

## Broadband Expansion

### *Timeline*

1. August 8, 2008: Governor Patrick signs “An Act Establishing and Funding the Massachusetts Broadband Institute,” legislation that leverages resources to make high-speed Internet available in the Commonwealth’s 32 communities that currently lack access to broadband (A-5, B-10)
2. July 16, 2009: Governor Patrick signs “An Act Providing for Economic Recovery through Broadband Initiatives” to help leverage federal economic recovery funds to boost broadband services throughout Massachusetts (B-15).<sup>1</sup>
3. March 12, 2010: Governor Patrick celebrates a \$32 million federal award received by the regional non-profit OpenCape Corporation through the U.S. Department of Commerce’s National Telecommunications and Information Administration’s (NTIA) Broadband Technology Opportunities Program (BTOP) (A-17).
4. July 2, 2010: Governor Patrick announces Massachusetts will be awarded \$45.4 million in federal stimulus funding to expand broadband access in Western and North-Central Massachusetts (A-23).
5. October 1, 2010: Massachusetts receives \$4.1 million in federal stimulus funding that will provide broadband assistance for veterans and small businesses, and also enhance mapping efforts to expand broadband infrastructure (A-26).
6. July 26, 2011: Governor Patrick kicks-off construction of the MassBroadband 123 fiber-optic network project to expand broadband access to more than 120 communities in western and north central Massachusetts (A-31).
7. April 4, 2013: Governor Patrick lights the first section of the 1,200-mile MassBroadband 123 fiber-optic network that will bring high-speed Internet access to underserved areas of western and central Massachusetts (A-38).

### *Results*

#### *An Act Establishing and Funding the Massachusetts Broadband Institute (2008, B-10)*<sup>2</sup>

- Creates the Massachusetts Broadband Institute (MBI) under the Massachusetts Technology Collaborative. The MBI will be in charge of overseeing the \$40 million new Broadband Incentive Fund to construct fiber, wireless towers and other critical and long-lived broadband infrastructure.
  - The Institute will also be responsible for assessing exiting service conditions across Massachusetts and developing a comprehensive plan to address deficiencies in towns currently lacking, or with only partial access to, broadband service.

<sup>1</sup> <http://broadband.masstech.org/history/broadband-bill>.

<sup>2</sup> Governor Deval Patrick Signs Broadband Access Law (A-5).

*An Act Providing for Economic Recovery through Broadband Initiatives (2009, B-16)*<sup>3</sup>

- Authorizes the Massachusetts Broadband Institute to use funding to acquire indefeasible rights of use and federal-government (FCC) spectrum.
- Clarifies that petitions relative to the zoning of a communications or cable facility will be reviewed by the Department of Telecommunications and Cable and petitions relative to all other types of public service facilities will be reviewed by the Department of Public Utilities.
- Clarifies that the MBI may be exempt from local zoning by-laws or ordinances so long as the MBI is acting within the confines of its essential government function for the public good.
- Authorizes MassHighway to enter into long-term leases with the MBI so that fiber and conduit can be deployed along certain existing right-of-ways in parallel with certain MassHighway construction projects.

*MassBroadband 123*<sup>4</sup>

- As of March 31, 2013:
  - 31,603 Verizon pole licenses received (96% complete).
  - 29,428 electric utility pole licenses received (97% complete).
  - 895 miles of fully licensed fiber miles released to construction for aerial installation (96% complete).
  - 775 miles of messenger strand and 676 miles of aerial fiber optic cable installed (83% and 72% complete, respectively).
  - 582 Community Anchor Institution site installations and 17 Point of Interconnection and collocation site equipment installations complete (72% and 63% complete, respectively).

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<sup>3</sup> Governor Patrick Files Broadband Legislation to Prepare the Commonwealth for Access to Federal Stimulus Funds (A-9). (Note: these provisions reflect the originally filed bill and not necessarily the bill at final passage).

<sup>4</sup> Quarterly Performance Progress Report for Broadband Infrastructure Projects—Q1 2013 (B-3).

