

## **NEITHER FOR NOR AGAINST**

Senator Lawrence, Representative Zeigler, and distinguished members of the Joint Standing Committee on Energy, Utilities, and Technology,

My name is Andrew Butcher, and I am the President of the Maine Connectivity Authority. This testimony, neither for nor against LD 240, “An Act to Expand Broadband Internet Access Choice,” is intended to frame this bill in the context of the State’s recently completed Broadband Action Plan. I want to thank Representative Zeigler and the Maine Broadband Coalition for crafting this bill to maximize affordable, reliable broadband access for all people in Maine.

Our collective work to expand high-speed internet infrastructure to those locations lacking reliable connections is only one piece of the puzzle. To ensure Maine people are connected, we must do more than run the wires down the road; this bill seeks to address that. Nationally, we know that 20-25% of the digital divide is concentrated in affordable multi-dwelling units (MDUs).<sup>1</sup> As MCA strives to meet the urgency of the moment and provide a connection to all locations across Maine that need it, the positive impact of those connections to MDUs will be minimized if tenants are unable to access the new infrastructure due to a decision or lack of action on the part of their landlord.

The Maine Connectivity Authority is taking action to minimize these situations through future grant funding requirements, but this bill provides an opportunity for tenants to take full advantage of one or more quality broadband options that currently exist or as they become available.

The Broadband Equity, Access, and Deployment (BEAD) Program is funded through the Bipartisan Infrastructure Law and will provide Maine with a \$272 million grant that will bring critical resources to fund broadband infrastructure and digital equity for the entire state, including community anchor institutions and multi-dwelling units. MCA has structured the resulting BEAD funding program to ensure that the needs of residents of multi-dwelling units are addressed. For instance, as part of the BEAD Application, Applicants will be required to identify the location of MDUs within the proposed project area and:

- 1) provide specific plans to deliver service to all individual units within the MDU, including partnering with a third-party solution provider if required and/or evidence from the owner or manager of the MDU confirming sufficient inside plant exists within the MDU to distribute service to all individual dwelling Units, and
- 2) include specific plans for outreach to connect these residents within their adoption campaign plans).<sup>2</sup>

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<sup>1</sup> Education SuperHighway - <https://www.educationsuperhighway.org/no-home-left-offline/apartment-wifi/>

<sup>2</sup> BEAD Initial Proposal Volume 2, page 22 - <https://www.maineconnectivity.org/bead>

## LD 240 “An Act to Expand Broadband Internet Access Choice”

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In addition, Maine’s statewide Digital Equity Plan proposes an Affordable Housing WiFi and Connectivity Initiative to address the barriers facing some affordable housing residents in particular. MCA will develop this initiative further throughout 2024 as Maine’s digital equity funding allocation becomes clearer and conversations with partners continue.

Lastly, competition is a driving force in building a robust and affordable broadband economy, but crucial to that effort is customer choice. Tenants of multi-dwelling units are largely limited from benefiting from the presence of multiple internet service providers, which is unfortunate as those multi-dwelling units are more likely located in more densely populated areas served by multiple providers.

We appreciate the intent of this legislation and are unclear on costs and considerations from a property rights perspective. Explicitly aligning legislative requirements with the State Five Year Broadband Master Plan and Digital Equity strategy will allow MCA to support such policies. To that extent, MCA has contacted the Connecticut broadband office, where a similar law was enacted, to better understand the impact on tenant choice and service costs. For these reasons, MCA’s testimony today is neither for nor against.

Enabling universal, equitable, affordable access to broadband service is a guiding principle for MCA. This bill offers a chance to ensure that tenants and homeowners alike can benefit from the deployment efforts underway across Maine. Thank you for your consideration and attention to this issue. The Maine Connectivity Authority will be available for the work session.

A handwritten signature in blue ink, appearing to read "Andrew Butcher", is written in a cursive style.

Andrew Butcher, President  
Maine Connectivity Authority