

Oregon Telecommunications Coordinating Council
Minutes
June 28, 2007

Attendees:

Council Members: Link Shadley, Pam Berrian, Agnes Box, Cathy Britain, Faye Stewart, Rob Myers, Ed Parker, Curt Pederson, Michael Weidman, and Onno Husing.

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

Others: Mike Zanon of the Oregon State Police and Eric Schmidt of the Association of Oregon Counties.

This meeting was conducted as an audio teleconference.

Old Business:

Action Item

It was moved by Ed Parker that the May 24, 2007 minutes be approved as distributed. Rob Myers seconded the motion. The Council approved the minutes.

Council Business Reports:

Oregon Wireless Interoperability Network (OWIN)

Rob Myers provided an update on OWIN. He reported that \$6.9 million in Oregon State Police budget had been established for network planning and development between now and 2008. He also reported that a special purpose appropriation of \$9 million from the 911 reserve fund was provided in SB 994 and SB 5549. Rob noted that OWIN is working to develop partnerships and has been meeting with people in rural areas of the state. Ed Parker reported that a meeting was held recently with Lincoln County and that it was very positive.

Eric Schmidt asked if this is an approach that can be taken to the Association of Oregon Counties Interoperability Task Group and if there was a model Intergovernmental Agreement available. Mike Zanon responded yes, that an example would be distributed. Link Shadley asked if any of these funds will be used for hardware. Mike responded that the \$6.9 million is not for construction, but for planning and development. Mike just learned of the special purpose appropriations this week and it is his understanding that the funds will not be available unless released by the Emergency Board. Mike added that OWIN is applying for grants and Federal funds as well. Curt asked about the status of the RFP process. Mike responded that a commitment had been made to the legislature to prepare a procurement strategy to present in 2008 and to release an RFP hopefully in 2008.

Ed asked if the Council members had reviewed the last draft of the OWIN talking paper and if the Council can approve it.

Mike Zanon offered that the current language implies that the SIEC was specifying low data transmission rates and isn't interested in pursuing the steps that are recommended. For example, he cited opportunity number 3 in the paper. He noted that the original OWIN plan was to use a 700MHz system statewide which would have supported high data rates. He doesn't want ORTCC to characterize OWIN as not being interested in or as overlooking data needs. Ed responded that some believe that 700 MHz is not the way to go outside the I-5 corridor in any event, and that in some parts of the state, like the coast, WiMAX technology could be used for data as a supplement to 150 MHz voice systems. Mike said that he does not want to preclude that or any option. Curt asked if we needed to do some more work on the paper to avoid confusion? Curt suggested that he would like to see the Council work with OWIN to ensure that no misconceptions are created by ORTCC. Agnes Box agreed. Ed said that he would work with Mike to do that. Cathy asked how the document would be used? Ed responded that it would be made available to any interested parties looking to the ORTCC for comment regarding OWIN and that it would be posted on the website.

Action Item

Ed Parker moved that the Council approve the one-page OWIN paper subject to inclusion of some additional edits as discussed. Rob Myers seconded the motion. The Council approved the motion.

Ed reported that John Irwin would like to remain as a member of the Public Safety Committee but end his role as the committee Chair. Ed asked if anyone would be interested in taking on that responsibility. Rob Myers and Onno Husing agreed to serve as co-Chairs of the ORTCC Public Safety Committee. Ed thanked Rob and Onno and observed that this would have the added benefit of representing coast and eastern Oregon perspectives.

Action Item

Ed moved that the Council accept the resignation of John Irwin as Chair of the Public Safety Committee and name Rob Myers and Onno Husing as co-Chairs. Agnes Box seconded the motion. The Council approved the motion.

Ed reported that OWIN asked ORTCC to participate on the SIEC Partnership Committee. Cathy asked who is representing AOC on this committee. Eric Schmidt responded that Kathy George was representing AOC. Eric believes that this is one of the key committees at SIEC. Onno Husing agreed to be on the SIEC Partnership Committee representing ORTCC.

Action Item

Cathy Britain moved that Onno Husing as a co-Chair of the Public Safety Committee represent ORTCC on the SIEC Partnership Committee. Ed Parker seconded the motion. The Council approved the motion.

