

To: Ohio Senate, Energy & Public Utilities Committee  
From: Bethany Dentler, Administrator, Medina County Port Authority  
Re: Testimony Regarding SB 8  
Date: February 1, 2021

Thank you for the opportunity to present testimony regarding Senate Bill 8. I represent the interests of Medina County, Ohio, in two capacities: as the Executive Director of the Medina County Economic Development Corporation and as the Administrator of the Medina County Port Authority. In both of these roles, I have been involved with the construction and expansion of a publicly-owned fiber network since 2008, when the Medina County Port Authority constructed a 150-mile network which now serves hundreds of commercial, industrial, and government customers.

The primary reason that the Port Authority decided to build as an open-access fiber network was because the lack of competition among private-sector broadband providers had led our community to suffer from high prices as well as lack of availability. Because of the decade-long efforts of the Fiber Network's CEO, David Corrado, we now have 14 private-sector carriers who are serving both private and public sector customers. We have also seen telecommunication prices charged by the private sector drop considerably, thanks to these competitive solutions which only come about because of the existence of a government-owned network.

We are now working to bring a residential broadband solution to our community to provide a competitive alternative to the telecommunications needs of our residents. While we support SB 8's broad goals of expanding broadband access, we are greatly concerned with the bill's provisions that would exempt government entities from submitting proposals. The definitions included in the current draft of this bill indicate that a "'broadband provider' does not include a governmental or quasi-governmental entity." (See lines 58-59 on page three of SB 8 As Introduced.) If the bill is approved with this language, it severely restricts our ability to extend broadband to customers who would benefit from lower prices and consumer choices. We know first-hand that having a government entity involved in the telecommunications industry helps to keep them honest and ensures that they are offering the most competitive prices available.

I must also question how the bill defines where service is “already available” in its exclusion of applications to provide tier two service. The telecom industry has traditionally pushed for the definition of “already available” to say that if there is very limited service at the census tract level, then the entire census tract is considered served. Medina County’s census tracts are very large, so if one or two neighborhoods have service in a census tract, the industry considers that broadband is thus “already available” in that census tract. However, in Medina County’s Lafayette Township alone, about a third of the township is not served at all, with Spectrum covering only the southern end of the township and Armstrong only in the north. This leaves a large swath of land in the middle of the township totally unserved. If the telecom industry’s preferred definition of “already available” is used, then this bill could say that such a township is served and thus would not bother to apply for funding to serve this community. This provision allows private sector telecommunication companies to determine where they will build based on their own internal “Return on Investment” measures which typically mean serving more densely populated areas. This is why it is so critical to allow for public networks to be funded: government providers like the Medina County Fiber Network and others throughout the state can ensure equitable access because they have the public interest at heart, not the bottom line.

Accountability for use of these funds is also a critical factor: most other private-sector companies who receive government funding to spur economic growth and development come along with strong measures for accountability. The requirements for grant funding should absolutely include such accountability. Grant dollars should be used to close the digital divide in both urban and rural areas where it is inconvenient and not traditionally profitable for telecommunication companies to build out a broadband network. And those accountability measures should include measures of progress towards bridging the digital gap.

Now more than ever, we know that strong and reliable broadband is critical. During the COVID-19 crisis, we have seen a great need for fiber broadband in our residential community by parents working remotely or accessing telemedicine while sharing limited broadband access with their children engaged in online learning.

Yet the current version of the bill only requires a minimum of one quarter of this capacity (See lines 86-94 on page 4 of SB 8.). This minimum requirement needs to be upgraded so that we can

maintain our state's competitiveness, as a 1 megabit per second upstream for tier one broadband service is frankly archaic. In an era where multiple people in a household may need to use video transmission for working at home, students doing online learning, and adults meeting with doctors in telemedicine applications, Ohio should require grant recipients to provide a much higher standard, or we risk not being competitive at all for both business and population attraction.

How are we going to attract world-class talent to our state if we can't even provide them reasonable internet access in residential neighborhoods? The Medina County Port Authority's service offers a minimum of 100 x 100 Mbps in synchronous upload and download speeds, and we can provide over a Gig Mbps if requested. This compares to the Senate bill's minimum of 1 x 10 Mbps for tier one service, and 3 x 25 Mbps for tier two service. These are unacceptably low minimums for Ohioans who deserve better. While we acknowledge this is the federal standard, we would strongly encourage you to increase the minimum internet access speeds from their current requirements to show Ohio's commitment to broadband access.

In a time when Ohio has a chance to greatly enhance the quality of life and skills of its existing residential population, and compete effectively for new residential growth by attracting those people who are seeking a new home where they can find great work in an affordable, spacious environment, we must show that we can provide a world-class telecommunications infrastructure.

On behalf of the board of the Medina County Port Authority, I respectfully request that the definition of "broadband provider" be revised to allow the inclusion of a governmental or quasi-governmental entity in the proposal submission process. We also request strong consideration of increasing the minimum internet access speeds to a point that would provide equitable access to the many Ohio residential communities that have lacked decent internet access for far too long.

We commend the efforts of this bill, but we believe that it can meet its goals much more effectively with these changes.