

**Oregon Telecommunications Coordinating Council**  
**Minutes**  
**April 23, 2009**

**Attendees:**

Council Members: Onno Husing, Art Hill, John Irwin, Pam Berrian, Ed Parker, Jon Dolan representing Curt Pederson, and Michael Weidman.

Staff: Chris Tamarin of the Oregon Economic and Community Development Department

**Council Business:**

2009 Legislative Session

Chris Tamarin reviewed the status of telecommunications related Bills before the 2009 Legislative Assembly.

House Joint Resolution 6 - Expresses policy of state to improve broadband availability and to encourage utilization of broadband applications for benefit of Oregonians and Oregon communities. Referred to House Sustainability and Economic Development Committee with subsequent referral to Rules 1/12. A public hearing was held on 3/19 on HJR 6 and included an informational hearing on Broadband in Oregon and stimulus funding opportunities. Representative Riley and Ed Parker testified in favor of the Bill. Other speakers provided information on broadband in Oregon and testified to the value and importance of broadband to the state and its communities. Work Session scheduled this afternoon, 4/23.

<http://landru.leg.state.or.us/09reg/measpdf/hjr1.dir/hjr0006.intro.pdf>

HB 2083 - Alters membership of Oregon Telecommunications Coordinating Council. Extends sunset date for council. Requires council to report to Legislative Assembly on certain date during each regular session of Legislative Assembly until 2017. Referred to House Sustainability and Economic Development Committee 1/16. No Hearing is scheduled. There has been no change in status since the last ORTCC meeting.

<http://landru.leg.state.or.us/09reg/measpdf/hb2000.dir/hb2083.intro.pdf>

HB 2096 - Prohibits telecommunications utility or competitive telecommunications provider from entering into exclusive agreement to provide local exchange telecommunications service in certain circumstances. Referred to House Agriculture, Natural Resources and Rural Communities Committee 1/16. A public hearing was held on 3/12. There was a Work Session on 4/9. The Bill was not passed in the Work Session.

<http://landru.leg.state.or.us/09reg/measpdf/hb2000.dir/hb2096.intro.pdf>

HB 2097 - Provides that Public Utility Commission may exempt telecommunications utility, cooperative corporation, or municipality from carrier of last resort obligations if commission finds that other telecommunication utility or competitive telecommunications provider has entered into exclusive agreement to provide local exchange

telecommunications service to four or more residences within territory allocated to telecommunications utility, cooperative corporation, or municipality. Referred to the House Agriculture, Natural Resources and Rural Communities Committee 1/16. A public hearing was held on 3/12. The Bill passed with amendments to the House Floor on 4/9. Recommendation: Do pass with amendments and be printed A-Engrossed 4/17. <http://www.leg.state.or.us/09reg/measpdf/hb2000.dir/hb2097.a.pdf>

HB 2253 - Requires consumer-owned utilities, telecommunications cooperatives and cable operators to pay to Public Utility Commission a fee in an amount to be determined annually in order to defray the expenses of hearings and oversight related to safety and reliability of consumer-owned utilities, telecommunications cooperatives and cable operators. Specifies allowable purposes for commission's expenditure of fees paid. Referred to House Sustainability and Economic Development Committee 1/20. No Hearing scheduled. There has been no change in status since the last ORTCC meeting. <http://landru.leg.state.or.us/09reg/measpdf/hb2200.dir/hb2253.intro.pdf>

HB 2405 - Prohibits department, agency, commission or political subdivision of state from regulating Voice over Internet Protocol service and Internet Protocol-enabled service. Referred to House Business and Labor Committee 1/27. Hearing on 3/27. A Work session was held on 4/3. Passed to House Floor. Re-referred to Business and Labor on 4/14. <http://landru.leg.state.or.us/09reg/measpdf/hb2400.dir/hb2405.intro.pdf>

HB 3158 – Creates Oregon Broadband Advisory Council to apply for and oversee implementation of state and federally funded or mandated broadband programs. Sponsored by Representatives J SMITH, CLEM, DEMBROW and STIEGLER. Referred to Sustainability and Economic Development with subsequent referral to Ways and Means 3/12. An Informational meeting held 3/19. Amendments have been introduced. Work Session is scheduled this afternoon, 4/23. <http://www.leg.state.or.us/09reg/measpdf/hb3100.dir/hb3158.a.pdf>

House Joint Memorial 6 – Urges the US Congress to set goals for universal and open access to the Internet. Sponsored by Rep. Brian Clem. Referred to Consumer Protection 2/3. No Hearing is scheduled. There has been no change in status since the last ORTCC meeting. <http://www.leg.state.or.us/09reg/measpdf/hjml1.dir/hjm0006.intro.pdf>

SB 24 - Requires health benefit plan to provide coverage of medically necessary, evidence-based telemedical health service that meets specified criteria if health service is otherwise covered by plan. Referred to Senate Health Care and Veterans' Affairs Committee 1/15. A Work Session was held this morning, March 26<sup>th</sup>. Kim Hoffman reported that the Bill with amendments was passed by the Committee and will be carried by Senator Monnes-Anderson to the Senate Floor. Passed the Senate and referred to the Speaker 4/13. Referred to the House Committee on Health Care. <http://landru.leg.state.or.us/09reg/measpdf/sb0001.dir/sb0024.intro.pdf>

SB 468 - Requires health insurers and Department of Human Services through state medical assistance program, to cover services performed using telemedicine. Requires Director of Department of Consumer and Business Services and Director of Human Services to adopt rules. Sponsored by Senator ATKINSON; Senator STARR (at the request of Dr. Norwood Knight-Richardson). Referred to Health Care and Veterans Affairs 02/13. No Hearing scheduled. There has been no change in status since the last ORTCC meeting.