Oregon Health Network:

Cathy Britain reported that the Oregon Health Network application to the Rural Healthcare Pilot Program is pending before the Federal Communications Commission. The Leadership group is continuing to work on Oregon Health Network project planning and preparations while it awaits an announcement from the FCC, hopefully late this summer. Information on the FCC program and the submitted application may be found at the Telehealth Alliance of Oregon website: www.ortelehealth.org.

Legislative Committee Report

Cathy Britain reported on the status of bills and resolutions tracked by the Legislative Committee.

SB 5508 – This is the Oregon Economic and Community Development Department funding bill and includes funding for the OECDT Telecommunications Coordinator position. Cathy reported that thanks to the support of Senators Nelson and Johnson, the Bill has passed the House and is on its way to the Governor for signature.

SJR 19 – This is an Internet Forest resolution proposed by ORTCC to declare state policy relating to Internet Protocol network. Cathy reported that SJR 19 was passed by the Senate and House, filed with the Secretary of State, and is now state policy.

SB 470-A - This is an Internet Forest bill that directs the Economic and Community Development Department to establish and administer grant program for purpose of improving Oregon Internet exchange accessibility, capacity and connectivity and expanding Oregon web-hosting capabilities. Allocates moneys from Administrative Services Economic Development Fund to department to implement program. Cathy reported that this bill did not get through Ways and Means this session. The committee will continue to work on Internet Forest initiatives, seek to work with those who opposed SB 470 during the session and with key legislators to see if the bill can be re-drafted and introduced either in the 2008 budget session or the 2009 session. She added that Chris Tamarin will discuss the Eugene Internet Peering Readiness Study Project with Milo Meacham at the Lane Council of Governments.

SJR 20 – This ORTCC drafted resolution declares state policy to promote and facilitate activities by Oregon's health care and education communities and their telecommunications providers to develop network model that provides standards for interoperability and to establish peering point and peering agreements among health care and education networks. It encourages Oregon Telecommunications Coordinating Council Health-Education Committee to work with health care and education communities and telecommunications providers to develop telecommunications network model. SJR 20 was passed unanimously on the floor of both Houses, signed and sent to the FCC as part of the Oregon Health Network application.

SB 519-A – This bill 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. Cathy reported that the bill did not make it out of Ways and Means due to its fiscal impact. She and Kim Hoffman will co-chair a telehealth reimbursement workgroup and meet with all interested parties later this summer to draft a reimbursement bill that is acceptable both to payers and providers. The bill could be introduced either during the 2008 session or the 2009 session depending on the rules.

SB 136 - Establishes Oregon Wireless Interoperability Network Department. Transfers State Interoperability Executive Council and duties, functions and powers related to council from Office of Emergency Management to department. Establishes executive committee of council to direct activities of department. Declares emergency, effective on passage. The bill was not passed.

SB 137 – Authorizes Office of Emergency Management to site radio towers and related facilities needed for wireless interoperable public safety communications in areas zoned for commercial, industrial, farm or forest use. Authorizes local governments to propose alternate sites. The bill was not passed.

SB 894-A - Allows Public Utility Commission to adopt rules to conform universal service fund to federal law and related rules to extent that commission determines is appropriate. The Governor signed this bill into law on June 11, 2007. Ed Parker observed that this was another successful outcome on an issue promoted by the ORTCC.

SB 577 - Permits Economic and Community Development Department to expend moneys from Special Public Works Fund to provide matching funds for federal grants for telecommunications infrastructure projects. Cathy reported that this bill was a non-starter and never received a hearing.

SB 863 - Relating to automatic dialing and announcing devices; creating new provisions; amending ORS 646.608; and repealing ORS 759.290. Cathy reported that the bill, also known as the “robo calls” bill has been passed and is on its way to the Governors desk for signing into law.

SB 982 - Provides definition of “telecommunications” and modifies definition of “telecommunications service” for purpose of laws governing regulation of telecommunications. Cathy reported that this bill with only the original set of amendments was passed and is on its way to the Governor for signature.

