MIDDLE MILE & RIGHT OF WAY (ROW) UPDATE

Science, Technology and Telecommunications Committee
September 2, 2022
Kelly Schlegel, Broadband Director
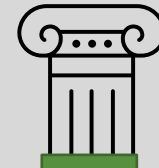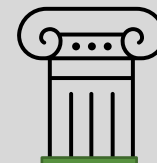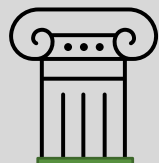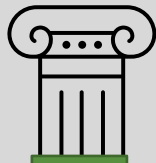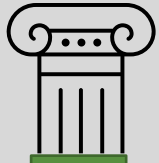**Office of Broadband Access and Expansion**

Acronyms

- ACP - Affordable Connect Program
- ARPA – American Rescue Plan Act of 2021
- BEAD – Broadband Access Equity and Deployment
- BIA – Bureau of Indian Affairs
- CNMC - Connect New Mexico Council
- FTTH/FTTP – Fiber to the Home/Fiber to the Premise
- ISP – Internet Service Providers
- NTIA – National Telecommunications and Information Administration
- NOFO – Notice of Funding Opportunity
- PEN – Pueblo Education Network
- ROW - Right of Way
- SEN - Statewide Education Network
- TCP – Tribal Broadband Connect Program
- USDA – US Department of Agriculture

OBAE APPROACH AND PLAN

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The Five OBAE Pillars

Foster Collaboration and Partnerships:
(e.g., SEN, PEN, Connect NM Council, Tribes and Pueblos, P3s, ISPs, Telcos, Coops, Counties, Border states, Nonprofits, Coalitions, Consortiums, Collectives, etc.)

Support a Robust Fiber State-wide Middle Mile

Plan the Foundation for Broadband (BB) Connectivity within 5-Year Period

Create and Adopt Innovative Approaches
(e.g., Spectrum, best practices, lessons learned, best in class tools)

Nurture Alternative Technologies
(e.g., MM Wireless, Satellite, Photoelectronics, Mesh Networks, etc.)

Robust middle mile provides a framework for last mile in rural areas, but alternative technologies help leap-frog timeline.

OBAE Framework

Primary Goals

- **Universal internet** access to all homes, businesses & community anchors
- **Universal mobile wireless** access
- *Free & secure **gigabit broadband** to all schools & libraries*
- Happy connected people

Guiding Approach

- **Engage & empower** communities & providers
- **Align public investment** with demonstrated need
- **Promote innovation** & technology diversity

Tools & Tactics

- **Last Mile** Access: Target resources through mapping & iterative pilot program
- **Middle Mile** Infrastructure: Align Local, State & Federal Investment
- **Digital Equity** Programming: Ensure that all barriers to true internet access and digital economy participation are eliminated

Rural Areas are integral to happy connected people. State needs to help drive servicing rural areas that are not commercially viable.

MIDDLE MILE PATH FORWARD

Middle Mile Vision

◦ A state coordinated robust middle-mile network involves the deployment of an open access network in partnership with providers that provides a framework across New Mexico for constructing the last mile:

   ◦ Helps catalyze New Mexico ISPs to deploy last-mile networks that can achieve affordable service and 100 percent connectivity across New Mexico;

   ◦ Enables market adoption for unserved/underserved residents, businesses, and institutions;

   ◦ Affordability involves federal Affordability Connect Program (ACP), reasonable access fees and possible initial state subsidy

100% Connectivity: >$1B Funding Enables BB Buildout

NTIA Digital Equity Funds

- ✓ Submitted plan <u>July 12</u>. Releases $740K Planning Funds
- ✓ Engaged SME contractors for community + tribal outreach and Digital Equity (DE) Planning
- Outreach and detailed planning September 2022 - September 2023
- Submit detailed plan <u>October 1, 2023</u>. Releases DE implementation funds
- Implement DE Plan October 2023 - 2025

