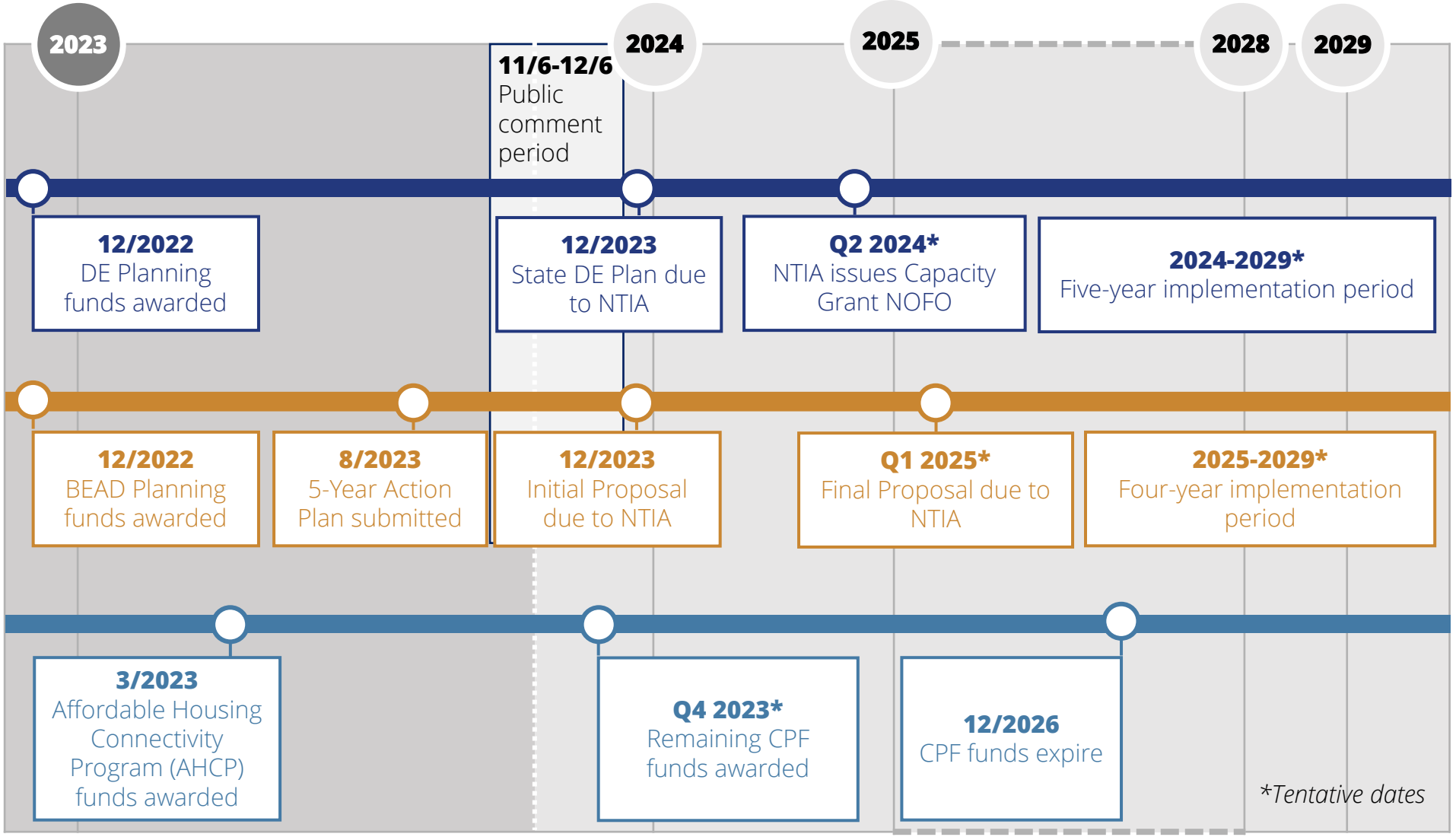
CONNECTALL OVERVIEW

ConnectALL is responsible for stewarding more than $1.3B of public funding for broadband from multiple federal and State sources.

Legislation	***Program***	***Expected Funding Amount***	***To Date***
Infrastructure, Investment, and Jobs Act (IIJA)	Broadband Equity, Access, and Deployment (BEAD) Program	Planning: **$5M** Implementation: **$665M**	**$5M**
	State Digital Equity Program	Planning: **$2M** Implementation: Est. **$50-80M**	**$2M**
American Rescue Plan Act (ARPA)	Coronavirus Capital Projects Fund (CPF)	Implementation Grant: **$345M**	**$100M**
NYS FY 2022 Executive Budget	ConnectALL Initiative	Total Appropriated: **$300M**	**$300M**
		Total State + Federal: $1.3B+	**$407M**

CONNECTALL OVERVIEW

In 2023, ConnectALL has focused on gathering public input, securing federal funding, and developing required plans and proposals. We are now in the public comment period.



02

State Digital Equity Plan

DIGITAL EQUITY PLAN STRUCTURE

1.0 Executive Summary

2.0 Unified Vision

- **2.1-2.3** ConnectALL Office, Planning Process, and Alignment with Outcome Areas
- **2.4** Theory of Change, Strategy, and Measurable Objectives