<http://landru.leg.state.or.us/09reg/measures/sb0400.dir/sb0468.intro.html>

SB 747 - Provides state matching funds for the Oregon Health Network [[www.oregonhealthnet.org](http://www.oregonhealthnet.org)] to receive awards from the federal Universal Service Fund. The award / matching fund ratio is 85% / 15%. Sponsored by Senator David Nelson. Referred to Ways and Means, 3/12. The bill was assigned to Subcommittee on Transportation and Economic Development 3/18. No hearings scheduled. There has been no change in status since the last ORTCC meeting.

<http://www.leg.state.or.us/09reg/measpdf/sb0700.dir/sb0747.intro.pdf>

#### American Recovery and Reinvestment Act of 2009 (ARRA)

Chris Tamarin reported that no new information has been released by the National Telecommunications and Information Administration (NTIA) or the US Department of Agriculture Rural Utilities Service (USDA RUS) regarding ARRA program rules or notice of availability of funds.

As reported earlier, there is an ambitious timeline with all funds to be expended by September 2010.

- The first notice of availability of funds in the April to June time period 2009
- Second notice of availability of funds in the October to December time period 2009
- Third notice of availability of funds in the April to June time period 2010

#### References

- American Recovery and Reinvestment Act of 2009 URL  
[http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111\\_cong\\_bills&docid=f:h1enr.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:h1enr.pdf)
- Broadband Data Improvement Act of 2008 URL  
<http://www.govtrack.us/congress/billtext.xpd?bill=s110-1492>

The Governor requested that Oregon's telecommunications service providers submit, by April 20<sup>th</sup>, lists of unserved and under-served areas and their proposals to serve those areas. The next steps in this process have not been announced. Chris noted that any role for the states in the ARRA funding process will be at the discretion of NTIA and USDA RUS, though proposals for state participation have been made.

The Governor is interested in an organized and coordinated effort by Oregon that focuses on the following key categories:

- Tele-health and Telemedicine
- Distance Learning

- Commerce and Economic Development
- Public Safety
- E-Government

John Irwin reported that an *Oregon Broadband Mapping and Demand Aggregation Project* proposal was also submitted to the Public Utility Commission and to the Governor's Office. This document may be viewed at [www.jirwinconsulting.com](http://www.jirwinconsulting.com) on the documents page.

Onno Husing asked if the ARRA programs will be an open national competition for funds or if there will be allocations to the states based on population or some other measure. Ed Parker responded that it is an open competition, but that there must be at least one project funded in each state.

Michael Weidman added that available matching funds and sustainability will likely be key factors in the viability of proposals. Michael suggested that public-private partnerships will be a plus and also observed that existing USDA Rural Development telecommunications programs are wide open for complementary and synergistic projects to the ARRA projects.

John Irwin suggested that the \$7.2 Billion in ARRA funds will actually be just a down payment on the funding needed to implement a fully developed national broadband policy.

Ed Parker reported that Oregon Health Network (OHN) submitted a proposal to the Governor and intends to cooperate in a statewide plan to compliment, and not compete with other Oregon proposals. OHN has a \$20 million Universal Service Fund award from the FCC that hopefully will qualify as matching funds for the ARRA programs.

John Irwin reported that the USDA Rural Development Community Connect program, which is separate from ARRA, also has funding and is seeking applications. Information, including an application guide and information about past projects, is available online at <http://www.usda.gov/rus/telecom/commconnect.htm>.

## **Reports**

*Oregon Health Network:* Chris Tamarin reported that there is an Oregon Health Network Board of Directors meeting in Portland this afternoon, 4/23. Ed Parker reported that RFP #2 is still being reviewed by the Universal Service Administrative Company (USAC) and that he hopes it will be released soon.

*Oregon Coastal Zone Management Association:* Onno Husing reported he expects to be successful in scheduling a branding workshop to be held on the coast. The goal is to build the coast brand as a place to live and tele-work with the benefit of the available and growing telecommunications infrastructure in addition to the themes of tourism and

business development. He hopes that it will be a model that can be replicated in other areas of the state.

*Oregon Connections Telecommunications Conference:* Chris Tamarin reported that the 2009 website has been launched at [www.oregonconnections.info](http://www.oregonconnections.info) and that the first promotional e-mail message has been broadcast resulting in some early registrations. Chris also reported that LS Networks, CoastCom, Inc., the City of Eugene and the Central Coast Economic Development Alliance have signed on as conference sponsors. The conference is scheduled for Thursday and Friday, October 29 and 30 in Newport.

**Other Business:**

John Irwin reported that he will be retiring several unused ORTCC “listservs.”

Jon Dolan asked about website hosting and listserv plans, post ORTCC sunset. Chris responded that these are important issues that will need to be addressed in the coming months.

Chris reported that Link Shadley is retiring. Link has most recently served as a Project Manager for Mid-Columbia Economic Development District and will be recognized in a farewell gathering in The Dalles on Thursday, April 30<sup>th</sup>, 4:00 PM to 6:00 PM at Columbia Gorge Community College, The Dalles, Oregon.

**Meeting Schedule:**

The next council meeting will be on Thursday, May 28, 2009. Meeting information will be updated and posted on the Council website at [www.ortcc.org](http://www.ortcc.org).

\* \* \*