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Testimony of the Department of Commerce and Consumer Affairs

**Before the
Senate Committee on Ways and Means
Wednesday, February 26, 2020
1:40 p.m.
State Capitol, Conference Room 211**

**On the following measure:
S.B. 2527, S.D. 1, RELATING TO BROADBAND SERVICE INFRASTRUCTURE**

WRITTEN TESTIMONY ONLY

Chair Dela Cruz and Members of the Committee:

My name is Ji Sook "Lisa" Kim, and I am the Cable Administrator of the Department of Commerce and Consumer Affairs' (Department) Cable Television Division. The Department offers comments on this bill.

The purpose of this bill is to: (1) establish a broadband infrastructure grant program administered by the Department of Business, Economic Development, and Tourism to award grants to extend infrastructure used to provide broadband service to unserved and underserved areas of the State; and (2) appropriate funds.

Access to affordable broadband services is essential in today's world to participate fully in our economy and society. At the federal level, broadband expansion programs, including the Federal Communications Commission's (FCC) Connect America Fund (CAF) program, have awarded significant funding to extend access to fully unserved census blocks. However, given the restrictions of those programs,

certain residents remain without access to any wired internet service or to service even near speed thresholds currently used to define “broadband-level” service.

The Department thus recognizes that a state-level grant program could provide funding to expand broadband service to those residents in locations that may not qualify for or receive federal funding in the foreseeable future. Such a program, especially if crafted to be provider- and technology-neutral to better address Hawaii’s unique geographical challenges, could help to bridge the State’s broadband gap and allow all residents to benefit from the services and opportunities afforded by access to broadband no matter where they live.

The Department notes, however, that the FCC recently voted to establish the federal Rural Digital Opportunity Fund (RDOF), which, as a successor to the CAF program, would provide \$20.4 billion in nationwide broadband deployment funding. The RDOF order states that, in the FCC’s determination of a list of funding-eligible census blocks, “[the FCC] will exclude those census blocks which have been identified as having been awarded funding through the U.S. Department of Agriculture’s ReConnect Program, or awarded funding through other similar federal or state broadband subsidy programs to provide 25/3 Mbps or better service.” This language could potentially limit or exclude areas that receive broadband deployment subsidies under this proposed state program from RDOF program consideration. Thus, the Committee may wish to consider consulting with any providers that could benefit from either the new federal RDOF program or this proposed state program on how it may affect their service extension plans.

Thank you for the opportunity to testify on this bill.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**



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Statement of
MIKE MCCARTNEY
Director

Department of Business, Economic Development, and Tourism
before the
SENATE COMMITTEE ON WAYS AND MEANS

Wednesday, February 26, 2019
1:40 p.m.
State Capitol, Conference Room 211

In consideration of
SB 2527 SD1
RELATING TO BROADBAND SERVICE INFRASTRUCTURE.

Chair Dela Cruz, Vice Chair Keith-Agaran and members of the Committee. The Department of Business, Economic Development and Tourism (DBEDT) provides **comments** on SB2527 SD1 which establishes the broadband service infrastructure grant program to award grants to applicants to extend deployment of facilities used to provide broadband service to unserved and underserved areas of the State. We have the following comments:

1. Provisions should be made to allow communities in rural areas to apply for small grants to build community broadband networks to help drive broadband adoption in those areas.
2. DBEDT has limited resources to create the policies, rules, procedures and reports necessary to successfully implement this program.
3. DBEDT appreciates the intent of the bill provided it does not replace priorities included in the Executive Budget.
4. DBEDT looks forward to continued discussions on building a broadband infrastructure grant program that is broad and inclusive.

Thank you for the opportunity to testify on this measure.

SB-2527-SD-1

Submitted on: 2/24/2020 11:33:38 AM

Testimony for WAM on 2/26/2020 1:40:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Debra	Testifying for KeepYourPower.org	Oppose	No

Comments:

This bill includes wireless infrastructure. Many of our members live in rural areas and do not want more cell towers and antennas, which are unsightly, reduce property values, are not secure, and emit dangerous levels of microwave radiation. Evidence of harm from wireless radiation is well established in hundreds of independent scientific studies. We support fiber to the premises, which is much safer. We oppose harmful wireless technology. There will be multiple lawsuits coming as a result of governments supporting toxic wireless infrastructure. This is the next tobacco debacle.



Charter Communications
Testimony of Myoung Oh, Director of Government Affairs

COMMITTEE ON WAYS AND MEANS

Hawai'i State Capitol, Conference Room 211
Wednesday, February 26, 2020
1:40 PM

SUPPORT OF S.B. 2527, S.D.1, RELATING TO BROADBAND SERVICE INFRASTRUCTURE

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee.