3.0 State of Digital Equity in New York

- **3.1** Asset Inventory
- **3.2** Needs Assessment

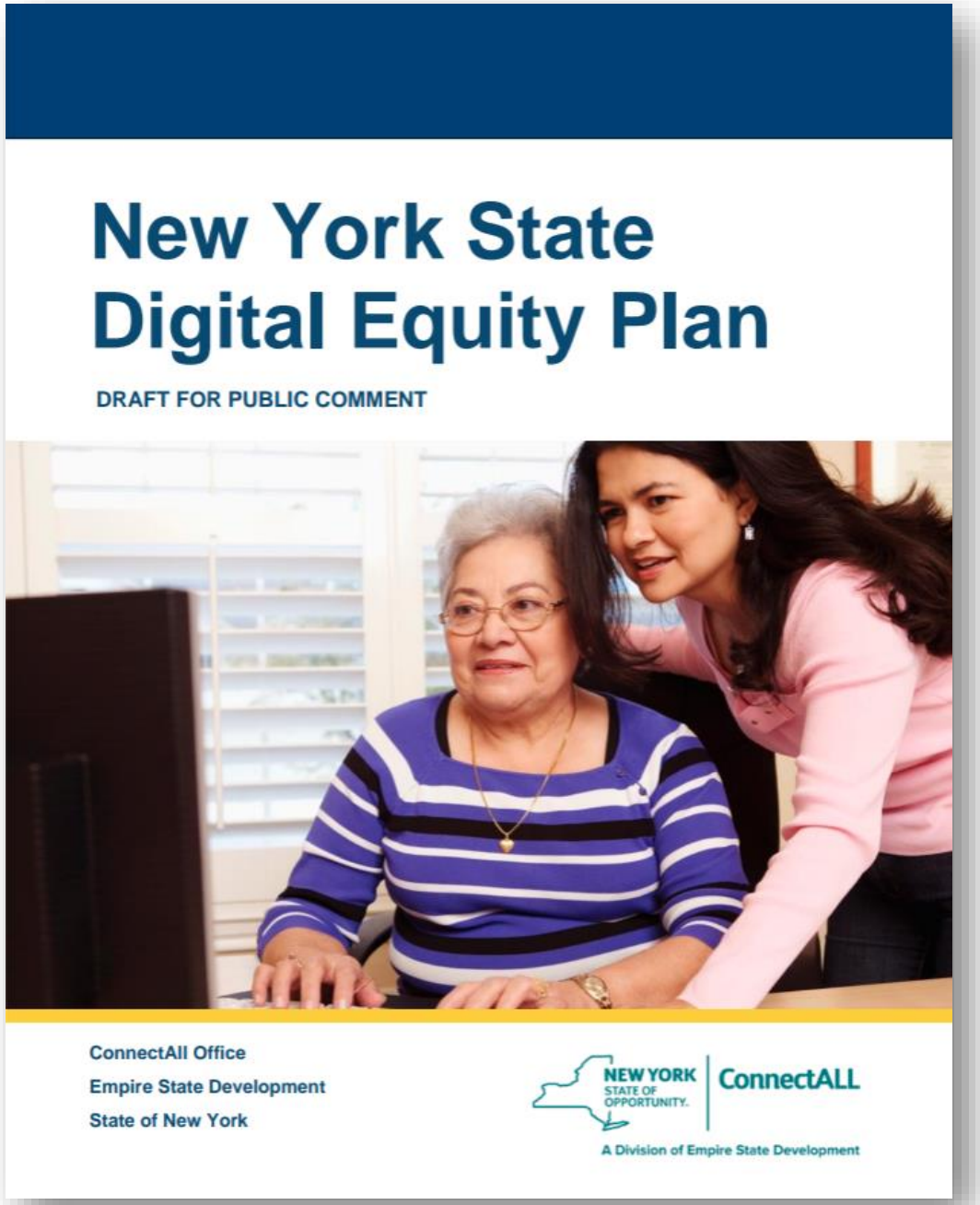
4.0 Principles for Stakeholder Engagement

- **4.1-4.3** Statewide and Regional Engagement Methods
- **4.4** Public Comment

5.0 Implementation

- **5.1** Implementation Strategy & Key Activities
- **5.2** Implementation Timeline

6.0 Conclusion



DIGITAL EQUITY PLAN ENGAGEMENT

ConnectALL worked with Digital Equity Coalitions in every region of the state to conduct stakeholder engagement events, gather data, and solicit feedback to inform the SDEP planning process.

Engagement activities included:

- Over 40 **stakeholder focus groups** with members of historically marginalized groups
- 15 **listening sessions**, held in every region and borough of the state, attended by over 1,200 New Yorkers
- CAO's **Digital Equity Survey of New York residents**, which received more than 5,700 responses

DIGITAL EQUITY PLAN PRIORITIES

The State Digital Equity Plan seeks to address needs and barriers to access faced by eight "Covered Populations" defined in the Digital Equity Act, as well as other key stakeholders.

COVERED POPULATIONS

- Low-income households
- Aging individuals
- Incarcerated individuals
- Veterans
- People with disabilities
- People with language barriers
- Members of racial and ethnic minority groups
- Rural inhabitants

OTHER STAKEHOLDERS

- People adversely affected by persistent poverty or inequality
- Members of ethnic and religious minorities
- Women and LGBTQI+ individuals
- Internet Service Providers
- Community anchor institutions, nonprofits, and community-based organizations
- Civil rights and labor organizations
- Education, healthcare, housing, workforce development, and economic development entities
- Local, county, regional, Tribal, and State government entities

DIGITAL EQUITY PLAN OUTCOME AREAS

ConnectALL will take actions to promote the general welfare as it relates to the benefits of broadband access across the following outcome areas.

1. **Advancement of economic and workforce development goals, plans, and initiatives**
2. **Improvement in the quality and accessibility of educational resources**
3. **Improvements in access to health services and delivery**
4. **Increased civic and social engagement**
5. **Delivery of accessible, navigable essential services**

CONNECTALL'S DIGITAL EQUITY STRATEGY

ConnectALL will employ four strategies during implementation of the State Digital Equity Plan. When activated together, activities across strategic pillars will lead to meaningful, sustainable impacts.

Grounding investments in an asset-based approach

Building alignment and awareness

Strengthening networks to share resources and take coordinated action

Sharpening and socializing our digital equity lens

PUBLIC COMMENT

ConnectALL is seeking public comment on the State Digital Equity Plan and Broadband Deployment Initial Proposal through December 6.