# **Appendix A:** Press Releases and Speeches

## **02.14.08 - Governor Testifies on Behalf of Broadband Bill**

**Governor Deval L. Patrick**

**Governor Testifies on Behalf of Broadband Bill**

**February 14, 2008**

**As Delivered**

Thank you very much Mr. Chairman. Mr. Chairman, members of the committee, thank you very much for holding these hearings and allowing us an opportunity to testify on behalf of the broadband access bond bill. I think that members of the delegation from the western and central part of the Commonwealth have already come to talk about how important this is in those regions. Maybe I could just give a broader context for why I think this is important for the Commonwealth as a whole.

I think we all agree that we should pursue every available and reasonable initiative to grow the Massachusetts economy and stimulate job growth. Doing so is timely and critical. Last year the Massachusetts economy expanded steadily, creating over 20,000 new jobs. Even in a difficult fourth quarter, growth continued at almost four times the pace of the national economy. We've been ranked as the most competitive state in the nation in one survey, and number two in a second study. All good news.

Yet we continue to face significant fiscal challenges. Costs for health care and education are outpacing revenue growth in many places; billions of dollars in maintenance needs for roads and bridges; and a \$1.3 billion structural gap in the FY09 budget place immediate strains on our ability to deliver the services our constituents, including our businesses, want and deserve. To confront fiscal realities and sustain the economic momentum we built in the first year of this administration, it's important that we focus on areas where we can grow jobs and economic security, and not just on how to get along with less.

The bond bills before this committee and the legislature put Massachusetts to work by creating thousands of jobs by improving our transportation system, creating more housing, and modernizing our state college and university campuses.

Expanding broadband access, the purpose of the bill before you today, is one area where targeting investments stands to bring considerable returns to the Commonwealth.

Our proposal is designed to leverage public-private partnerships and expand broadband coverage to every underserved city and town in Massachusetts within three years. Through this bond bill, we will form

a Massachusetts Broadband Incentive Fund, providing \$25 million in public support for broadband infrastructure, allowing us to construct, and in some cases to own the critical components of the telecommunications backbone such as fiber and wireless towers.

State investments will complement private sector investment, not substitute for it. These public investments will help to remove significant private sector entry barriers and will promote competition to ensure broadband services, quality and affordability throughout the Commonwealth. The need is real and urgent.

Today there are 63 towns in Massachusetts where there's only partial broadband service, and 32 have no access at all. In those 95 communities, over 220,000 households and over 25,000 businesses lack adequate broadband access. That means children for whom educational materials are out of reach, families for whom news is out of reach, doctors for whom medical images are out of reach, businesses, such as graphic design businesses, who could not even consider functioning in those communities. These communities have already waited a very long time, as I know you know. Without public investment, those communities will be forced to wait indefinitely.

Widely available broadband access is essential in the world and economy of the 21 st century. Our ability to establish and grow new companies and jobs across the Commonwealth, engage fully in the global economy, and connect to services in everything from education to government to entertainment relies on broadband access.

Our competitor states and nations are already on the move, from South Carolina to South Korea. California, one of our top competitors in the knowledge economy, as you know, has invested \$60 million to leverage up to \$250 million in private funding for their own broadband initiative.

The expected economic benefits show why states are making these investments. Research shows that job growth, business growth and property values are higher in areas with broadband service. Opportunities for telecommuting, online advertising, services and transactions, and connections to new markets all stand to benefit companies in places like Hampden County, the Berkshires, southeastern Massachusetts and the Cape.

In addition to fostering comprehensive growth, broadband access is especially critical for the expansion of innovation industries like the life sciences, clean energy, education, high tech and health care. These are the industries, as you know, that are driving economic growth in the 21 st century, and each is a sector in which Massachusetts has an edge.

But unless we act, that growth will be restricted to areas that have reliable broadband access, leaving large parts of the Commonwealth and large numbers of our people behind. To educate the workforce,

facilitate the ideas, and attract the companies, we must have reliable, affordable internet access in every region of the Commonwealth.

Universal broadband will also foster more efficient access to government services. The Department of Revenue estimates that it could save \$300,000 per year if unserved town halls could depend on having broadband access. Savings like these, multiplied across numerous state agencies, are part of the return on this investment, part of the return

For the purposes of civic engagement, residents will have greater ability to organize town meetings, coordinate around local and state policy development and implementation, and simply connect in hundreds of ways to their communities.

