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A regular meeting of the Albemarle County Broadband Authority was held on October 26, 2022. The meeting was held room 241 of the Albemarle County Office Building located at 401 McIntire Road.

PRESENT: Mr. Bucky Walsh, Mr. Waldo Jaquith, Ms. Donna Price, Mr. Jim Andrews, Mr. Trevor Henry

ABSENT: Mr. Bill Fritz

Also Present: Mr. Andrew Herrick (Deputy County Attorney), Richard Schollmann (Brightspeed) Mike Culp (Director of Broadband Accessibility and Affordability Office) and Jason Inofuentes as Secretary Pro Tem (Program Manager, Broadband Accessibility and Affordability Office)

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Agenda Item No. 1. Establish Quorum and Call to Order.

Mr. Walsh established a quorum and called the meeting to order at 4:35.

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Agenda Item No. 2 Approval of Agenda

Mr. Walsh **moved** to approve the agenda.

Mr. Andrews **seconded** the motion.

The motion was **approved** unanimously.

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Agenda Item No. 3 Brief Announcements from the Board

There were no updates or announcements.

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Agenda Item No. 4 Public Comment

Mr. Sikes expressed difficulties with broadband service with his DSL provider, including a missed installation appointment. BAAO will follow up and escalate.

Ms. Joy reported there were complications with the Milton Hills fiber optic broadband installation including concerns with account issues following the transfer from CenturyLink to Brightspeed.

Mr. Hogan reported failure to restore property following damage to entrance lighting for the community, despite repeated attempts to resolve.

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Agenda Item No. 5 Approval of September 28, 2022 Meeting Minutes

Mr. Walsh stated that these minutes were not completed.

Agenda Item No. 6 Old Business

Agenda Item No. 6a Confirm March 2023 Reschedule to March 21, 2023

Mr. Culp informed the Authority that due to a conflict with a budget meeting, the March regular meeting will be rescheduled to March 21, 2023

Agenda Item No. 6b VATI 2021 Update

Mr. Culp shared a PowerPoint presentation. (Attached to these minutes)

Mr. Culp shared details regarding take rate for the launched project areas.

Mr. Henry asked for clarification regarding the goals set in the agreement. Mr. Culp confirmed the agreement establishes a certain number of passings that must be met based on the agreement.

Mr. Inofuentes explained that the main goal of tracking the take rate is to watch the progression of "Pending Installations" to diminish over time.

Mr. Culp informed the Authority that remittances for the VATI 2021 project will be withheld while Brightspeed prepares a plan for completing the VATI 2020 close out.

Mr. Jaquith asked for clarification that the content involved in the VATI 2020 close out is administrative in nature, and not any technical work. Mr. Culp confirmed that to be true.

Mr. Culp updated the board on the approvals for the extension of the period of performance for the VATI 2021 grant from December 5, 2022 to March 31, 2023.

Mr. Schollmann shared the details of the Corrective Action Plan that serves as a response to DHCD's Letter of Finding. The Letter of Finding cited a failure to communicate completely and transparently, as it relates to the ordering and installation process, and a failure to restore property. Mr. Schollmann shared that a key alteration is to eliminate an unnecessary element of the installation process to expedite activations. Residents would then receive a temporary line which would be followed by a burial of that line at a later date.

Mr. Walsh pointed out that the temporary line and activation depend on an installation tech arriving at the stated time. Mr. Schollmann agreed and committed to working to improve processes so that residents receive word of any delays prior to the appointment, rather than after.

Mr. Henry asked what time frame Brightspeed is prepared to commit to for notifying residents of a delay in an appointment. Mr. Schollmann stated that a notification of any delay should come the moment that a tech is aware there will be a delay. Mr. Schollmann continued by describing efforts to

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expand staffing for customer service and installations.

Mr. Henry asked for clarity on whether installation work is being done by subcontractors. Mr. Schollmann confirmed and pointed out that these subcontractors have also sought to increase capacity.

Mr. Henry asked about quality control for contractors. Mr. Schollmann stated that subcontractors are not paid until the work has been completed and confirmed.