Events

*Visit **broadband.ny.gov** for dates and times*

- Digital Equity Task Force Town Halls
- Virtual Forum for ISPs

Online Portal

- broadband.ny.gov
- Digital Equity Plan: http://bit.ly/nys-sdep
- Initial Proposal: http://bit.ly/nys-bead

Regional Approach

- Feedback sessions led by Digital Equity Coalitions
- Virtual forum for regional planners
- ESD regional directors meeting

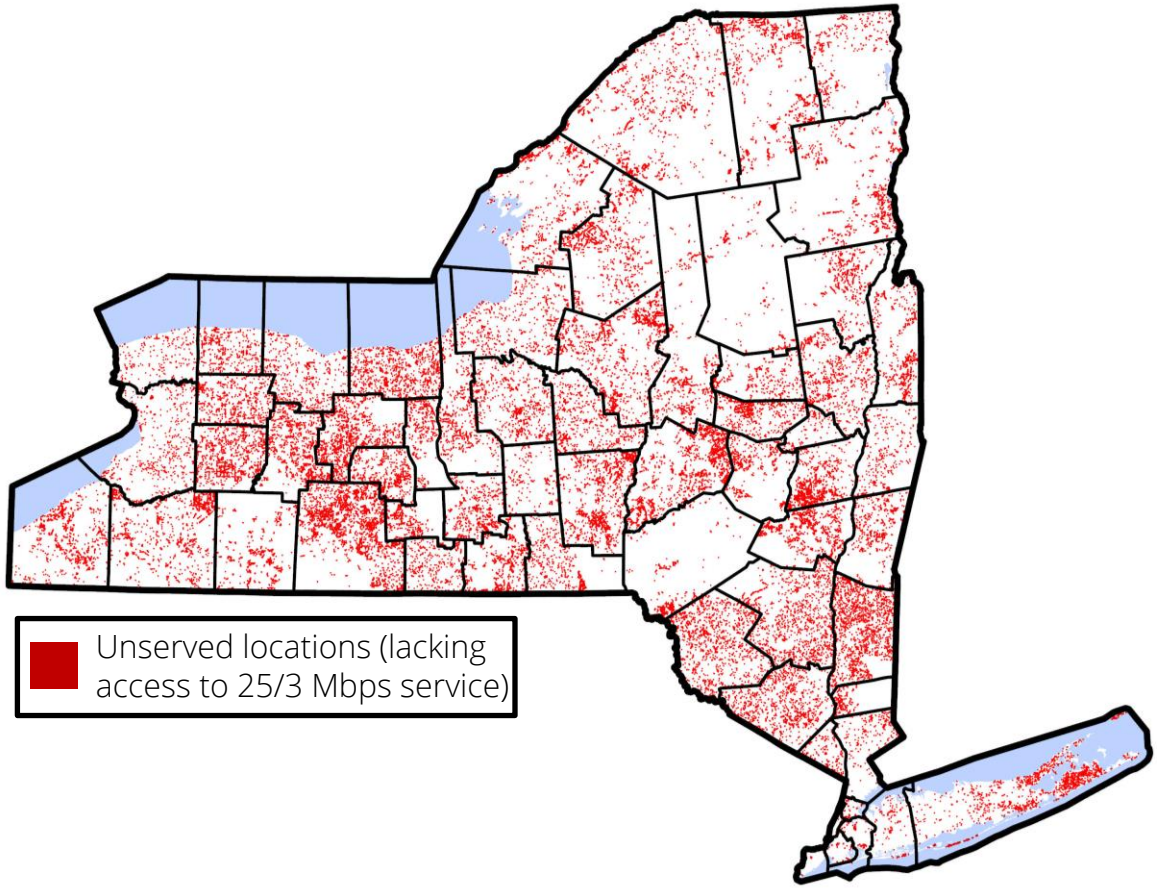
Help us spread the word! Share these links with your colleagues to ensure everyone has an opportunity to make their voice heard.

03

Broadband Deployment Initial Proposal

BROADBAND DEPLOYMENT PROGRAM

ConnectALL will use federal funding from the Broadband, Equity, Access, and Deployment program to fund broadband deployment to unserved and underserved locations.



$665 million

to reach unserved and underserved locations across New York State

Only locations on the FCC map are eligible for funding. Currently, the map shows **~149,000 unserved and ~37,000 underserved locations** in New York.

ConnectALL expects these numbers to change through FCC data updates and removal of locations with existing funding commitments through other programs.

BROADBAND DEPLOYMENT INITIAL PROPOSAL

ConnectALL's Broadband Deployment Initial Proposal is a comprehensive strategy to connect all unserved and underserved locations in the state with high-speed, reliable, and affordable broadband service.

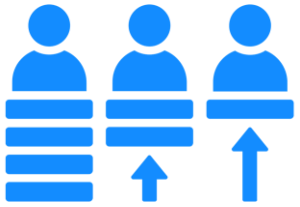
The Initial Proposal includes:

- The map challenge process through which the State will identify unserved, underserved, and served locations
- The process CAO will use to define project areas available for bids
- Eligibility and selection criteria for BEAD grant recipients
- Detailed compliance requirements (labor/workforce, reporting, cybersecurity, and more)

The State's Proposal serves as the roadmap for $665M in federal investments to connect all unserved and underserved locations in the state over the next five years.

BROADBAND DEPLOYMENT INITIAL PROPOSAL

The ConnectALL Office has adopted the following five digital equity principles to guide development and implementation of its programs.



EQUITY

Improved access to the internet, digital skills, and devices will allow all New York residents to fully participate in our society, democracy, and economy.

PERFORMANCE

All New York residents have access to high-quality connections, fast speeds, and reliable service.

CHOICE

All New York residents should have a choice of internet providers, plans, and modes of digital engagement.

AFFORDABILITY

Quality service should be available at prices that all New York residents can afford.

SAFETY

New York's online environments should ensure privacy, security, and digital well-being.