Thank you for the opportunity to provide testimony in support of S.B. 2527, S.D.1 which establishes a broadband service infrastructure grant program. The goal is to provide greater broadband connectivity for residents in unserved and underserved areas of Hawai'i by promoting the extension of broadband-related infrastructure, in primarily rural areas where the buildout costs are prohibitively expensive because of the low density of housing and commercial opportunities and the resulting small number of potential customers.

Charter Communications is a dedicated community partner in Hawai'i. As the largest broadband provider in Hawai'i with services available to over 400,000 homes and businesses in all 4 Counties, including Molokai and Lanai, Charter continues to expand its network. As a result of significant network investments, Charter's base broadband speed is 200/10Mbps and we now offer Spectrum Internet Gig (with download speeds of 940 Mbps) in almost all of Hawai'i. Charter continues to significantly invest and provide infrastructure improvements, unleashing the power of an advanced, two-way, fully interactive fiber network. By moving to an all-digital network, today's Spectrum

customers enjoy more HD channels, more On Demand offerings, more video choices than ever before, and the fastest internet speeds and most consistent performance available.

Charter also offers a low cost broadband service for \$17.99/month to eligible low income families and seniors to help bridge the digital divide. At 30Mbps, Spectrum Internet Assist will have a positive impact on the communities we serve in Hawai'i and help to ensure greater access to broadband technology to bridge the digital divide.

Charter strongly supports increasing access to broadband services for residents across the State where service is not available. A properly structured state broadband grant program as outlined in S.B. 2527, S.D.1 will, for example, help all islands, but may be especially useful in Hawai'i Island, which continues to face the greatest challenge primarily due to the lack of adequate infrastructure. With such a program in place, areas like Hāmākua, Puna, Pahoā, Nā'ālehu, Ka'ū and other remote regions will have a chance at access to broadband that they do not currently enjoy.

Because of Hawai'i's unique geography and terrain and the general prices for goods, labor and materials, the cost of connection is much higher than in some other areas of the mainland United States. By allocating resources to build broadband infrastructure to unserved and underserved areas of Hawai'i, S.B. 2527, S.D.1 will help broaden and enhance opportunities in every aspect of peoples' lives through economic development, education, and health care.

To make sure that the money goes to where it is most needed and to ensure proper administration of the funds, we believe that legislation should incorporate the following key principles, which are also reflected in S.B. 2527, S.D.1:

- State funds should come from general appropriations, not sector specific taxes and fees on current broadband customers. A dedicated source of funding through the General Fund appropriation best reflects the benefit accrued to the entire state from this investment.
- Focus must be on areas which are unserved. The current FCC standard for broadband is 25Mbps download and 3Mbps upload. Any public investment should target resources to areas which are not currently served by broadband at these standards developed by the FCC. This requirement will ensure that funds are invested where they are most needed and the benefit to rural communities will be the greatest.
- A grant program must include open and transparent rules to identify where applicants are seeking state subsidies and a robust challenge process. Public investment should not occur where the private sector has already invested in broadband infrastructure and service. To guard against a waste of state funds and against duplication of networks and investment where it is not needed, the state's program should include a transparent process which allows adequate time for existing broadband providers to confirm whether an area is already served or to commit to deploying service within a reasonable time such that state funds could be directed to an area in need of assistance.
- The application process should be thorough to weed out unqualified applicants, but at the same time simple to avoid burdensome administrative rules that discourage investment; applicants should receive adequate time to complete their investment and the state should provide support to avoid permitting delays that can impede the process.

Though we will continue to work with the legislature and may offer amendments to further our shared goal of bringing broadband to unserved areas of Hawai'i, Charter respectfully requests the continued passage of S.B. 2527, S.D.1 to ensure that a public-private policy framework is built to connect unserved and underserved areas of Hawai'i with essential broadband connectivity.

Mahalo for the opportunity to provide testimony.

