



**Date: 04/18/2024**  
**To: Committee: Senate Business, Labor, & Technology**  
**RE: Bill: HB24-1334**

Mr. or Madam Chair, esteemed members of the committee,

Thank you for the opportunity to provide testimony in support of HB24-1334. My name is Kim Smith, representing the Town of Estes Park, Colorado (Town), a municipal corporation, acting by and through its Power and Communications Enterprise dba Trailblazer Broadband, and I am here to voice our strong endorsement of this bill.

We believe that the passing of HB24-1334 is crucial to addressing the pressing issue of ISP exclusion from properties in multi-dwelling unit (MDU) communities. The ramifications of such exclusion not only hinder residents' freedom to choose their desired service provider but also impede the return on investments made by providers in essential infrastructure.

Trailblazer Broadband is the Town of Estes Park's community-owned municipal broadband project started in 2019. With a bond issuance, The Town is working to meet the community's major appeal to the Town to provide access to better internet. Allow me to illustrate this with concrete examples from Estes Park, CO 80517, where Trailblazer Broadband, has faced significant challenges in offering its services to MDU communities.

Example #1: Solitude Cabins at 1855 Sketch Box Ln

Despite some residents expressing a desire for our services, Solitude Cabins refused to sign any Access Agreement, effectively denying them the option to choose Trailblazer Broadband. This exclusivity agreement with another provider prevented us from extending our services, despite having incurred the cost to build the necessary network infrastructure.

Example #2: Park River West at 684 Park River Pl

The HOA's refusal to enter into an MDU agreement, coupled with restrictive legal language preferences, prevented residents from opting for Trailblazer Broadband. Unlike private sector providers, despite significant resident interest, we were unfairly disallowed as a choice.



Example #3: Good Samaritan Society Estes Park Village at 1901 Ptarmigan Trl,

While a select group of residents were granted access to our services, the community's overarching contract with a single provider limited our reach. This restricted choice is particularly egregious in communities where residents must pay for contracted services through their housing fees and pay for a second service to have the service they choose.

Example #4: The Prospector Apartments

Despite efforts to collaborate with the developer, an exclusive agreement with another provider blocked Trailblazer's entry after paying to install our infrastructure in the development. This not only restricts residents' options but may also raise concerns regarding fair competition, especially if HUD funding is involved.

In conclusion, the passage of HB24-1334 is essential in rectifying these injustices and fostering a competitive environment where residents can freely choose their preferred service provider. We urge the committee to support this bill and ensure that all residents have access to the internet services of their choice.

Thank you for your attention to this matter.

Sincerely,

Kim Smith

Town of Estes Park, Colorado (Town), a municipal corporation, acting by and through its Power and Communications Enterprise dba Trailblazer Broadband

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