



Please Vote YES on HB18-1099

Ensure That Broadband Deployment Grants Awarded to Improve Rural Service Deliver the Speeds Promised

Sponsors: Catlin & McLachlan/Coram

In 2014, the General Assembly passed legislation creating a Broadband Deployment Board to give grants to Internet service providers (ISPs) to bring broadband to unserved and underserved rural communities across the state. Under the current grant-making rules, incumbent providers can exercise a “right of first refusal” and take a broadband grant away from a smaller ISP if it is in the incumbent provider’s service area. The incumbent provider would then be responsible to undertake the broadband improvements in that community as provided for in the grant.

Last year, a grant was awarded to a small local Internet provider in Southwest Colorado to bring fiber to the town of Ridgway. The grant was subsequently taken by an incumbent provider (under the right of first refusal) and was used instead to build digital subscriber lines (DSL) in the community. DSL is an antiquated technology and cannot deliver the same Internet speeds as fiber to the home.

HB 1099 would hold incumbent providers accountable when they invoke the right of first refusal. The bill requires that any incumbent provider who usurps a grant **must provide equal or better service/speeds with the same pricing** as that promised by the original grant recipient, thereby ensuring that rural communities are not shortchanged on these critical infrastructure improvements.

CCI Asks for Your YES Vote on HB18-1099

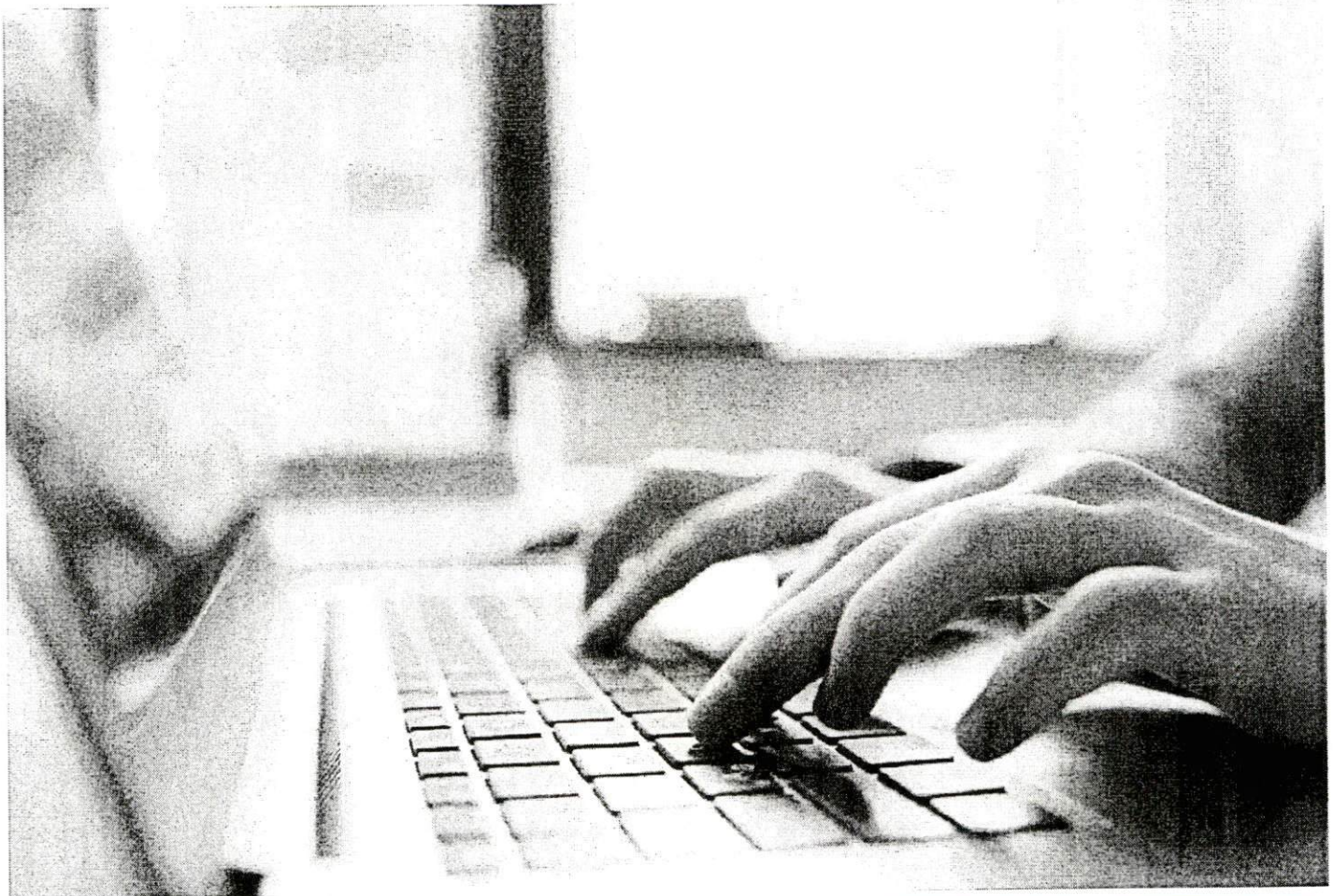
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Internet rights bill moves from Colorado House