SB-2527-SD-1

Submitted on: 2/24/2020 1:55:15 PM

Testimony for WAM on 2/26/2020 1:40:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Douglas	Individual	Oppose	No

Comments:

SB-2527-SD-1

Submitted on: 2/24/2020 2:22:16 PM

Testimony for WAM on 2/26/2020 1:40:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sulara James	Individual	Oppose	No

Comments:

SB-2527-SD-1

Submitted on: 2/24/2020 2:48:48 PM

Testimony for WAM on 2/26/2020 1:40:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Terri Yoshinaga	Individual	Oppose	No

Comments:

To the Ways and Means Committee,

This bill includes funding more cell towers/antennas and I do not want my tax dollars used for this! Harm from wireless radiation is well established in hundreds of independent scientific studies. There will be multiple lawsuits coming as a result of our government supporting dangerous wireless infrastructure. This is the next tobacco debacle. Please do not approve this bill unless you REMOVE from its broadband definition: "wireless media, such as satellite communications, wi-fi, and worldwide interoperability for microwave access". We support fiber to the premises, which is safer and more secure. We oppose harmful microwave technology. Thank you, for your time and careful consideration of this matter.

Sincerely,

Terri Yoshinaga

3506 Akaka Pl.

96822

SB-2527-SD-1

Submitted on: 2/24/2020 3:12:24 PM

Testimony for WAM on 2/26/2020 1:40:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert B. Smith	Individual	Oppose	No

Comments:

In my opinion, 5G has yet to be tested as to the effects it will have on human health.

I do not want to be a lab rat for this experiment. We don't even know the long term effects of 4G

although we know exposure to cell phone radiation can cause cancer and 5G is so much more powerful. If their our health problems caused by 5G the legislature will not be able to avoid liability as you have now been informed of the risk.

SB-2527-SD-1

Submitted on: 2/24/2020 3:34:11 PM

Testimony for WAM on 2/26/2020 1:40:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ken Stover	Individual	Oppose	No

Comments:

SB-2527-SD-1

Submitted on: 2/24/2020 4:15:44 PM

Testimony for WAM on 2/26/2020 1:40:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Buck Joiner	Individual	Support	No

Comments:

I support this bill but would prefer that Hawaii state government support be limited to 40% or less. The bill must have a percentage or dollar cap.

SB-2527-SD-1

Submitted on: 2/24/2020 4:55:34 PM

Testimony for WAM on 2/26/2020 1:40:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ano Hanamana	Individual	Oppose	No

Comments:

This bill includes funding more cell towers/antennas and I do not want my tax dollars used for this! Harm from wireless radiation is well established in hundreds of independent scientific studies. There will be multiple lawsuits coming as a result of our government supporting dangerous wireless infrastructure. This is the next tobacco debacle. Please do not approve this bill unless you REMOVE from its broadband definition: "wireless media, such as satellite communications, wi-fi, and worldwide interoperability for microwave access". We support fiber to the premises, which is safer and more secure. We oppose harmful microwave technology.

SB-2527-SD-1

Submitted on: 2/25/2020 6:16:57 AM

Testimony for WAM on 2/26/2020 1:40:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Kanahele	Individual	Oppose	No

Comments:

I oppose using our tax dollars to build infrastructure for broadband microwave technology (5G) which is proven to be harmful to human beings. There are many peer review scientific studies that support this. Government should not be supporting or paying for dangerous wireless infrastructure.

Please do not approve this bill unless you REMOVE from its broadband definition: "wireless media, such as satellite communications, wi-fi, and worldwide interoperability for microwave access". I support fiber to the premises, which is safer and more secure. I oppose harmful microwave technology.

SB-2527-SD-1

Submitted on: 2/25/2020 10:58:39 AM

Testimony for WAM on 2/26/2020 1:40:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
rose silverstein	Individual	Oppose	No

Comments:

I strongly oppose SB2527. There is too much research proving how dangerous EMF/ RF is for our health. We do NOT want 5G near our home or on our sacred Hawaiian land. Stop 5G.

SB-2527-SD-1

Submitted on: 2/25/2020 1:23:57 PM

Testimony for WAM on 2/26/2020 1:40:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rayne	Individual	Oppose	No

Comments:

SB-2527-SD-1

Submitted on: 2/25/2020 3:52:20 PM

Testimony for WAM on 2/26/2020 1:40:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Aaron Stene	Individual	Support	No

Comments:

Aloha,

I urge you support this legislation, which will help with broadband connectivity penetration in

rural areas. These part of the island are much more costly to roll out faster Internet speeds

due to the lower population counts. This is why the state needs to help subsidize the roll out. The market itself won't do it alone without a financial incentive.

Aaron Stene

LATE

SB-2527-SD-1

Submitted on: 2/25/2020 11:33:17 PM

Testimony for WAM on 2/26/2020 1:40:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brigitte Bieheller	Individual	Oppose	No

Comments:

Why should tax money be used for the 5G infrastructure which the telecommunication companies are so eager to implement. They are pushing forward with lightning speed, they will pay for it, if tax money is not made available. The taxpayers money would be more responsibly used for independent studies on the health hazards of small cell installations.