



DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

DAVID Y. IGE
GOVERNOR

MIKE MCCARTNEY
DIRECTOR

CHUNG I. CHANG
DEPUTY DIRECTOR

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
Web site: dbedt.hawaii.gov

Telephone: (808) 586-2355
Fax: (808) 586-2377

Statement of
MIKE MCCARTNEY
Director

Department of Business, Economic Development, and Tourism
before the

SENATE COMMITTEE ON GOVERNMENT OPERATION

Thursday, March 24, 2022

3:00 PM

Video Conference

In consideration of

SCR41 / SR36

**REQUESTING THE HAWAII BROADBAND AND DIGITAL EQUITY OFFICE TO
CONDUCT A DATA MAPPING STUDY TO IDENTIFY GEOGRAPHICALLY
UNDERSERVED AND UNSERVED AREAS IN THE STATE THAT LACK QUALITY
BROADBAND CONNECTIVITY.**

Chair Moriwaki, Vice Chair Dela Cruz and members of the Committee. The Department of Business, Economic Development and Tourism (DBEDT) **supports SCR41/SC36** that requests the Hawaii Broadband and Digital Equity Office to conduct a data mapping study to identify geographically underserved and unserved areas in the state that lack quality broadband connectivity..

Over the course of the last two years, the COVID-19 pandemic has spotlighted the need for broadband infrastructure and digital equity for all of Hawai'i's residents and the federal government has seen fit to build robust broadband infrastructure and to fund broadband equity and digital equity programs across the country.

In order to achieve the goals set forth by Federal programs like the Broadband Equity, Access and Deployment, high resolution location data are required to determine unserved and underserved areas throughout Hawai'i. The Broadband & Digital Equity Office can provide these services but will require resources and funding to deliver these data products.

Thank you for the opportunity to submit this testimony.



Charter Communications
Testimony of Rebecca Lieberman, Director of Government Affairs

COMMITTEE ON GOVERNMENT OPERATIONS

Hawaii State Capitol
Thursday, March 24, 2022

TESTIMONY PROVIDING COMMENTS ON S.C.R. 41/S.R. 36, REQUESTING THE HAWAII BROADBAND AND DIGITAL EQUITY OFFICE TO CONDUCT A DATA MAPPING STUDY TO IDENTIFY GEOGRAPHICALLY UNDERSERVED AND UNSERVED AREAS IN THE STATE THAT LACK QUALITY BROADBAND CONNECTIVITY.

Chair Moriwaki, Vice Chair Dela Cruz, and Members of the Committee.

Thank you for the opportunity to **provide comments** on S.C.R. 41/S.R. 36, a resolution that would request the Hawaii Broadband and Digital Equity Office to collect data on broadband availability.

Charter supports efforts to bring broadband to unserved areas of Hawaii. The potential influx of federal dollars for broadband infrastructure expansion provides Hawaii with a unique opportunity to connect every location in the state. But doing so requires that Hawaii be thoughtful and focused getting those dollars to those who do not yet have access to broadband infrastructure. Every dollar the state spends on broadband infrastructure in areas that already have broadband service is a dollar that could have been used to bring service to the most expensive and hard-to-reach locations.

The federal government thoughtfully redefined the speeds that constitute broadband in the Infrastructure Investment and Jobs Act ("IIJA") by defining underserved areas eligible for grants as those without access to broadband at speeds of 100 Megabits per second ("Mbps") downstream and 20 Mbps upstream. The federal government has recognized that speeds of 100/20 are more than

sufficient for today's broadband needs and so spending money to build infrastructure in areas that already have sufficient service would be a waste of government dollars, leaving the truly unserved and underserved even farther behind.

Charter has concerns about S.C.R. 41/S.R. 36 because it would define underserved areas as areas that do not have service at speeds of at least 100 Mbps down and 100 Mbps up. This definition would, in effect, define nearly the entire state of Hawaii as underserved despite the fact that all of the more than 400,000 homes and businesses in the state where Charter service is available have access to broadband at download speeds of 1000 Mbps (1 Gigabit) and upload speeds of 35 Mbps. This service is provided over a network scalable to higher speeds through the continued private investments Charter continues to make in the state.