$30M+*

NTIA BEAD Funds

- ✓ Submitted GOV Letter of Intent (LOI) July 18.
- ✓ Submitted plan <u>August 15</u>. Releases $5M planning funds
- Submit detailed plan May 2023. Releases broadband infrastructure funds
- Award grants when funding released
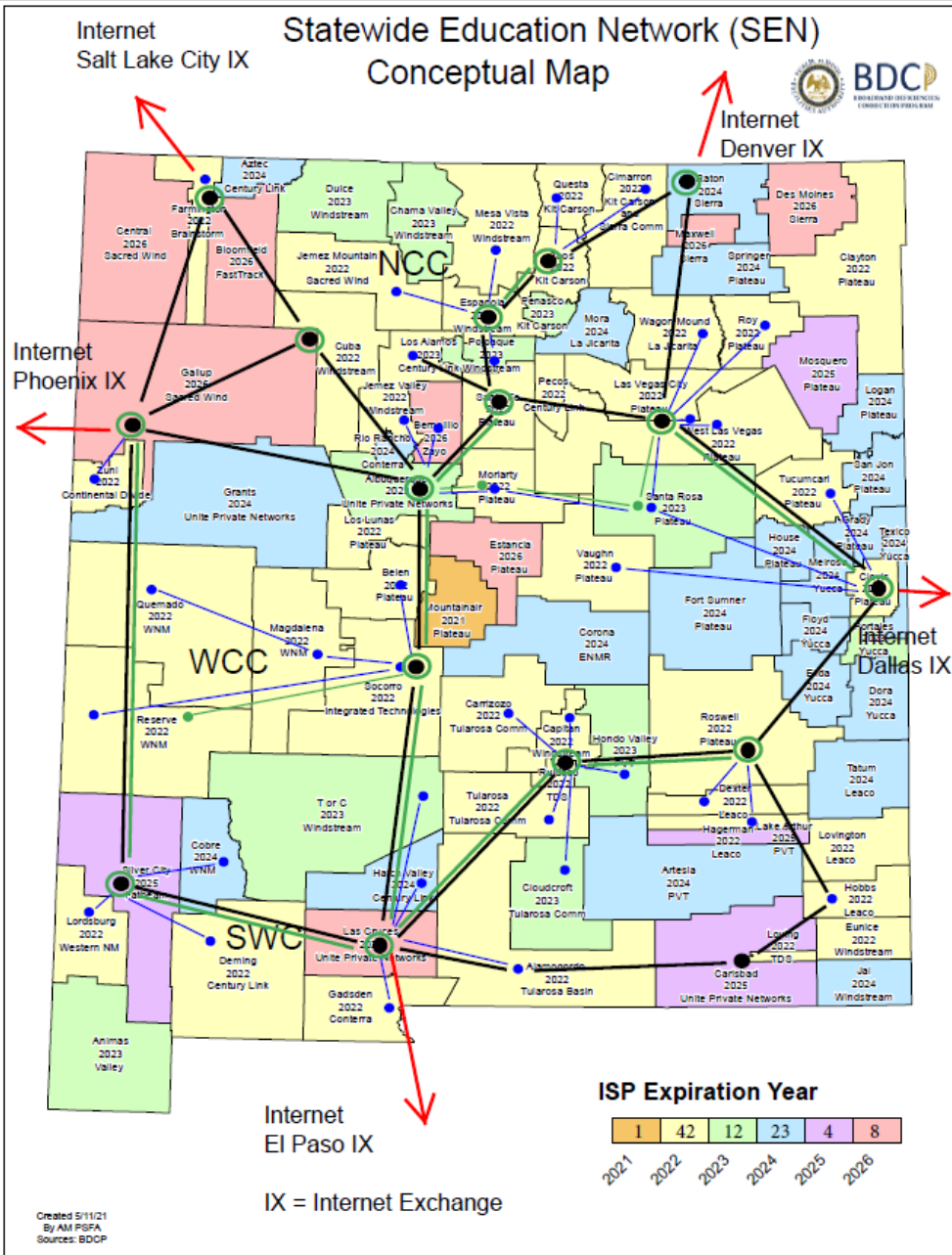- Implement Last Mile 2024+

$700M+*

NTIA MM Funds

- Architecting State-Coordinated Statewide MM Plan. ISP or ISP coalitions may submit independently.
- On track for <u>September 30</u> submittal. Releases middle mile infrastructure funds.
- Award Grants when funding released
- Implement Middle Mile 2023+

$50M -100M*

*estimates

Statewide Education Network (SEN) Conceptual Map

SEN is foundation for the State Middle Mile

- ◦ Major routes
- ◦ Nodes
- ◦ "Meet me" and aggregation points
- ◦ Upgrading facilities electrical systems

Scenarios for MM NTIA Applications

NTIA Middle Mile Grant Program
Deadline Sept 30, 2022

Possible legislation
to create public corporation
Non-profit to represent
& adjudicate all interests