Mr. Schollmann described the opportunities for private utilities to be marked during the time frame that public utilities are marked, stating that the line path should be known, and trenching will be done without customer involvement. Burials are not occurring in the time frame they have targeted but will be adding additional crews.

Mr. Schollmann stated that property restoration work will be done prior to completion of the project area, and states that claims can be made to Brightspeed's insurer if the resident is dissatisfied even after restoration work has been completed.

Mr. Schollmann reported that Brightspeed is eager to be the first point of contact for all customer issues, and hopes that fewer customers feel the need to reach out to BAAO for help resolving outstanding issues.

Ms. Price pointed out that the change over to Brightspeed occurred just 23 days prior to the meeting. Ms. Price expressed gratitude for Mr. Schollmann's willingness to come and engage the Authority and appreciation for the local technicians. Ms. Price pointed out that the routine experience is for appointments to be missed. Ms. Price stated that she is willing to give time for these issues to improve. Ms. Price asked about private utility locate companies, and asked what the cost would be for those services.

Mr. Inofuentes offered that local companies often charge an hourly rate with a minimum amount of time per appointment. Both the rate and time vary per marking company and circumstance. The Office has recommended that residents organize themselves either through homeowner's associations or in their neighborhoods to establish a single contract with a marking company to split up the cost in a more affordable and equitable manner. The Office has a list of providers in our area and will provide that list to any resident that asks for it.

Mr. Andrews stated that he would like clarity for how to contact Brightspeed and how to ensure that private utility issues are addressed prior to the work.

Mr. Inofuentes pointed out that a list of resident issues was distributed to the Authority for its consideration, and that the list should be returned at the end of the meeting. Mr. Inofuentes also shared additional questions provided via e-mail by Mr. Henry and the responses.

*Frequency of updates to VATI 2021 schedules on the website?*

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*The Office makes updates to that website and intends to update the website as soon as they are informed of any changes to the schedule.*

Mr. Walsh expressed optimism that progress can occur with this Corrective Action Plan but noted the angst and frustration of the customers.

Mr. Henry praised Mr. Schollmann for his plan and his willingness to engage. Mr. Schollmann committed to attending these meetings moving forward.

Mr. Walsh **moved** to approve the Corrective Action Plan as submitted.

Mr. Jaquith **seconded** the motion.

The motion was **approved** unanimously.

Mr. Jaquith asked for clarity about the timeline for the process that brought about the Letter of Finding and thus this Corrective Action Plan.

Mr. Inofuentes stated that the site visit that precipitated the Letter of Finding was done by DHCD's prerogative, as part of a plan to do site visits at all of the VATI 2021 projects.

#### Agenda Item No. 6c VATI 2022 Update

Mr. Culp shared a PowerPoint presentation. (Attached to these minutes)

Mr. Culp stated that schedules will be provided when Firefly has them to share and that make-ready work continues in AEP project areas.

#### Agenda Item No. 6d VATI 2023 Planning

Mr. Culp shared that no challenges have been received and awards are expected in December. A challenge was received for the Buckingham portion of the application, no details were available.

#### Agenda Item No. 6e ABBA Financial Report

Mr. Henry stated there was no change from the prior report.

#### Agenda Item No. 6f Broadband Accessibility and Affordability Report

Mr. Inofuentes shared a PowerPoint presentation. (Attached to these minutes)

Mr. Inofuentes shared that BAAO plans to apply for grant funding to increase ACP enrollment. These efforts will be done as a coalition with various community partners.

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Mr. Inofuentes shared details of BAAO's response to the shut down of Shentel's BEAM fixed wireless service. Half of the affected customers are in a served area, the other half are in an area that will be addressed by 2025. T-Mobile has offered Shentel BEAM customers trials for fixed wireless service through its network, while also committing to expand coverage in the rural area.

Mr. Henry advised that this work warrants an update to the full board, as many of Supervisors are receiving concerns regarding this shut down.

Mr. Jaquith asked for clarification about the provenance of Shentel's BEAM spectrum in our area and the necessity of shutting down service. Mr. Inofuentes pointed out that this is a business decision by Shentel, having met its obligations in the agreement with the County that facilitated this service, and that any future sale of these assets would require that they vacate this market.

