

**David Wolff's testimony to the NYS Legislative Commission on Rural Resources  
and the NYS Assembly Standing Committee on Local Governments**

**Introduction:**

- My name is Dave Wolff . I was born and raised in Saranac Lake and have retired back to Saranac Lake after a 31 career with IBM. I'm a board member of AdkAction and Chair of its Broadband Committee.
- I would like to thank you for the opportunity to testify today, and to share our views on the status of broadband in the rural North Country of New York State.
- AdkAction was established in 2011 as a 501(c)(3) nonprofit organization with a mission to create projects that address unmet needs, promote vibrant communities, & preserve the character of the Adirondacks. As Chair of the Broadband Committee, I host a monthly ½ hour conference call (now in its 8<sup>th</sup> year) to share broadband status & best practices in the North Country. Over 100 people from across the North Country, & representatives of state & federal broadband related agencies have asked to be on the call's distribution list.

**Objective:**

- At AdkAction, our objective is to ensure "**100@100**". By this I mean that 100% of the households in NY should have access to at least 100 Mbps broadband speeds.
- With government help, my grandfather's generation connected everyone to electrical lines in the '30's and my father's generation connected everyone to phone lines at mid-century. Its now time to connect every household in the state with broadband fiber or cable.

**Background:**

- In advocating for and receiving over \$170M in federal Connect America Funding and requiring Spectrum to add 145,000 addresses to its network as a condition of its approval of the Time Warner/Charter merger, NYS has done an excellent job leveraging its original \$500M investment to close the digital divide in the state.
- With the July Settlement Agreement between Spectrum and the NY Public Service Commission (PSC), Spectrum can count a new address towards its remaining goal of adding 80,000 addresses to its network, only if it extends its network to reach the new address.
- By way of definition, according to New York State, **any household with access to less than 25 Mbps is unserved and any household with access to between 25 and 100 Mbps is underserved.**
- Per the Broadband Program Office (BPO), at the conclusion of the New NY Broadband Program and the Spectrum 145,000 address network build-out, approximately 99% of the households in the state will have access to at least 100 Mbps broadband speeds. **The remaining 1% will continue to be unserved/underserved with the vast majority of this 1% located in rural areas, areas in most need of economic development.**

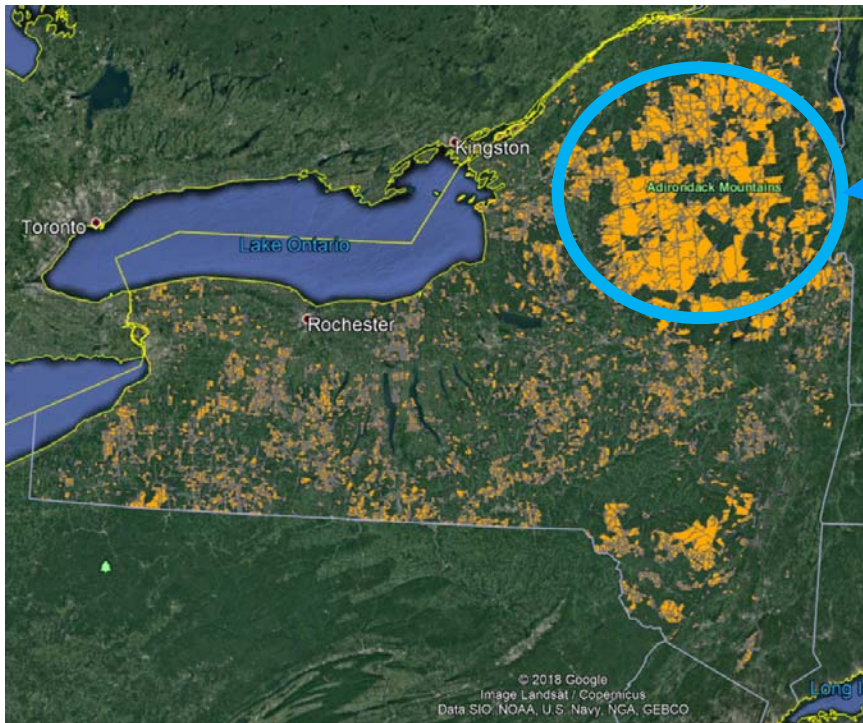
**Next Step:**

- In order to achieve **100@100**, we need to start by identifying and quantifying everyone who will still be unserved/underserved at the conclusion of the New NY Broadband Program & the Spectrum 145,000 network expansion. **The remaining unserved/underserved households fall into 2 categories, and there are 2 ways of identifying the unserved/underserved households in the 2<sup>nd</sup> category.**