State Coordinated Application with possible partners for **key corridors** (or RFPs) – need $8.7M for match; ROW issues
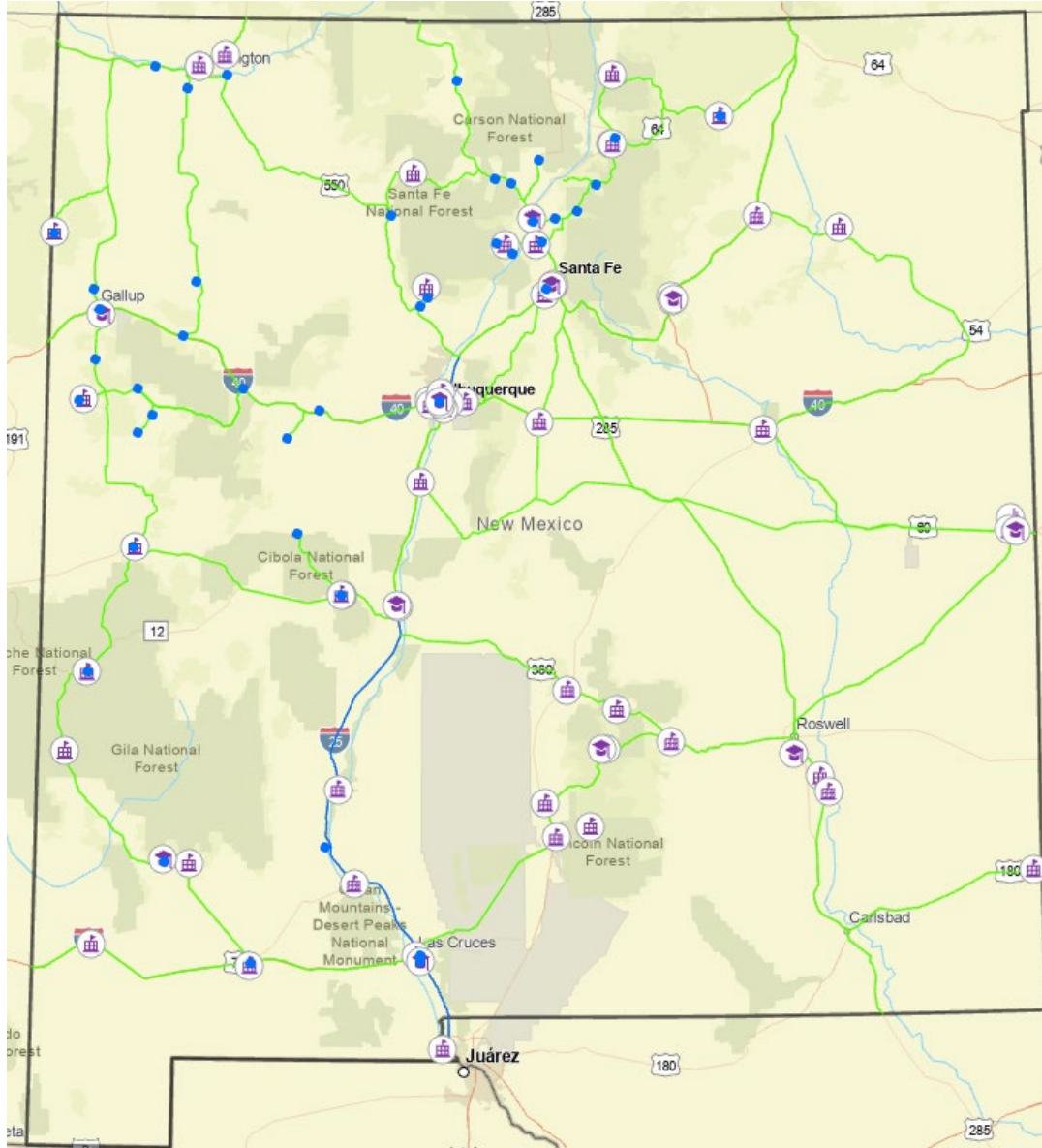
Provider Applications with State Letter of Support (**completes Broadband rings**) –some may need matching funds; maybe ROW

Provider Applications without State Letter of Support

Preferred

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Phase 1 of MM Plan is NTIA MM Applications

The Vision: New Mexico's Robust Middle Mile Network

Planning for Future Phases:

- Phases 2-4 in research stage and will be developed within the next two months.

- Engaging private sector on proposed new routes under review.

- Analyze critical corridors and extremely high-cost regions for expansion

Legend:
- 🎓 SEN Hub Site
- 🏫 SEN School Site
- 🏭 Data Center
- ▬ Priority MM Route
- ▬ Other Possible MM Route

Remove Obstacles on ROW and Permits

◦ Partnership with DOT – lower/ remove permits & fees for trade of fiber access

◦ ROW on Tribal/Pueblo Lands may be obtained through fees, trade or circumnavigation

  ◦ Tribals Convening on Sept 12
  ◦ Exclusive ROW can drive selection of sole source provider
  ◦ NTIA and BIA Sign Agreement to Streamline Environmental Permitting for High-Speed Internet Projects on Tribal Lands

◦ ROW/Permits on Federal Land (BLM, National Forest etc.) is longest timeline

  ◦ CNMC Working group led by Ovidiu Viorica
  ◦ Prescriptive approval process and timelines can exceed a year
  ◦ OBAE Director initiated engagement with points of contact (POC)

◦ ROW/Permits with State Land Office

  ◦ Prescriptive approval process and timelines can be extensive
  ◦ OBAE Director initiated engagement with POC

◦ NMDOT to brief on ROW details

OBAE Next Steps

- **CY-3Q22**
  - Build staff and office capacity,
  - Award first pilot program grants (ARPA Capital Projects Fund),
  - RFI for additional stakeholder feedback ahead of NTIA MM submission,
  - Submit NTIA MM application - September 30,
  - Tribal Summit Sept 12 and "Digital Inclusion Week" event – October 3-7,
  - Complete rulemaking for Connect NM Broadband Grant Program,
  - Complete written Statewide Broadband Strategic Plan, and
  - Researching ROW and Permits.

- **CY-4Q22**
  - Phase 1 of 4 detailed Digital Equity planning,
  - Plan community and tribal surveys,
  - Phase 1 of detailed BEAD Planning,
  - Onboard new OBAE staff,
  - Support SEN buildout,
  - Progress Rural Early Wins, and
  - Strategy for ROW and Permits.

Rural Site Visits: Iyanbito and Wingate

QUESTIONS?

Thank you!