BROADBAND DEPLOYMENT INITIAL PROPOSAL

ConnectALL's Initial Proposal has been informed by extensive input from stakeholders, reflecting the exceptional diversity of New York State.

Statewide Engagement Methods

- Direct engagement with dozens of county and municipal governments
- Tribal Nation Consultation
- New York State Internet Access Survey (5,700+ responses)
- 70+ market sounding / industry Interviews
- 15+ interviews with workforce development organizations
- 5 industry and stakeholder virtual forums
- 5 Digital Equity Task Force Town Halls

Regional Engagement Methods

- Webinars, office hours, and meetings with regional planning councils and ESD regional offices
- Data collection in partnership with regional Digital Equity Coalitions
- 15 regional listening sessions
- 40+ focus groups with members of vulnerable populations

DRAFT INITIAL PROPOSAL

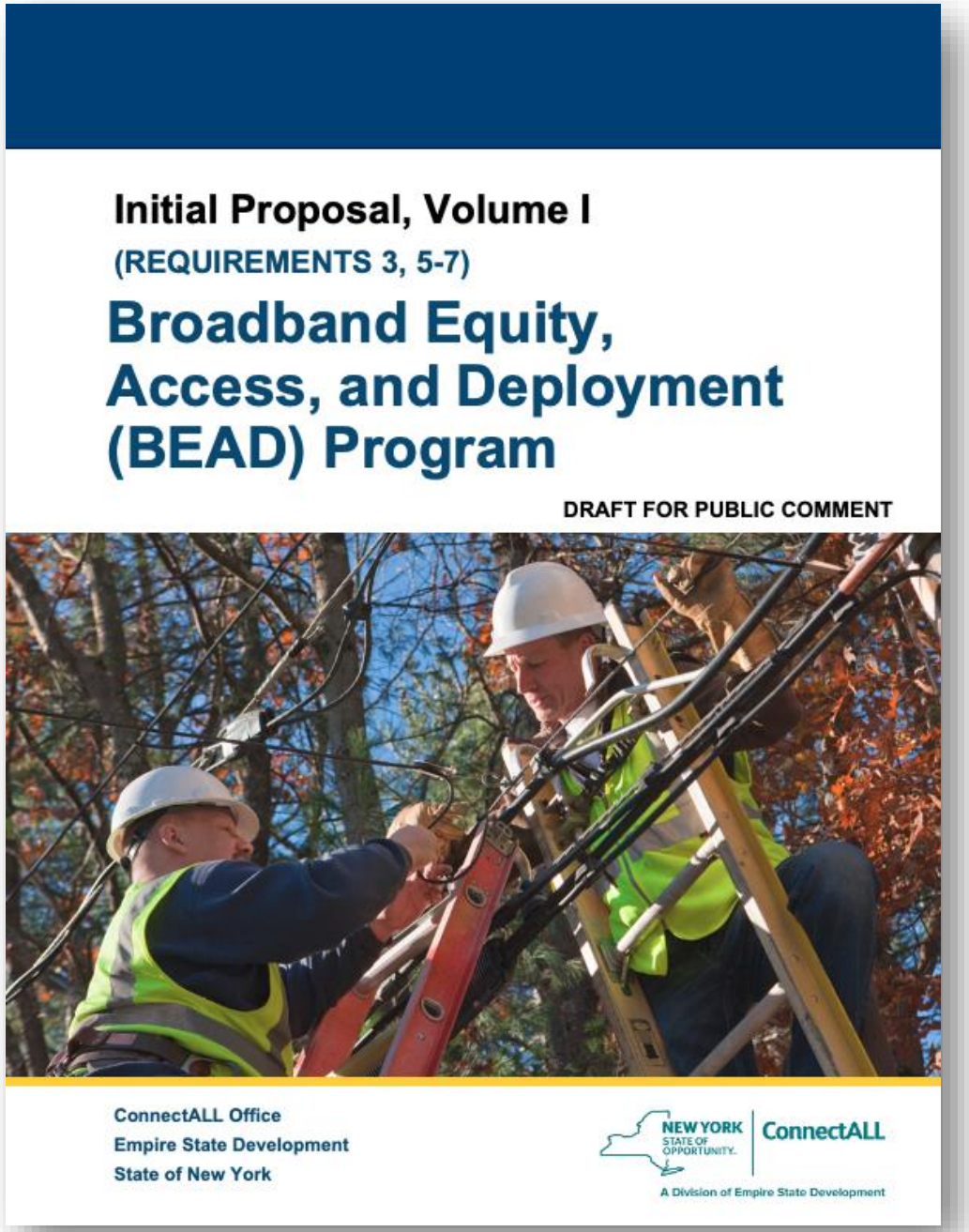
ConnectALL must submit an Initial Proposal for federal funding, which must first be open for public comment.

The Initial Proposal, Volume I includes:

- ✓ Description of existing federal and State broadband funding available in New York
- ✓ Definition of Community Anchor Institutions
- ✓ Challenge process by which the State will finalize its list of unserved and underserved locations and Community Anchor Institutions

Appendices:

- ✓ *Federal and State broadband funding programs*
- ✓ *List of unserved and underserved locations in the state*
- ✓ *List of broadband-related community anchor institutions in the state and their current broadband service levels*