**The 1<sup>st</sup> category of unserved/underserved households are made up of HughesNet awards:**

HughesNet was awarded Phase 3 New NY Broadband Program grants to provide satellite Internet service of 25 Mbps to over 70,000 unserved households in NYS, households that will now have some service (though they will remain underserved). As a result of the HughesNet awards, no census blocks in the parts of the state under control of the New NY Broadband Program will contain unserved households. The census blocks awarded to HughesNet are highlighted in canary yellow on the map of NYS.

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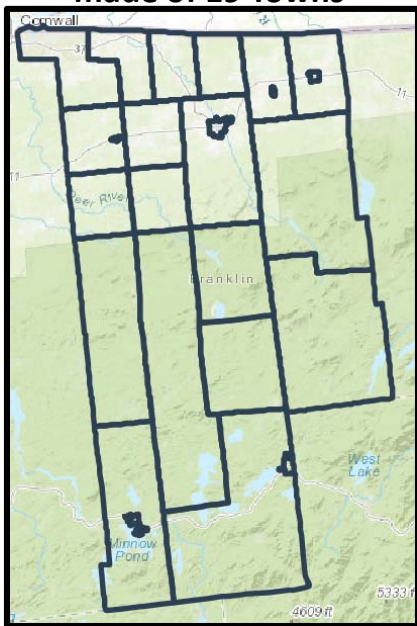


Because of its topography, the Adirondack Park accounts for the majority of the geography covered by awards to HughesNet, but contains only slightly more than 20% of the awarded households.

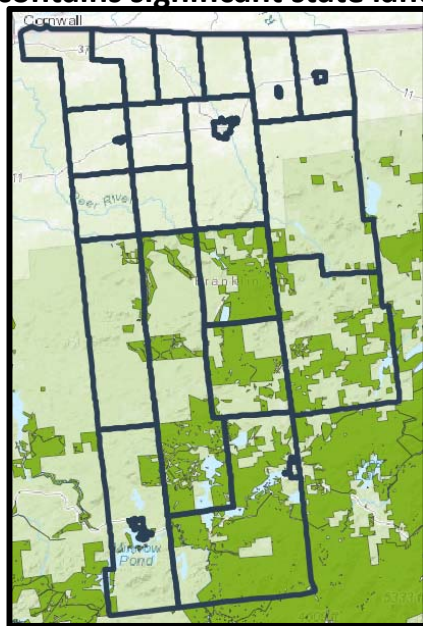
**The 2<sup>nd</sup> category of unserved/underserved households are in Spectrum's rural franchises but lie beyond Spectrum's network boundaries and can be identified in 2 ways. Method #1: Using an online GIS application developed for use in the Adirondacks, along with significant local knowledge:**

At the conclusion of Spectrum's 145,000 address network expansion, the households that remain beyond the end points of its networks in its rural franchise areas will be unserved or underserved. The following screen shots show how the GIS application utilizes layers and the color coding of the census blocks awarded to providers under the New NY Broadband Program to focus attention on the areas not covered by the Program. (The providers were typically awarded full census blocks which meant they had to service all households in the census block.)