We recommend that Hawaii mirror the federal approach of focusing on speed and latency metrics, but retain the authority to revisit those metrics periodically as federal guidance, technology, and industry standards change.

Second, Charter has concerns about the broadband mapping provisions of S.C.R. 41/S.R. 36. New maps are in development at the Federal Communications Commission--which they must create pursuant to the Broadband DATA Act and which NTIA will be using in identifying areas eligible for distribution under the IIFA.¹ These maps are based on the collection of shapefiles, which are GIS or KMZ files that granularly outline on a map which areas have access to broadband service and which do not. Under the FCC's rules, broadband providers are required to provide a shapefile showing every

¹ Infrastructure Investment and Jobs Act, PUBLIC LAW 117-58, 135 STAT. 429, 1186 (Nov. 15, 2021).

location that can be serviced within 10 days. These shapefiles will be layered onto a public map of the United States.

The federal maps will also reflect data collected on maximum advertised download and upload speeds. For services below 25/3 Mbps, providers must report in two tiers: (1) greater than 200 kbps in at least one direction and less than 10/1 Mbps; and (2) greater than or equal to 10/1 Mbps and less than 25/3 Mbps. For speeds greater than 25/3 Mbps, providers must report the maximum advertised speeds. ISPs are also required to provide latency metrics, indicating whether round-trip latency is less than or equal to 100 milliseconds based on the 95th percentile of measurements. And consumers and government entities will have the ability to challenge the data on the FCC's maps if they find it to be inaccurate, with providers required to update the map or respond to challenges within 30 days.

Should the State of Hawaii decide to collect data to produce its own broadband availability map, that map and the data collected to support the map should align with the federal mapping requirements. However, to avoid wasteful duplication of resources, we recommend that the state reevaluate the need for its own maps.

Charter believes that every Hawaii resident should have reliable access to the Internet. We will continue to help bring the benefits of broadband and access to the internet to those who need it most. In 2020 alone, Charter extended its network to reach an additional 14,000 homes and small businesses in Hawaii, investing more than \$87 million in the state. Additionally, Charter is pleased to now provide high-speed data services to beneficiaries living in the Hawaiian Homelands following a recent

announcement by DHHL, which allows homesteaders to obtain telecommunications services from a provider of their choice.

Charter is a member of DBEDT's weekly Broadband Hui to assist in strategic broadband planning and closing the Digital Divide. Additionally, Charter participated in the FCC's Emergency Broadband Benefit Program (EBB) and is now participating in the \$14.2 billion federal Affordable Connectivity Program (ACP). The EBB, and now the ACP, has helped connect over 18,000 eligible households in Hawaii with high-speed broadband during the ongoing COVID-19 pandemic. Broadband internet access is more important than ever and the newly adopted ACP offers a tremendous opportunity to help low-income families stay connected, providing eligible households a discount of up to \$30 per month toward broadband service and up to \$75 per month for households on the Hawaiian Homelands.

Hawaii has an opportunity to bring broadband to every home and business in the state. Passage of S.C.R. 41/S.R. 36 may frustrate that effort by misdirecting resources to those who already have access to broadband service, while leaving those without service even farther behind.

Mahalo for the opportunity to submit these comments.

Written Statement of
Jeannine Souki
Sr. Manager – Government & Regulatory Affairs

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

March 24, 2022 3:00 PM
State Capitol, Conference room 016 & Videoconference

COMMENTS FOR:

S.C.R. NO. 41 / S.R. NO. 36 - REQUESTING THE HAWAII BROADBAND AND DIGITAL EQUITY OFFICE TO CONDUCT A DATA MAPPING STUDY TO IDENTIFY GEOGRAPHICALLY UNDERSERVED AND UNSERVED AREAS IN THE STATE THAT LACK QUALITY BROADBAND CONNECTIVITY

To: Chair Moriwaki, Vice-Chair Dela Cruz, and Members of the Committee
Re: Testimony commenting on SCR 41/SR 36

Aloha Honorable Chair, Vice-Chair, and Committee Member:

Thank you for this opportunity to submit comments on Senate Concurrent Resolution 41/Senate Resolution 36. These resolutions request that the Hawaii Broadband and Digital Equity Office conduct a data mapping study to identify geographically underserved and unserved areas in the state that lack quality broadband connectivity.