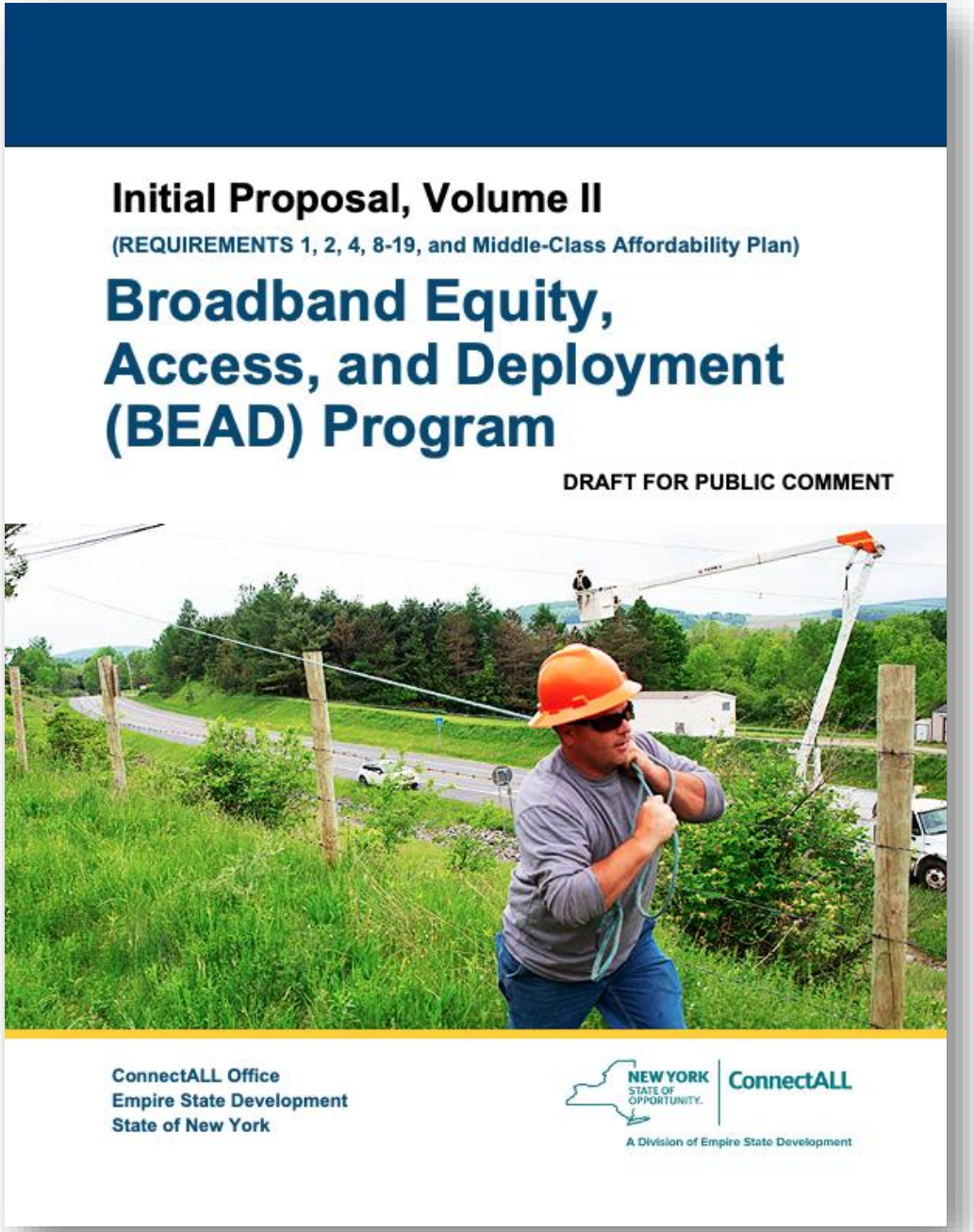
DRAFT INITIAL PROPOSAL

The Initial Proposal, Volume II includes:

- ✓ ConnectALL goals and objectives
- ✓ Description of local coordination/stakeholder engagement
- ✓ Deployment subgrantee selection process
- ✓ Project area definition
- ✓ Subgrantee scoring/evaluation
- ✓ Subgrantee qualifications
- ✓ Labor standards/protections and workforce readiness
- ✓ CAO efforts to reduce costs and lower deployment barriers
- ✓ Low-cost service option and middle-class affordability plan
- ✓ Climate risk assessment and mitigation
- ✓ Compliance and subgrantee monitoring approach

Appendices:

- ✓ *Survey instruments*
- ✓ *Local coordination tracker*
- ✓ *Tribal consultation materials*



BEAD PROGRAM OVERVIEW

The federal Broadband, Equity, Access, and Deployment (BEAD) Program, established through the Infrastructure, Investment, and Jobs Act (IIJA), provides funding to states to deploy broadband to unserved, underserved, and Community Anchor Institution locations.

Key Terms	
NTIA	The National Telecommunications and Information Administration (part of the U.S. Department of Commerce), responsible for administering the BEAD Program and distributing grant funds.
Unserved Location	Locations currently lacking access to 25/3 Mbps broadband service, as identified on the FCC's National Broadband Map.
Underserved Location	Locations currently lacking access to 100/20 Mbps broadband service, as identified on the FCC's National Broadband Map.
Community Anchor Institution	Locations such as schools, libraries, hospitals, and community-based organizations that help vulnerable populations access broadband. Under the BEAD Program, funding can be used to bring 1/1 Gbps broadband service to Community Anchor Institutions.
Eligible Entity	The State entity receiving BEAD funding from the federal government; the ConnectALL Office serves as the Eligible Entity for the State of New York.
Subgrantee	Entities who will apply for and receive BEAD Program funding from ConnectALL; potential subgrantees may include local and Tribal governments, Internet Service Providers, and nonprofit organizations.
Challenge Process	The process by which the State will validate and refine the list of unserved, underserved, and Community Anchor Locations in the state which will be eligible for BEAD-funded buildouts.
Initial Proposal	ConnectALL's proposal to NTIA of how the State will run its challenge and subgrantee selection processes.
Final Proposal	Following completion of the challenge and subgrantee selection processes, the final proposal to NTIA of which specific projects ConnectALL has selected for BEAD funding.