Agenda Item No. 6g ABBA Strategic Plan Discussion

Mr. Walsh advised the Authority that he has resolved all remaining comments and suggestions in the draft Strategic Plan that was previously circulated. He asked that Authority members review the current draft and make any additional comments with sufficient time that the plan can be voted on at the next meeting.

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Agenda Item No. 7 New Business

There was no new business before the Authority.

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Agenda Item No. 8 Adjourn

Ms. Price **moved** to adjourn.

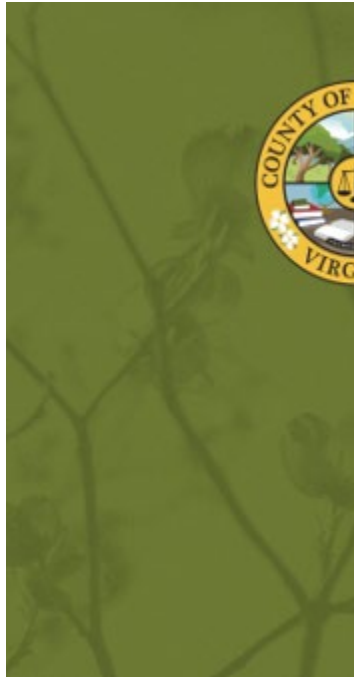
Mr. Andrews **seconded** the motion.

The motion was **approved** unanimously.

The meeting adjourned at 5:54 p.m.

Appendix A ABBA Financial Report

					Update: 10/19/2022
<b>4-4300-91097-491097-950030-9999 (EXPENSE CODE) + ARPA 5301 Fund</b>					
<b>BROADBAND INCENTIVES&gt;ALBEMARLE BROADBAND AUTHORITY + ARPA Funding</b>					
	Fund Balance	Commitment/ Projected Expenses	Paid Expenses	Remaining Project Funds	
Current FY23 Balance (includes \$4.5mil in ARPA Appropriation, \$4.37mil of that for VATI 2022)	\$5,461,300.00				
VATI 2020 Project at 8 locations Commitment (PO 2021-7747 CenturyLink)		\$291,300.00	\$291,300.00	\$0.00	
Administrative Fee for DHCD VATI 2020 Award   1% of \$291,300		\$2,913.00	\$2,913.00	\$0.00	
Administrative Fee for DHCD VATI 2021 Award   1% of \$2,276,110		\$22,761.10	\$22,761.10	\$0.00	
Administrative Fee for ARPA Appropriation   1% of \$4,500,000		\$45,000.00	\$45,000.00	\$0.00	
VATI 2021 Project Commitment		\$640,000.00	\$0.00		
VATI 2022 Project Commitment		\$4,368,000.00	\$0.00		
	<b>\$91,325.90</b>	<b>\$5,369,974.10</b>	<b>\$361,974.10</b>	<b>\$91,325.90</b>	



# Albemarle Broadband Authority

October 26, 2022



## Agenda

1. Establish Quorum and Call to Order
2. Approval of Agenda
3. Brief Announcements by Authority Members
4. Public Comment
5. Approval of September 28, 2022 Meeting Minutes
6. Old Business
  - a. Confirm March 2023 Reschedule to March 21, 2023
- b. VATI 2021 Update
  - i. Corrective Action Plan and Letter of Findings
- c. VATI 2022 Update
- d. VATI 2023 Planning
- e. ABBA Financial Report (Appendix A)
- f. BAAO Report
  - i. Shentel BEAM
- g. ABBA Strategic Plan Discussion
7. New Business
8. Adjourn



## March Regular Meeting

- Budget session conflicts with March 22<sup>nd</sup> date
- Reschedule meeting to March 21<sup>st</sup>, same location and time
- Changes made on calendar and room bookings

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## VATI 2021 Update

Last updated: September 24, 2022

Project Area	Ordered Service	Pending	Active	Passings	Estd. Take Rate
Jones Mill	13	2	11	57	23%
Old Garth	4	0	4	6	67%
Tilman/Meriwether	32	7	25	48	67%
Snow Hill Ln	17	2	15	71	24%
Gilbert Station	24	0	24	46	54%
Advance Mills	41	8	33	122	34%
Milton Hills	34	23	11	172	20%
<b>Total</b>	<b>165</b>	<b>42</b>	<b>123</b>	<b>522</b>	<b>32%</b>