While we support the legislative intent to promote broadband equity, we have strong reservations regarding the resolutions as currently written because the definitions for “unserved” and “underserved areas” may not be in alignment with state definitions as contained in Act 225 (2021) and new federal broadband informational mapping regulations which the Federal Communications Commission (FCC) is undertaking as required by the Broadband Deployment Accuracy and Technological Availability (“DATA”) Act, passed by the U.S. Congress and enacted into public law on March 23, 2020.

The FCC reports that once the Broadband Data Collection program is fully implemented:

FCC’s broadband maps will include additional layers and functions. For fixed internet service, the maps will show – on a house-by-house, location-by-location basis – where broadband internet access service is available, meaning that it has a broadband connection or could be connected within 10 business days with a standard installation. The FCC will standardize location data through the use of a Broadband Serviceable Location Fabric, a common dataset of all structures in the United States where mass-market fixed broadband internet access service can be installed.

The Broadband Data Collection maps will also incorporate systems and processes for the validation and verification of provider-submitted data to improve their accuracy, as well as a user-friendly challenge process that will allow consumers, state, local, and Tribal governments, and other third parties to dispute the information shown on the maps.¹

The FCC recently proposed new rules that would require broadband Internet service providers to publish consumer labels, similar to nutrition labels found on cereal boxes, disclosing information about service plans, including pricing, data allowances, and other information to help households compare pricing and services to fit their needs and budget. The FCC's new federal broadband data reporting regulations require providers to submit data in September 2022, and the FCC expects to finalize broadband data maps by the end of 2022.

To avoid duplication, discrepancies, and further confusion as to what is considered "unserved" and "underserved" areas as the federal government moves in parallel to implementing new compliance requirements for broadband internet service providers and vet the distribution of federal broadband funds authorized by the Infrastructure Act, we respectfully urge the committee to defer action on this bill as we FCC promulgates new federal broadband data reporting regulations and finalizes broadband data maps.

Finally, we believe that the infusion of federal broadband funds would be best used by building broadband infrastructure to leverage federal, state, and private investments to build broadband into areas that are the hardest and most costly to reach.

Over the last two years, the worldwide pandemic has affected every one of us in countless ways. And, it has solidified the importance of staying connected with 'ohana, our customers, and our communities. We at Hawaiian Telcom know that fiber is our future, and we are committed to deploying fiber throughout the State.

Hawaiian Telcom is committed to enabling Hawaii's unserved and underserved communities with integrated communications, including high-speed broadband, data, video, as well as local and long-distance voice services that keep us connected to the world.

Thank you for the opportunity to submit comments on Senate Concurrent Resolution 41/Senate Resolution 36.

¹ [Mobile Broadband Maps | Federal Communications Commission \(fcc.gov\)](https://www.fcc.gov/mobile-broadband-maps), accessed on February 8, 2022.

Support for SCR41 by Daniel C. Smith
March 23, 2022

I write in my individual capacity to strongly support SCR41 and to support amendments being proposed by Senator Kanuha.

I understand the frustration as expressed in the second and third paragraphs of the resolution:

“WHEREAS, many service providers have shared these data maps that boasted coverage with the Legislature to demonstrate the inexistence of "underserved" and "unserved" areas in the State; and

“WHEREAS, residents on Hawai'i Island, Moloka'i, and Hana, Maui have historically experienced disruption in service, dropped calls, and dead areas in rural communities . . . “

It is important to start listening to communities about the existing levels of broadband connectivity and their needs. The mapping of levels of service and community needs and inputs is not just the right thing to do; it is a statutory requirement of the large funding programs created by the Federal Government, for example the \$42 billion Broadband Equity, Access and Deployment program.

The mapping should determine the best speeds actually supplied in a census block – or smaller area -- and to approximately how many customers. Special attention should be given to recording cases and addresses where services of at least 25/3 have been desired and/or requested by potential customers but not available from an ISP. Judgements about adequacy can be made later. There is a good case to be made that a solid 25/3 service in the short term should be considered underserved but not unserved.

