

House Consumer Affairs Committee
Testimony on Broadband Access
Pennsylvania State Grange
August 9, 2018

Vince Phillips
Legislative Director
Pennsylvania State Grange
717-346-1063
legislation@pagrange.org

Chairs Godshall and Caltigirone, and members of the House Consumer Affairs Committee.

Thank you very much for receiving this written testimony from the Pennsylvania State Grange.

Pennsylvania State Grange has represented rural Pennsylvanians, both farmers and others, since 1873. Currently, we are pushing for universal access to Broadband for rural Pennsylvania as our number one priority. To understand this issue fully, we need to see a comparison between rural electrification in the 20th Century and Broadband access today. The Pennsylvania State Grange believes that right now, many in rural Pennsylvania do not have access to what has become basic access to technology. Although legislators from rural areas are familiar with the need, please consider these examples:

- Representative Kristin Phillips-Hill (R-York) told a Grange panel on Broadband at the Farm Show that what got her involved in the issue was the sight of parents bringing their kids to school parking lots to do their homework in the evenings because they did not have Internet at home.
- PA Campground Owners Association reports that some of their members could not verify credit

- card transactions or even take reservations online.
- A farmer buys a new piece of farm equipment. Thanks to technology, it provides more efficiency in agriculture. However, without Broadband access, this technology is just an expensive feature with limited usefulness in the field.
 - Will a business choose a place to invest with full access to technology where it can do all the things a business must do...market, take and process and fulfill orders, negotiate with suppliers...or will it choose a rural area where insufficient or no access exists?
 - Telemedicine is modern medicine's answer to problems associated with providing care to isolated or house-bound individuals. Travel to a limited number of health care providers and a hospital is simply not in the cards for many older Pennsylvanians, especially during winter months. Rep. Marguerite Quinn (R-Bucks) and Senator Elder Vogel (R-Beaver) introduced legislation (HB 1648 and SB 780) regarding telemedicine which the PA State Grange supports. However, telemedicine does not work if there is no connectivity. Remote monitoring of a health condition? No. The doctor reviewing condition with a patient communicating real-time data? No.

To the Pennsylvania State Grange, these are obvious examples. They spell out a need to give rural PA the same resources as non-rural parts of the Commonwealth have. The real question is what to do about it. Rural electrification was a concerted effort to devote public resources to build the infrastructure. Sadly, that money pot is not there, at least on the state level. Even though the State Budget for the current fiscal year is cautiously optimistic versus the several years preceding, there does not appear to be budget line items expressly devoted to expansion of Broadband capabilities.

Yes, there are hopeful signs. Governor Wolf reactivated the Rural Development Council whose top task is universal Broadband. There is an individual on the Governor's executive staff whose attention is solely focused on this issue. Various agencies such as PennDOT are redirecting existing (not additional) resources. If I wore my rose-colored glasses, I would conclude that the FCC will give PA Broadband dollars and that President Trump's promise of \$600 million devoted to Broadband would find its way here. Failing that, we are on our own to solve this problem.

The General Assembly has not been idle either. Representatives Kristin Phillips-Hill and Pam Snyder demonstrated a bipartisan willingness to tackle this issue and introduced a package of bills and resolutions. One of those pieces of legislation, House Resolution 430, is currently in the House Consumer Affairs Committee. House Resolution 430 seeks to investigate where or not there has been compliance with previous Broadband legislation, Act 67 of 1993 and Act 183 of 2004. The Pennsylvania State Grange hopes that the committee will give this legislation its due consideration. Of course, there are a number of other bills out there trying to reach the same goal.

But face it. There is no Marshall Plan for Broadband and no pockets deep enough to underwrite a comprehensive strategy. Even if Pennsylvania's State Government breaks even this fiscal year, there is not room for significant investments. So, let us try a different approach.

Smaller Is Better/Incremental Improvement Adds Up

Given this fiscal reality, the only viable option is to try many targeted approaches. Each could address a part of the need. PennDOT's \$35 million re-allocation of existing dollars to make PA roadways compatible with self-driving vehicles, for example, could have a spin-off effect to promote economic investment along those corridors such as PA's Route 6 along the Northern Tier.

In this scenario, a variety of approaches would collectively take hold. Some would work in some areas and not in others. Granted, it is a piecemeal approach instead of a centrally funded omnibus campaign which we might do if the money was there. Each of these smaller parts can play a role. But, they will

add up. Here are some examples of targeted approaches:

- Passage of Senate Bill 740 sponsored by Senator Ryan Aument (R-Lancaster) would buy time for rural Pennsylvanians to have continued access to land line telephones. Phone companies have converted to digital which makes land-line telephones seem outdated. But, an area without access to modern technology must rely on land-line because that is all there is. We support legislation to continue the Universal Service Fund so long as universal Broadband access is not yet universal. We have not yet seen a House counterpart to this stop-gap legislation. Hopefully, someone on this committee will be inspired to introduce the same.
- Inventorying state-owned structures such as fire towers or elevated structures might provide access in sparsely populated areas, assuming that telecommunications companies can piggyback these state resources. (House Bill 1642)
- Utilizing some existing networks such as that utilized by the State System of Higher Education. It might be cheaper to leverage the existing system and expand it to rural communities than building from scratch.
- The House adopting House Resolution 431 to audit the special Education Technology E-Fund would examine an existing resource to make sure it is fulfilling its responsibilities per its administration by the Department of Education.
- House Bill 2564, Printer's Number 3864 sponsored by Representative Frank Farry from Bucks County.

The Pennsylvania State Grange supports this as one of many approaches to addressing the problem. HB 2564 tries to create a uniform standard for "Small Cell Facilities". Having a standard means that telecommunications companies would not have to face conflicting municipal requirements. This legislation addresses the costs of expanding Broadband by reducing an installation expense or at least allowing for cost predictability. Put another way, this bill is a facilitator.

Some municipalities may be concerned about ceding authority to the state. Any perceived loss of authority at the local level is understandable. However, there are explicit provisions that preserve local government authority over zoning and land use.

Section 4. (b) Permitting process for small wireless facilities and utility poles within right-of-way states:

"Review.—An application for the installation, collocation, modification, or replacement of a small wireless facility under this section shall be reviewed for conformance with the municipality's applicable codes, including requirements applicable to the added structural loading of the proposed small wireless facility."

Section 6 (1) Local authority states

"Subject to provisions of this act and applicable Federal and State law, nothing in this act shall be construed to: (1) Limit or pre-empt the scope of a municipality's review of zoning, land use, planning and permitting authority as it relates to small wireless facilities."

Conclusion

Given the lack of financial resources, Pennsylvania should try multiple approaches, each one of which is incremental, addressing a specific way to expand Broadband access.

Lastly, the Pennsylvania State Grange publically applauds the formation of the PA House of Representatives Broadband Caucus by Representatives Phillips-Hill and Snyder. This will help the House continue to focus on this important issue.

Following is a list of House Consumer Affairs Committee members who have joined this Caucus. We simply wish to thank you for your interest in this issue.

Rep. Tina Davis

Rep. Bob Matzie

Rep. Carl Metzger

Rep. Tina Pickett

Rep. Pam Snyder

Thank you again for allowing the Pennsylvania State Grange to submit this testimony.