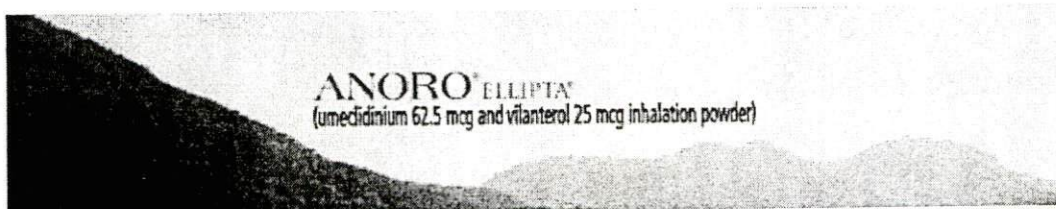
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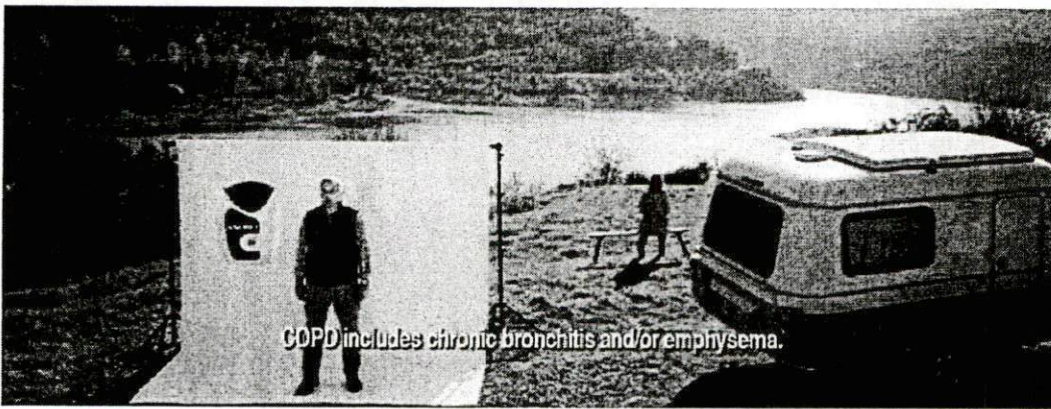
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Neither is a cure-all for what ails the Western Slope in terms of broadband internet, but a bill passed by the Colorado House in recent days could be an incremental pick-me-up.

The bipartisan House Bill 1099 could possibly start a turf war between bidders who might expand broadband internet into underserved areas of the state and nearby internet providers who are legally allowed to call dibs.

The legislation sponsored by Reps. Barbara McLachlan, D-Durango, and Marc Catlin, R-Montrose, would grant the right of first refusal to the company that offers the broadband service nearby, as long as they match a would-be competitor's speed and price.

McLachlan said the bill is supported by Colorado Counties Inc, "particularly the counties in southwest Colorado."

"I live in Durango and I know all too well the challenges of delivering high-speed internet to rural Colorado," she told the House Transportation and Energy Committee last week.

She said "incumbent" providers nearby can step in and block out competition then only "substantially" offer the same service, under current law. But it's not always substantially enough. She cited the case in Ridgway, where CenturyLink invoked its right of first refusal but instead of using fiber optic lines to homes, as the competitor had offered, CenturyLink instead used the slower DSL. The company received more than \$500 million in state and federal grants to extend service to the area.

"It cannot provide the same speeds to homes in the area as fiber," McLachlan said. "This bill will ensure what happened in Ridgway will not happen to another underserved community in Colorado."

Competition standards, however, won't extend rural broadband across the state, a much heavier lift that lawmakers in Denver haven't been able to manage.

The bill passed the House 49-14 Tuesday.

The legislation bounces to the Senate, where it's sponsored by Sen. Don Coram, R-Montrose.

Another Coram piece of legislation, Senate Bill 2, would move millions of dollars in state grants to rural communities to build the infrastructure of broadband internet. The bill passed the Senate 31-4 last month and is pending in the House Agriculture, Livestock and Natural Resources Committee. House Speaker Crisanta Duran of Denver and Majority Leader KC Becker of Boulder, co-sponsors with Coram, presented a case for the bill to the committee last week.

"We strongly believe it's an important piece of legislation that will finally help connect rural Colorado with the rest of the state," Duran said. "Whether you live in Denver or Durango, Boulder or the Western Slope, broadband service is becoming an increasing larger part of our daily lives."

Becker said broadband is second only to health care as a concern in the four rural counties in his district.

"If these communities are going to thrive, if they're going to be successful in the 21st century, they have to have broadband," she told the committee.