

Senator Lawrence, Representative Zeigler, and distinguished members of the Judiciary Committee:

My name is Myles Smith, and I am the Executive Director of the Maine Broadband Coalition (MBC), a non-profit organization dedicated to expanding broadband access and digital equity in Maine. We represent dozens of organizations and thousands of internet users.

We submit this testimony today **in support of LD 240**. We want to thank Representative Zeigler in particular for working with us to bring this bill before you today.

There are several reasons to support the bill before you today. The bill would **promote choices, price competition, technology upgrades, and fairness for renters**. It is aligned with the state's Digital Equity Plan, which prioritizes getting world-class connections to every location in the state, and values affordability through customer choice.

This concept sprung from some experiences we ourselves had at the Broadband Coalition.

Through private investment and government-subsidized projects, Maine is deploying new broadband services all over the state. Some parts of Maine now have two or more good options for internet providers. Urban and rural areas alike are seeing new broadband connections, particularly fiber optic networks that are the best technology on the market today. **But not everyone in Maine is able to choose their broadband provider, even when another provider is willing to serve them.**

Let me tell you a story about how this came to be. Not too long ago, our outreach lead (and host of our Friday Let's Talk Broadband Zoom meetups - 11am and open to all!) Joe Oliva, moved to a new apartment, which only offered expensive and inferior cable service. His jittery, slow and unreliable service degraded our weekly business calls for everyone. The 2-gig fiber optic service installed by Consolidated Communications just outside his door was not an option. With one phone call, he could have requested CCI's Fidium Fiber service to his apartment, but couldn't, as the law here doesn't allow it.

He asked his building owner to bring in fiber, but was told no, with no explanation given.

A few weeks later, at a Board of Directors meeting at one of our partners' offices in Augusta, the internet was so slow and unstable that it might as well have been the 1990s. We were unable to do anything with remote participants, we weren't even able to download presentation slides. Our partner lamented that the landlord still hadn't switched their offices over from antiquated cable to fiber optic broadband, even though it had been installed on the poles in front of the building long ago. Then, a partner ISP, also in the room, mentioned that this wouldn't have been a problem in Connecticut, where the tenants can request service from an ISP directly. "Well, why not make that the law here," I asked.

This bill will benefit customers across the state. In Franklin County, recently complete fiber optic networks reach almost 85% of locations. But hundreds, if not thousands of multi-unit apartment residents in Farmington, Jay, Wilton and other towns are left stuck with outdated technology, unless the owners of their buildings take action. Where choice is possible, we want to make the markets work.

The costs of the bill are minimal and will be borne by the ISPs seeking access to new markets and customers. This bill will **not** increase the cost of housing. We have modeled it on Connecticut law, which assigns the public utilities commission with the responsibility of setting compensation rates for building owners for make-ready costs or incumbent ISPs for any of their equipment that may need to be moved. ISPs are typically willing to foot the bill to get access to multiple new customers at one location. Some ISPs will even compensate building owners for referrals for new customers.

We are flexible in the details of how the law will work in Maine, and how it is adapted to our institutions and ways of doing business. Our focus is on ensuring as many Mainers as possible have access to choices in where they get their internet service, to lower prices and improve quality of service by correcting this simple gap in the market for broadband services.