**1. Franklin County is made of 19 Towns**

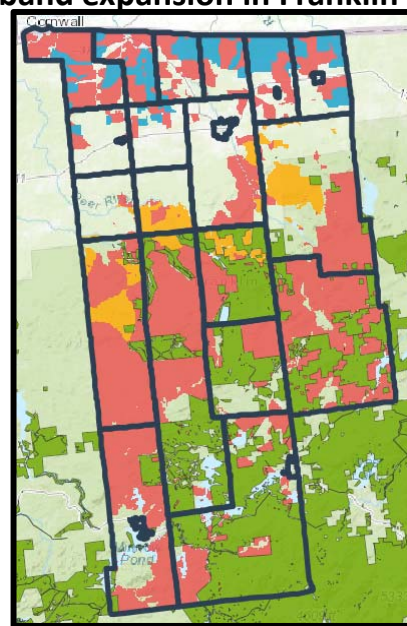


**2. The southern end of the county contains significant state land**



■ Census Blocks in the State Forest Preserve

**3. Three providers received broadband grants from the state for broadband expansion in Franklin County.**

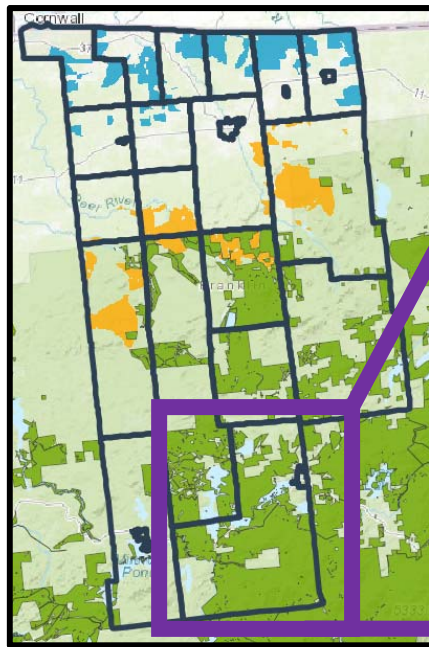


■ Census Blocks awarded to Slic Network Solutions  
■ Census Blocks awarded to Another Provider  
■ Census Blocks awarded to HughesNet

**The 2<sup>nd</sup> category of unserved/underserved households – Method #1 (continued):**

I will use the Lake Kiwassa area (Franklin County, Town of Harrietstown) to illustrate how the unserved/underserved addresses can be identified. The following 3 screen shots from the GIS application show the progression from the county to the local neighborhood.

**(1) Franklin County is made up of 19 Towns**






**(2) The Town of Harrietstown has a Spectrum franchise**



**(3) Lake Kiwassa with all 911 addresses indicated by small circles.**



-  Census Blocks awarded to Slic Network Solutions
-  Census Blocks awarded to Another Provider
-  Census Blocks in the State Forest Preserve

**2<sup>nd</sup> Category – Method #1 (continued):** In this example, addresses inside the **bronze ellipses** have been identified as being outside the end points of the existing Spectrum network & will be unserved under **Spectrum’s current Plan of Record:**

We know this by using a labor intensive combination of the Spectrum address lookup url coupled with local knowledge. In this example, unserved addresses that were going to be upgraded, were dropped from Spectrum’s build-out Plan of Record, as it changed. They need to be tracked, which adds additional complexity.

As of June 2, 2019, 157 W Shore Rd was in the Spectrum build-out plan. (X)

Standardized address:  
157 W SHORE RD, SARANAC LAKE NY 12983

**YOUR RESULTS:**  
Spectrum is not planning to build to this address in the next 12 months, but is currently planning to build to this location by May 2020. \*

As of September 11, 2019, 157 W Shore Rd was no longer in the Spectrum build-out plan.

Standardized address:  
157 W SHORE RD, SARANAC LAKE NY 12983

**YOUR RESULTS:**  
This address is not included in the current build-out plan. Please check again in 6 months to see if Spectrum’s plans have changed. \*

The **bronze ellipses** outline households within the Harrietstown Spectrum franchise area that are currently unserved.



As of June 2, 2019, 82 Hemlock Ln was in the Spectrum build-out plan. (Z)

Standardized address:  
82 HEMLOCK LN, SARANAC LAKE NY 12983

**YOUR RESULTS:**  
Spectrum is currently planning to build to this address in the next 12 months. \*

As of September 11, 2019, 82 Hemlock Lane was no longer in the Spectrum build-out plan.