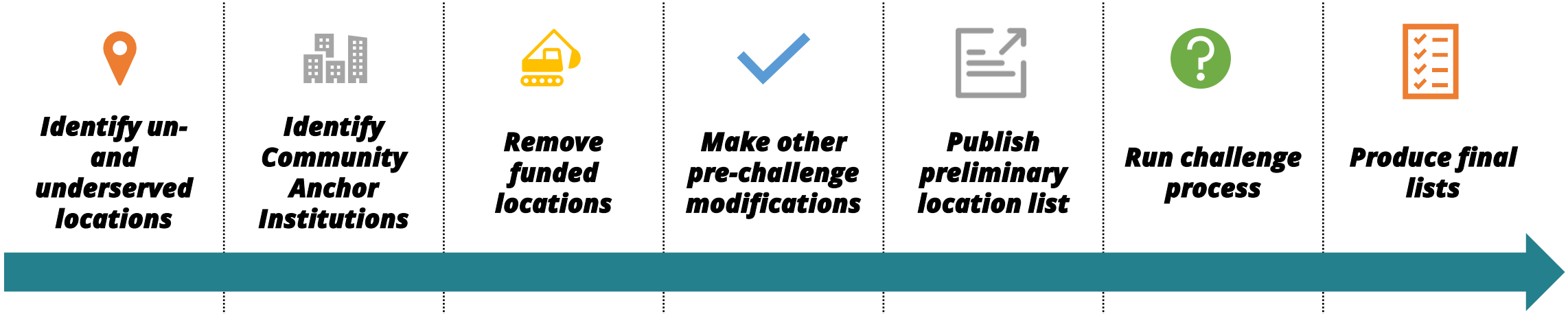
BROADBAND DEPLOYMENT INITIAL PROPOSAL

The Initial Proposal includes ConnectALL's goals and objectives for broadband deployment and digital equity.

1	New York's digital infrastructure will **connect all residents and businesses** to high-speed, reliable, and affordable broadband.	• Connect all households and businesses by 2030. • Expand rural cellular coverage.
2	New York will have a **robust and competitive internet marketplace** to support economic development and benefit New Yorkers with consumer choice.	• Connect 100,000+ households in affordable and public housing by 2030. • Connect 20,000+ households to open-access municipal infrastructure by 2030. • Create 2,000+ quality broadband jobs for un/underemployed and historically marginalized New Yorkers.
3	**A statewide mobilization** with partners in State, regional, county, local, and Tribal governments, and in the private, nonprofit, and academic sectors **will end the digital divide.**	• Produce New York's first-ever State Digital Equity Plan with statewide engagement. • Invest at least $50M to implement the State Digital Equity Plan. • Identify at least five connectivity innovations to improve service and affordability for rural and/or low-income areas.

ISSUE FOR COMMENT: DETERMINING ELIGIBLE LOCATIONS

Only locations that are on the federal broadband map and that ConnectALL determines are unserved or underserved will be eligible for BEAD funding.



Identify un- and underserved locations	***Identify Community Anchor Institutions***	***Remove funded locations***	***Make other pre-challenge modifications***	***Publish preliminary location list***	***Run challenge process***	***Produce final lists***
Determine preliminary location list based on latest version of the FCC map	Assemble list of CAIs lacking gigabit-speed service; revise based on input received during public comment period	Remove locations with existing broadband deployment commitments	Make evidence-based adjustments to locations list (per Initial Proposal Vol. I, CAO will treat DSL-served locations as underserved)	Publish revised preliminary location list for challenge process (tentative date: February 2024)	Governments, nonprofits, and ISPs challenge eligible locations and rebut challenges (tentative due date for challenges: March 2024)	CAO makes final determinations; adjusts and publishes revised list; submits list to NTIA for approval (tentative date: May 2024)

90-day process

ISSUE FOR COMMENT: CHALLENGE TYPES

ConnectALL proposes to accept the following types of challenges and rebuttals.

Eligible Participants	Local/Tribal governments, nonprofit organizations, and Internet Service Providers

Challenge Type	**Description**
Availability	Service not offered at location.
Speed	Actual speed at location is lower than reported on map.
Latency	Latency exceeds 100 ms.
Data Cap	The only service available is data-capped.
Technology	Incorrect technology reported on map.
Business Service Only	No residential service available.
Enforceable Commitment or not	Location is set to receive broadband through an enforceable commitment.
	Location was indicated as part of an enforceable commitment but will NOT be receiving broadband.
Planned Service	Location is set to receive broadband through other means.
Community Anchor Institution (CAI) or not	Location is a CAI.
	Location is reported as a CAI on map, but is not a CAI.

→ *Reference: Challenge Process Design (Initial Proposal Volume I, Section 4.6)*

For Consideration

- Do you understand the role you can play in the challenge process?
- Are the types of challenges and evidence appropriate and sufficient?

ISSUE FOR COMMENT: COMMUNITY ANCHOR INSTITUTIONS

Volume I of the Initial Proposal must include a list of Community Anchor Institutions that support broadband access and use by vulnerable populations. ConnectALL identified 8,058 such institutions currently lacking high-speed broadband service.

Community Anchor Institution Definition:

As defined in 47 USC 1702 (a)(2)(E):

A school, library, health clinic, health center, hospital or other medical provider, public safety entity, institution of higher education, public housing organization (including any public housing agency, HUD-assisted housing organization, or Tribal housing organization), or community support organization that facilitates greater use of broadband service by vulnerable populations, including, but not limited to, low-income individuals, unemployed individuals, children, the incarcerated, and aged individuals.

For Consideration

- Is the list accurate?
- Are any key institutions missing from the list?
- Are there other categories of institutions that ConnectALL should consider including in its definition?

→ *Reference: Community Anchor Institutions (Initial Proposal Volume I, Section 3.1) and Appendix 4*

ISSUE FOR COMMENT: AREA AND MDU CHALLENGES

ConnectALL will allow for area and multiple dwelling unit (MDU) challenges, for scenarios where multiple challenges for a particular category are submitted for one provider.