HB 2621 – This bill allows telecommunications utilities to elect deregulation. Specifies manner of making election. Imposes price caps on basic local exchange service and intrastate-switched access for electing utility during three-year transition period. Imposes restrictions and price caps on extended area service during three-year transition period. Imposes requirements for primary line basic local exchange service. Authorizes Public Utility Commission to resolve complaints of customers of electing utilities. This bill did not make it out of committee. The Committee plans to hold Council forums on the

deregulation and consumer protection issues raised by the bill in front of the OPUC and possibly the Oregon Connections Telecommunications Conference. Cathy observed that, even though the bill did not pass, this proposal is not going away. Most likely, a similar bill will be introduced again in the next session unless the issues can be resolved by the PUC. The Legislative Committee will continue to stay in touch with industry and the PUC regarding these issues. Pam Berrian agreed that it is important to keep the deliberations on this proposal in a collaborative public forum.

Cathy gave special thanks to Rob Myers, Jo Bell and Andrea Vogue for their help in keeping ORTCC informed on day-to-day developments in the legislature. Cathy noted that the Legislative Committee will be active between sessions and reminded everyone that the Legislature will be in session in February 2008 and again in 2009 leaving little opportunity for downtime.

Link Shadley reported on another event of the legislative session. The Small Business Development Centers lost funding for their technology support staff and that those support resources will be gone by July 1st.

Cathy Britain noted that the Rural Policy Advisor position was also in jeopardy, but received an eight-month extension to the spring of 2008. She would like to see the Council participate in developing strategies to obtain long term funding for that position.

Link Shadley observed that he believes there is great value in continually putting your name and issues in front of the legislators in a constant “drum beat” during and between sessions. Link suggested that the Council consider sending its minutes or a summary of the minutes or some message each month to keep the ORTCC name in front of the legislators and to let them know that things are happening. Cathy Britain added that the legislators should also be invited and encouraged to come to the Oregon Connections Telecommunications Conference.

Oregon Connections Telecommunications Conference:

Chris Tamarin reported that the Conference has just announced its 2007 Keynote speaker, Morgan O’Brien. Mr. O’Brien co-founded Nextel Communications, Inc., in 1987 and served as its Chairman and Vice-Chairman until its merger with Sprint Corporation in 2005. He has been inducted into the Wireless Hall of Fame and has helped transform the specialized mobile radio (SMR) industry into a major wireless player changing the way Americans communicate. He began his career as a lawyer with the Mobile Services Division of the FCC in 1970. Later, he practiced communications law. Mr. O’Brien was recognized in 1987 as New Jersey Entrepreneur of the Year, and was voted the RCR Wireless News “Person of the Year” in 1993 and again in 2006. Recently, he was also inducted into the Washington, DC Business Hall of Fame. Morgan O’Brien is a co-founder and current Chairman of Cyren Call Communications, a new venture seeking to create a nationwide, next generation, wireless broadband network for public safety communications. He is a figure of national stature and presents the opportunity to raise the public profile of the Oregon Connections Telecommunications Conference to a new level. A call for presenters in the areas of technology, applications, public policy and

legislation has been issued. Chris asked people to take a look at the conference website at www.oregonconnections.info for more information and registration.

Open Seats:

Link Shadley said that the Council still has an important issue of open seats. He asked if there was any sign of activity at the North Coast Telecommunications Consortium. Onno Husing responded that he anticipates working with communities on the north coast and will make inquiries. Link said that he has a prospect he is pursuing to represent the Tribes. Pam Berrian added that she has been promoting the Tribes vacancy to several groups. Cathy said that the League of Oregon Cities expressed their frustration that their nomination of Joe Franell to represent Oregon Cities has been stuck in the Governor's office for nine months. Cathy cautioned that if we are going to encourage people to submit their names for council membership, we need to push for quick action on the appointment. She is concerned that the Council will lose Joe. Pam noted that the official appointment is necessary for public sector members to be able to spend time and participate in ORTCC meetings. It is important to have that authority and she hopes that the Governor's office realizes that. It was suggested that the issue be pursued with the Governor's staff.

Fiber South / Regional Fiber Consortia

Pam Berrian reported that the Consortia are evaluating proposals in response to their RFP. She added that the consortia are considering merging into a single consortium under ORS 190.