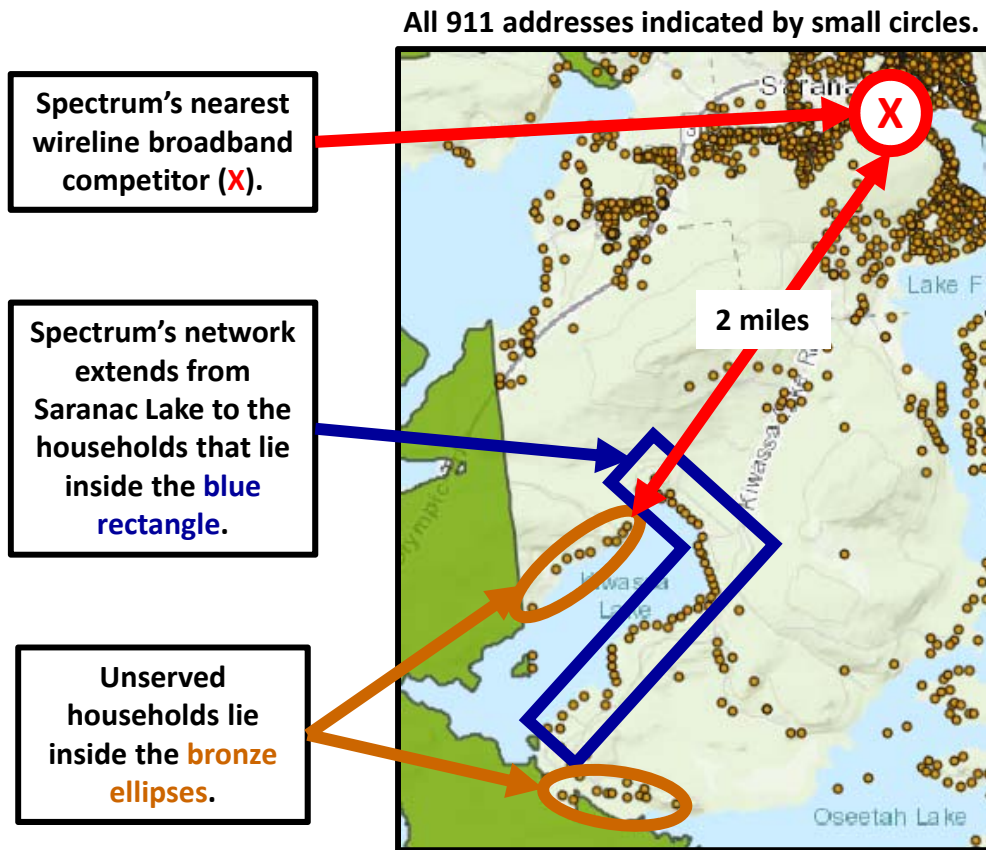
Standardized address:  
82 HEMLOCK LN, SARANAC LAKE NY 12983

**YOUR RESULTS:**  
This address is not included in the current build-out plan. Please check again in 6 months to see if Spectrum’s plans have changed. \*

\* Screen shot from <http://www.bldlkup.com/results.php>

2<sup>nd</sup> Category – Method #2: Unserved/underserved households that lie beyond Spectrum’s network boundaries in its rural franchises will typically be located far from any competitive wire-line provider.

The eastern and northern households on Lake Kiwassa (inside the **blue rectangle**) have access to Spectrum service. Per the prior chart, the households on the western side of Lake Kiwassa and on the southern outlet to the lake (inside the **bronze ellipses**) have no service. Since the nearest wire-line broadband competitor (indicated by the **red X**) to the unserved addresses is more than two miles away, Spectrum is the only wire-line provider that could provide service to the unserved/underserved at a competitive cost.



- Spectrum is best positioned to service the unserved/underserved households that lie beyond its network boundaries.
- Which Means --
- Spectrum has a defacto monopoly on the unserved/underserved households within its rural franchises.
  - Having Spectrum make available the boundaries of its network would allow town officials to determine the unserved/underserved households beyond its network boundaries (Method #2), and would not cause Spectrum competitive harm as no wire-line competitor could provide service to the unserved/underserved at a competitive cost.

**Summary:**

- At the conclusion of the New NY Broadband Program and the Spectrum 145,000 address network expansion, we need to be able to identify & quantify the remaining 1% of the unserved & underserved households, in order to estimate the cost required to give them access to 100 Mbps service. This information for the addresses to be served by HughesNet is known. The number & location of the unserved/underserved addresses lying beyond the ends of Spectrum's networks in its rural franchise areas can be determined, either via local knowledge using the GIS application (Method #1) or via Spectrum (Method #2).
- **What you can do:**
  - **To help implement Method #1: Fund a statewide effort** to replicate the GIS approach being used in the Adirondacks, at an estimated cost of approximately \$250,000.
  - **To help implement Method #2: Request of the PSC:**
    - To require Spectrum to make available, information on where its network ends, by street, by town, within its rural franchise areas, in aggregate across the state. We are NOT asking for any confidential customer information.
    - The BPO can then work with local towns to identify unserved and underserved addresses that lie within Spectrum's franchise area, but beyond its existing network, and to help size the funds needed to achieve **100@100**.
- Achieving **100@100** would make NY a leader in addressing a major limiter to economic development in its rural areas.

**For More Information, Contact:**

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