Area Challenge: 6 or more locations using a particular technology and a single provider within a census block group are challenged

MDU Challenge: At least 3 units or 10% of the unit count at the location are challenged, whichever is larger

- Area and MDU challenges will be considered for Availability, Speed, Latency, Data Cap, and Technology challenge types.
- Providers will be required to rebut with evidence that service is available for all locations within the census block group, or partially rebut with evidence for each individual location that is served.
- Challenges will be resolved on a location by location basis.

For Consideration

- Are the area and MDU challenge thresholds appropriate?

→ *Reference: Area and Multiple Dwelling Unit (MDU) Challenges (Initial Proposal Volume I, Section 4.6.6)*

ISSUE FOR COMMENT: PROJECT AREA DEFINITION

ConnectALL will define Grant Areas following the conclusion of the State's challenge process.

Grant Area Determination Process:

1	***Geographic Boundaries*** CAO will consider potential for competition, unserved and underserved locations, economic viability, community needs, and operational efficiency when defining project area boundaries. Boundaries may align with counties, network architecture, or other topographical features.
2	***Secondary Coverage Percentages*** Applicants will be required to submit a bid for 100% coverage of each Grant Area. Applicants will also be able to submit modified bids for lower percentages of coverage, if removal of some locations will significantly impact the economics of their bid.
3	***Benchmark Pricing*** Based on internal engineering and economic modeling, CAO will determine benchmark pricing for each Grant Area, which will not be disclosed but will be used for formula-based application scoring.

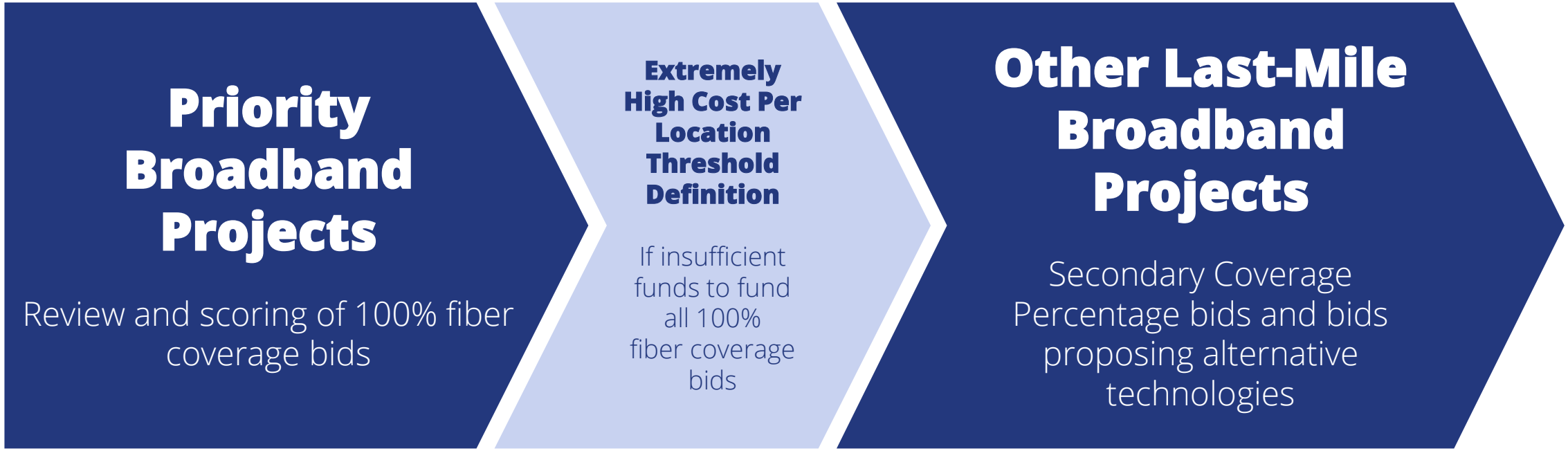
For Consideration

- What size should the Grant Areas be?
- How should ConnectALL define the boundaries?
- Is the Secondary Coverage Percentage process clear?

→ *Reference: Project Area Definition (Initial Proposal Volume II, Section 4.6)*

ISSUE FOR COMMENT: MAXIMIZING FIBER OPTIC COVERAGE

ConnectALL will prioritize 100% fiber optic coverage, then secondary coverage amounts set by ConnectALL, then other levels of coverage and other technologies.



→ *Reference: Subgrantee Selection Process Overview (Initial Proposal Volume II, Section 4.1.2)*

ISSUE FOR COMMENT: APPLICANT REQUIREMENTS

ConnectALL proposes a multi-step grant application process beginning with the Prequalification Phase, followed by the Scoring Phase.

Prequalification Phase Application Requirements

- Financial capability
- Managerial capability
- Technical capability
- Legal compliance
- Operational capability
- Ownership information
- Details on other public funding
- Environmental and historic preservation and Build America, Buy America Act
- Labor standards and protection (federal and State)
- Workforce readiness
- Minority- and Women-owned Business Enterprise and Labor Surplus Area firm participation
- Natural hazard risk mitigation
- Low-cost service option
- Middle-class affordability
- Non-discrimination and civil rights
- Cybersecurity and supply chain risk management

For Consideration

- What information should ConnectALL require from all applicants?

→ *Reference: Prequalification Phase (Initial Proposal Volume II, Section 4.2.1)*

ISSUE FOR COMMENT: APPLICANT REQUIREMENTS

CAO anticipates a multi-step grant application process beginning with the Prequalification Phase, followed by the Scoring Phase

Scoring Phase Application Requirements

- Project-specific financial commitments and certifications of sustainability
- Affordability commitments
- Managerial capability
- Technical capability
- Project details (design, technical specifications, timelines/milestones, budget)
- Engineering certification
- Evidence of local/Tribal coordination and support

For Consideration

- What information should ConnectALL require from all applicants?

→ *Reference: Scoring Phase (Initial Proposal Volume II, Section 4.2.2) and Subgrantee Qualifications (Initial Proposal Volume II, Section 4.11)*

ISSUE FOR COMMENT: APPLICATION SCORING

Federal rules prescribe a set of primary criteria to total 75 points and allow for some discretion with the remaining points.