CoastNet

Ed Parker reported that a span of fiber suffered damage near Yachats last week, which underscored the need for route redundancy. As a result, efforts to build route diversity into the network have been accelerated. Curt Pederson said that the Hatfield Marine Science Center had been out of service, but was pleased with the service restoration efforts. Onno Husing added that the story was front-page news in the local media, which indicated to him that communities increasingly understand the value of telecom services and the importance of service reliability.

Frontier Telenet

Rob Myers reported that their current fiber build is just about complete. They are also working on a network survey and study of the network. They also plan to extend the network to Jefferson County, Crook County, and the Warm Springs Reservation.

Gorge Teleconsortium

Link Shadley reported that no bids were received in response to the WiFi network RFP. The Dalles will look at building out a WiFi network one hotspot at a time and look for opportunities to coordinate with existing hotspots to expand coverage. Link also reported that Oregon Telephone is doing an excellent job in building fiber to the home in the towns of Dufur and Friend.

Klamath Falls Telecommunications Task Force

Agnes Box reported that requests for fiber service to Chiloquin are a remaining issue. The request was discussed at the Fiber South – Regional Fiber Consortia meeting.

Oregon Coastal Zone Management Association (OCZMA):

Onno Husing reported that he is continuing efforts to secure funding from the Economic Development Administration and matching funds to continue his work on the Oregon Coast Telecommunications Economic Development Strategy. He reported that communities on the coast are expecting the deployment of WiMAX networks in 2008.

Telehealth Alliance of Oregon (TAO)

Cathy Britain reported that she and Kim Hoffman are teaching a three session training course on telemedicine via video teleconference for the Office of Rural Health. The next session will be on August 3rd and will be originating out of Oregon State University. The course is targeted for rural health service providers. For more information see www.ohsu.edu/oregonruralhealth/calitem042307.html.

Other News:

Link Shadley reported that there was a fire in The Dalles that damaged over seven hundred feet of optic fiber cable, which had to be replaced. A contributing factor was that brush and vegetation in the right of way under the fiber cable had not been cleared. He noted that this happened before in Bend when a brush fire damaged fiber cable. Link urged that those with spans of aerial fiber check on this hazard. Agnes Box cautioned that some Klamath Falls area ranchers had cleared brush along roads bordering their pastures and were challenged by ODOT.

Cathy Britain reported on the story of an Idaho Hospital that was out of service as a result of a fiber cut. A patient died due to the communications outage and the inability of the Hospital to get a telemedicine consultation.

Curt Pederson reported that Oregon Public Broadcasting obtained \$3 million in funding from the legislature to assist in the build out of its new digital TV broadcast system and \$150,000 per year to toward production costs of the Oregon Channel.

Curt Pederson reported that a recent article, “Miracle Cure?” published in Government Technology Magazine covered the Open Health Tools open source software project. The article can be seen at the following URL: www.govtech.com/gt/123603.

Curt Pederson reported that the 2007 Open Source Conference will be held in Portland July 23 –27. He noted that the exhibit floor will be open to anyone at no charge. See <http://conferences.oreillynet.com/os2007/> for more information.

Chris Tamarin reported some traffic statistics from the Council website. From May 2005 to May 2007, the site has received 162,060 hits for an average of 219 hits per day. Chris also noted that the Average Visit Length is seven minutes and forty-six seconds.

Chris also reported that a study was released on June 25, 2007 by the Communication Workers of America entitled, "Speed Matters: A Report on Internet Speeds in All 50 States." The report ranked Oregon 12th in the nation in median broadband Internet access speed, compared to Washington state at 18, Idaho at 43, Nevada at 31 and California at 36 and was critical of the Internet access speeds available in the United States as compared to other countries. The full report can be found at www.speedmatters.org.

Meeting Schedule:

The council decided to cancel the July full council meeting though committee work will continue. There will be no meeting in July 2007. ORTCC meeting dates currently scheduled for the rest of 2007 are August 23, September 27, October 24, and November 29. Meetings will be held in the Teleconference Room (Basement) of the Public Service Building, 255 Capitol Street NE, in Salem with the exception of the October meeting, which will be held in Newport. Meeting information will be updated and posted on the Council website at www.ortcc.org. Link Shadley adjourned the meeting.

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