

Good morning and thank you for the opportunity to provide insight on the proposed amendment to House Bill 3201A.

I'm Michael Wyszchenk Chief Executive Officer of Hunter Communications.

I appreciate the opportunity to once again speak to you about fair and competitive grant process to build a broadband network to those who need it most.

Hunter Communications is an Internet Service Provider headquartered in Medford. We started as a telecom construction company. We are now a full-service provider for residential and commercial internet and voice solutions. We have competed and won broadband RDOF grants supported by the FCC, E-Rate projects for Oregon schools and libraries, and self-funded fiber to the home to thousands of Oregon families.

I oppose the proposed amendment to HB3201A as currently submitted. In my view, it is potentially inconsistent with the

requirements in the Notice of Funding Opportunity released last May by the NTIA. I have two examples.

In Line 19, a proposed change---

“To be eligible for a grant..... an applicant must demonstrate that at least 80 percent of the broadband serviceable locations on a project service route are unserved or underserved.”

What is the definition of a project service route? I do not believe the term “service route” is included in the definitions supplied by the NOFO.

What is the definition of a “project service route”? If it is a reference to a middle mile route, then there should be concern.

In fact, unless I am mistaken, the NOFO is very specific regarding last mile broadband deployment projects.

Pages 35-36 Paragraph 7:

Last mile broadband deployment projects

## Item 2

An “unserved service project’ or “underserved service project” may include middle mile infrastructure in or through any area required to reach interconnection points or otherwise to ensure technical feasibility and financial sustainability of a project providing service to an unserved location, underserved location, or eligible Community Anchor Institutions.”

The language in the proposed amendment to 3201A does not appear to be consistent with the NOFO; however, I may be in error if a definition of “project service route” is provided.

And speaking of Community Anchor Institutions; the proposed amendment to HB3201A is very active in specifying speeds that qualify underserved and unserved locations and communities. But once you open the door on speeds and specs, the amendment should not be silent on Eligible Community Anchor Institutions. As defined in page 11 of the NOFO, the term community anchor institution means an entity such as a school, library, health clinic, health center, hospital, or other medical provider, public safety entity, institution of higher education, public housing organization, community support organization that facilitates greater use of broadband service by vulnerable

populations including but not limited to..... children and aged individuals.

The term eligible community anchor institution means a community anchor institution that lacks access to Gigabit-level broadband service, as defined on page 12 of the NOFO. Page 37 of the NOFO specifies “qualifying broadband to a CAI is Reliable Broadband Service with

1. A speed of not less than 1 Gig for downloads and uploads alike, and
2. Latency less than or equal to 100 milliseconds

These are important issues requiring in one case clarity in definition and in the other, inclusion of all classes able to improve broadband speed and quality.

Here is why:

This is the language in the NTIA document:

**IN ESTABLISHING A FAIR, OPEN, EQUITABLE, AND COMPETITIVE SELECTION PROCESS, EACH ELIGIBLE ENTITY MUST ENSURE**

THAT ADEQUATE SAFEGUARDS ARE IN PLACE TO PROTECT THE INTEGRITY OF THE COMPETITION. INCLUDING SAFEGUARDS AGAINST BIAS, CONFLICTS OF INTEREST, ARBITRARY DECISIONS AND OTHER FACTORS THAT UNDERMINE CONFIDENCE IN THE PROCESS.

Thank you for your consideration.