Primary (mandatory) criteria	Value
Minimal BEAD program outlay Higher points awarded to proposals that fall within a certain percentage of the cost model benchmark	30
Affordability Commitment to provide most affordable total price to consumer for 1Gbps/1Gbps service	15
Fair labor practices Compliance with federal fair labor laws	30
TOTAL	**75**

Secondary criteria	Value
Speed to deployment Commitment to provide service earlier than four-year deadline	1
Local and Tribal coordination Demonstrations of support from local or Tribal governments (where relevant) and other community institutions and stakeholders	5
Equitable Workforce Development and Job Quality Compliance with State labor laws and commitment to using a diverse and highly skilled workforce	5
Open access commitments Commitment to open access	14
TOTAL	**25**

For Consideration

- Are these the appropriate secondary criteria?
- Is this the appropriate scoring allocation?

→ *Reference: Prioritization and Scoring (Initial Proposal Volume II, Section 4.2)*

ISSUE FOR COMMENT: LOW-COST BROADBAND SERVICE OPTION

NTIA requires subgrantees offer a low-cost service option for households that are eligible for the Affordable Connectivity Program monthly subsidy.

Low-Cost Broadband Service Option Requirements

- $65 or less per month (including taxes and fees)
- Available for 10 years following completion of the grant funding period
- Minimum speed 100/20 Mbps; maximum latency 100ms
- No data caps, surcharges, or usage-based throttling
- Can be upgraded in the future at no cost if the provider begins offering a low-cost plan with higher speeds

For Consideration

- Are the low-cost plan parameters reasonable?
- How might they affect the economics of a proposal?

→ *Reference: Low-Cost Broadband Service Option (Initial Proposal Volume II, Section 12)*

ISSUE FOR COMMENT: COST AND BARRIER REDUCTION

ConnectALL has identified multiple possible avenues to reduce grantee costs and barriers to deployment.

Cost and Barrier Reduction Activities
• Promote the use of existing infrastructure
• Streamline permitting processes
• Reduce construction costs
• Reduce labor costs
• Reduce overhead costs
• Reduce materials costs
• Reduce the initial capital cost burden on smaller ISPs
• Provide technical assistance and facilitate knowledge-sharing

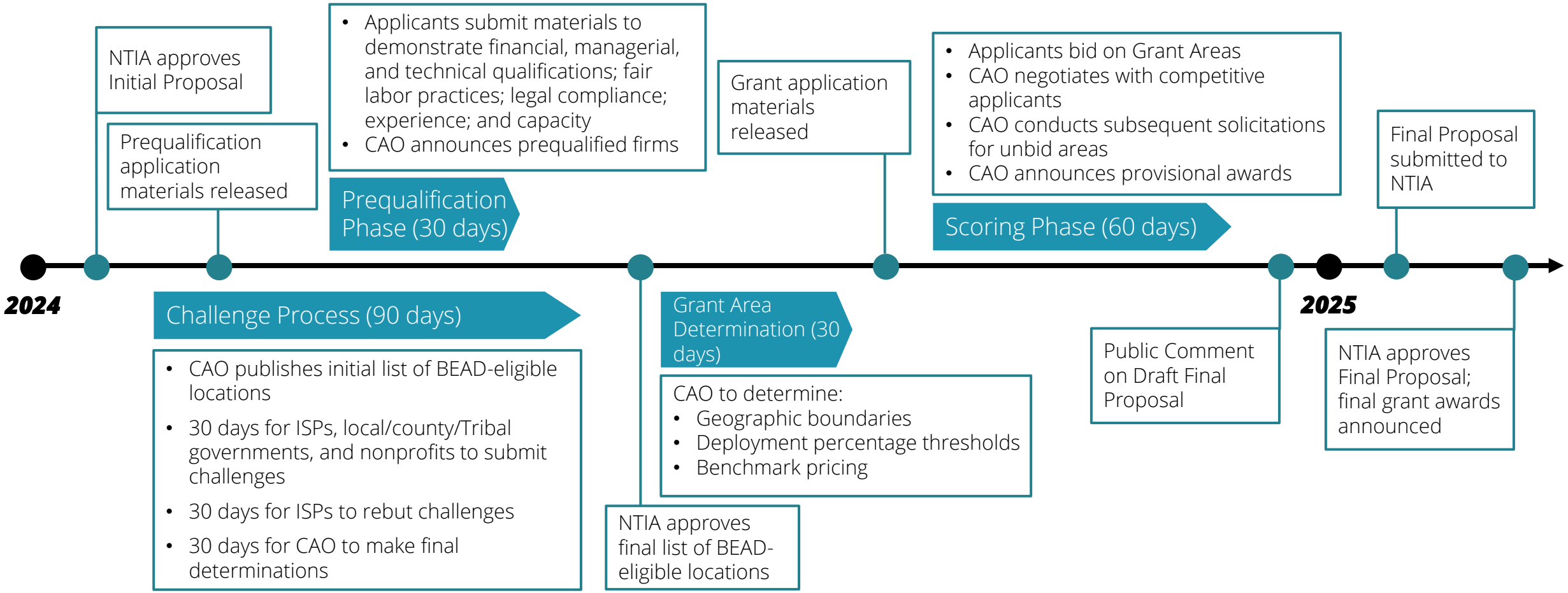
For Consideration

- Which of these actions will be most effective?
- Are there additional activities ConnectALL could undertake to reduce costs and deployment barriers?

→ *Reference: Cost and Barrier Reduction (Initial Proposal Volume II, Section 10)*

BEAD PROGRAM TIMELINE AND SEQUENCING *(SUBJECT TO FEDERAL ACTIONS AND APPROVALS)*

Following federal review and approval, the State will conduct its challenge process, define project areas, and solicit grant applications.



PUBLIC COMMENT

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