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Testimony of the Maine Municipal Association

In Support of

LD 1456, *Resolve, to Study the Effect of Current Laws and Rules on the Expansion of Broadband*

April 18, 2023

Senator Lawrence, Representative Zeigler and members of the Energy, Utilities and Technology Committee. My name is Kate Dufour, and I am submitting testimony in support of LD 1456 on behalf of the 70 municipal leaders elected by their peers to serve on the Association's Legislative Policy Committee and directed to establish positions on bills of municipal interest.

First and foremost, I want to extend the Association's gratitude to Sen. Grohoski for agreeing to sponsor LD 1456 on behalf of MMA's Legislative Policy Committee, as well as to all the interested parties that provided feedback in advance of the public hearing to improve the legislation. This issue is of utmost importance to municipal officials and to that end, is one of the twelve bills on MMA's 2023-2024 legislative platform.

The purpose of this bill is simply to study how current policies, rules and regulations are impacting further expansion of quality broadband services throughout Maine, with a specific focus on pole attachment regulations, and to recommend improvements. Our members have shared numerous examples of how the process for gaining timely access to the municipally reserved space on utility poles has been frustrated. The concerns raised by municipal officials include a lack of response, abandonment of obsolete poles, inconvenient location in the public right of way, as well as, a partial or selective response, which in one community resulted in the "make ready" work for only a few in a sequence of poles.

From the perspective of municipal leaders, the requested study is important for two reasons.

First, as illustrated by the pandemic, there is an inequity that exists not only with respect to the quality of service, but to access as well, which needs to be addressed. Broadband access is becoming more vitally important to our individual health and economic prosperity. In some areas of the state, access to telehealth services, for example, can provide access to medical care that in some of our more rural areas is otherwise only accessible via a daylong trip to a major hub, when an appointment can be scheduled. Through one of the Association's member outreach efforts, we heard from a select person in a small rural community about the concern that during the pandemic students were gathering around town hall to access internet services necessary to complete homework assignments.

As the state becomes more dependent on electronic connectivity, improved access will become increasingly important to avoid adding to the existing inequities.

This need leads to our members 'second point. While the work that the state, municipalities, and industry have done to date has set the stage, far more needs to be accomplished, and quickly. It is time to reassess what is and is not working and do a better job for our residents and businesses. To that end, municipal government leaders want to play a role, particularly in areas of the state where private investments are not economically beneficial. It is what governments do; that is, step in to provide publicly funded services when it is not feasible for the private sector to do so.

Thank you for considering the municipal perspective on this issue. If you have any questions about the Association's position on this bill, please do not hesitate to contact me at kdufour@memun.org or 1-800-452-8786.