## VATI 2021 Update

- Taylor's Gap: TBA
- Rosemont: November 4th
- Murray Ln: TBA
- Stony Point and Keswick

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## VATI 2021 Update

- ABBA remittances will be withheld while Brightspeed prepares a plan for completing the VATI 2020 close out
- Per Brightspeed: *"[That data is] in a system that is under the control of Lumen, so we don't have direct access to it. ... Lumen is actively working to get the info for us. They've estimated that it will require pulling over 600 screen images. They are planning to bring on a contractor to get it over the finish line."*

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## VATI 2021 Update

- On October 17<sup>th</sup>, ABBA received a letter granting the extension of the VATI 2021 project to March 31<sup>st</sup>, 2023.
- The letter was signed by Chair Walsh and submitted to DHCD on October 19<sup>th</sup>.

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## VATI 2021 Update

- On October 17<sup>th</sup>, ABBA received a letter granting the extension of the VATI 2021 project to March 31<sup>st</sup>, 2023.
- The letter was signed by Chair Walsh and submitted to DHCD on October 19<sup>th</sup>.

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## VATI 2021 Update

- Corrective Action Plan has been circulated to ABBA
- An updated list of affected residents has been provided to BAAO and circulated
- Pending approval by ABBA, BAAO will send these documents to DHCD tomorrow.

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*The Virginia Telecommunication Initiative (VATI) and Brightspeed*



Proprietary and Confidential Information of Comcast Holding LLC. Not to be disclosed or shared with any third parties without permission of Comcast Holding.

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## VATI 2021: Albemarle County

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October 26, 2022

**Presented by:**

Rich Schollmann  
Steve Brewer  
Heather Lee  
Deloris Carroll  
Nancy DeVinay



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### Corrective Action Plan

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Main Issues Identified in Sept. DHCD Letter of Findings

1. Communication Issues
2. Installations without regard to Homeowner's Property

Requested Actions

1. Corrective Action Plan (CAP) to address Communication Gaps
2. List of effected Customers and Corrective Actions
3. Outline Process Improvements



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## Order and Installation Process



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## VATI 2022 Update

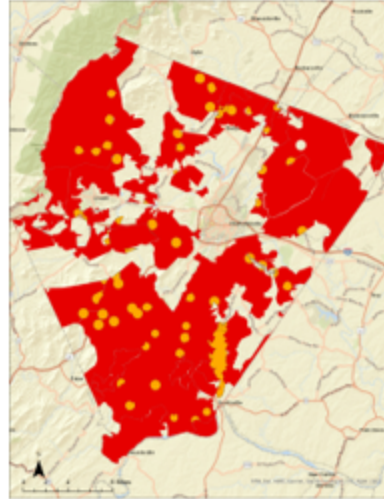


- Make-ready work continues
- BAAO working with TJPDC and Firefly to prepare for reporting routines
- ARPA funding used for match requires quarterly reporting in addition to DHCD monthly reporting



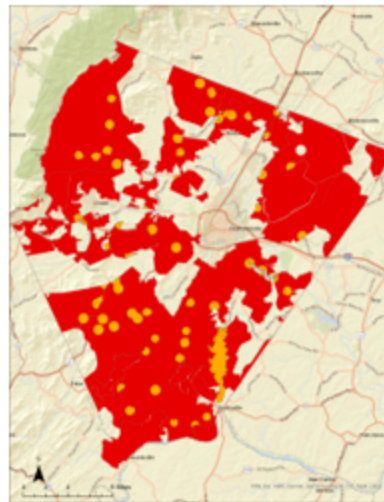
## VATI 2023 Application

- No objections reported
- Awaiting decision in early December



## VATI 2023 Application

- 1,575 Passings
- Projected total budget of \$8.8M
- VATI Request: \$3.6M
- BAAO Match: ≤\$440,000





# ABBA Financial Report

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# BAAO Report

- Your Home Your Internet / ACP Outreach Public Notice
- Shentel BEAM service termination

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# ABBA Strategic Plan Discussion