The resolution should recognize that community input is essential to making the maps and will greatly speed up the process of funding improvements. I also encourage legislators, aided by community organizations, help the mapping by keeping at least informal lists of where constituents are unserved or underserved.

Flexibility is important so language like this should be included in the resolution:

The Digital Equity office shall make adjustments, while preserving high granularity, in the mapping to best align with the Federal Communications Commission's Broadband Data Collection program that is scheduled to launch in June 2022. That new program, driven by the Broadband Deployment Accuracy and Technological Availability (DATA) Act of 2020, allows for upload by organizations in addition to the telecom carriers.

There is a deliberate effort on the part of the FCC and the NTIA to enable inclusion of community input in addition to input from internet service providers (ISP's). More local documentation starting this year in Hawaii will speed up the process of extending service.

In conclusion, do have the Digital Equity office document and map, working with communities, what broadband service is available where and listen carefully when deciding later what is un-served or under-served. Please do pass SCR41 to get mapping and community input ramped up.

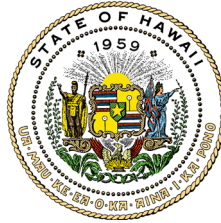
Respectfully,



Daniel C. Smith, Ph.D. (Communication and Information Sciences)
Pearl City, 808-462-8346, smithdan@hawaii.edu

DAVID Y. IGE
GOVERNOR OF HAWAII

ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH



CAROLINE CADIRAO
DIRECTOR

Telephone
(808) 586-0100

Fax
(808) 586-0185

STATE OF HAWAII
EXECUTIVE OFFICE ON AGING
NO. 1 CAPITOL DISTRICT
250 SOUTH HOTEL STREET, SUITE 406
HONOLULU, HAWAII 96813-2831

**Testimony COMMENTING on SCR41/SR36
REQUESTING THE HAWAII BROADBAND AND DIGITAL
EQUITY OFFICE TO CONDUCT A DATA MAPPING STUDY
TO IDENTIFY GEOGRAPHICALLY UNDERSERVED AND
UNSERVED AREAS IN THE STATE THAT LACK QUALITY
BROADBAND CONNECTIVITY.**

COMMITTEE ON GOVERNMENT OPERATIONS
SENATOR SHARON Y. MORIWAKI, CHAIR
SENATOR DONOVAN M. DELA CRUZ, VICE CHAIR

Testimony of Caroline Cadirao
Director, Executive Office on Aging
Attached Agency to the Department of Health

Hearing Date: March 24, 2022
3:00 p.m.

Room Number: 016
Via video conference

1 **EOA's Position:** The Executive Office on Aging (EOA), an attached agency to the Department
2 of Health, supports the intent of SCR41/SR36, Requesting the Hawaii Broadband and Digital
3 Equity Office to conduct a data mapping study to identify geographically underserved and
4 unserved areas in the State that lack quality broadband connectivity.

5 **Fiscal Implications:** The Department of Business, Economic Development and Tourism
6 (DBEDT) is requesting to expend \$150,000 from Hawaii Tourism Authority's budget for
7 contractual services to complete the data mapping study and further telecommunications
8 research.

9 **Purpose and Justification:** The purpose of this bill is to request the Hawaii Broadband and
10 Digital Equity Office to conduct a data mapping study to identify geographically underserved
11 and unserved areas in the State that lack quality broadband connectivity. Today many of us have

1 cellphones and laptops or computers and access the internet using our devices on a regular basis.
2 However, the benefits of these technological advances are not evenly distributed. Internet
3 accessibility and connectivity has been a growing problem, particularly as it negatively impacts
4 our most vulnerable populations. The need to address and better understand the “digital divide”
5 in Hawaii became crucial as the pandemic triggered the need for stay at home mandates and
6 social distancing, requiring residents to work and learn remotely. To address the “digital divide”
7 and effectively improve internet connectivity in certain areas, it’s important to first identify
8 which areas in Hawaii have limited or no internet connectivity.

9 **Recommendation:** EOA supports the intent of SCR41/SR36 to improve internet connectivity to
10 underserved and unserved areas of Hawaii and defers to the DBEDT in the implementation of
11 the study.

12 Thank you for the opportunity to testify.