Finally, and most important to our long-term success, this will allow us to build interactive classrooms and learning environments, with access to information and new teaching techniques from pre-K through higher ed. Internet access is no longer optional in education today. And I'm not only referring to access in schools, I'm talking about access at home after school as well.

Broadband is a necessary service that stands to improve opportunities in education, civic engagement, and economic growth. We can get there with a responsible, targeted investment, and we believe this broadband bill represents the best path forward. So I ask for your prompt and favorable consideration. Thank you very much for having me today.

## **Governor Deval Patrick Signs Broadband Access Law**

### **New Broadband Institute will create public-private partnerships to bring broadband to all un-served communities**

GOSHEN-Monday, August 4, 2008 - Governor Deval Patrick today signed into law An Act Establishing and Funding the Massachusetts Broadband Institute - legislation that leverages public and private resources to make high-speed Internet available in the state's 32 communities that currently lack access to broadband. The new law calls for the expansion to be completed within the next three years.

"Broadband is an essential resource in today's world and economy. This new law is a resounding victory for the residents, students and businesses in communities that have gone without it for too long," said Governor Deval Patrick. "Expanding access to broadband will create substantial opportunities for economic, academic and cultural growth."

The new law will bridge the digital divide that persists predominantly in western Massachusetts by providing \$40 million in bonds from the new Broadband Incentive Fund to construct fiber, wireless towers and other critical and long-lived broadband infrastructure. Targeted state investments will attract and complement private sector investment, making it more cost-effective for private providers to deliver complete solutions for customers in regions without broadband coverage.

"High costs pose a significant entry barrier for the private sector and are a root cause of the broadband inequities we're experiencing now," said Housing and Economic Development Secretary Daniel O'Connell. "Strategic investment by the state will bring private companies to the table and ignite the competition that will make broadband accessible and affordable throughout the Commonwealth."

Housed within the Massachusetts Technology Collaborative, the Massachusetts Broadband Institute will be led by a nine member governing board consisting of key state policymakers and industry experts appointed by the Governor. In addition to overseeing the Incentive Fund and selecting private firms to partner with through a competitive procurement process, the Institute will also be responsible for assessing existing service conditions across Massachusetts and developing a comprehensive plan to address deficiencies in the 63 additional towns with only partial broadband service.

"Going forward, the Institute will tailor a public-private model to close the state's most acute broadband gaps in western Massachusetts and to meet the needs of other regions," said Department of Telecommunications and Cable Commissioner Sharon E. Gillett. "A regional, long-term approach will enable every community to be active participants in and beneficiaries of our 21<sup>st</sup> century knowledge-based economy."

In the 95 communities with either limited or no broadband availability whatsoever, over 220,000 households and over 25,000 businesses lack adequate broadband. Studies show that communities with broadband access experience measurable increases in jobs, business expansion and property values.

Other broadband-enabled benefits include improvements in public safety and access to health care, educational opportunities and civic participation. Additionally, the new law will create efficiencies across municipal and state government. The Department of Revenue estimates that the Commonwealth will save \$300,000 annually once every town hall can conduct its business online.

"As someone who has worked on this issue for many years, I can say without reservation that the Governor's leadership has had a profound effect on crystallizing this issue in the public and the Legislature," said Senator Stanley C. Rosenberg (D-Amherst). "This is a significant step toward high speed internet access for all of the citizens of Western Massachusetts, access that will be critical to the future economic development, education, and communications in these underserved communities."

"For far too long, residents of the communities I represent have been blocked from the on-ramp to the information superhighway," said Senator Benjamin B. Downing (D-Pittsfield). "Today we see true progress, backed by a \$40 million state investment, to bring broadband to western Massachusetts. It has been a pleasure working with my colleagues in the delegation and the Patrick Administration to secure swift passage of this legislation, and I look forward to continuing our collaborations to achieve of our collective goal: universal broadband access in all of Massachusetts."

"With the signing of this legislation, a world of business, educational, and cultural opportunities will open up for thousands of people all across the Commonwealth," said Daniel E. Bosley (D-North Adams). "This is a remarkable step forward for the entire state."

"Without question, broadband availability enhances the overall quality of life in any given community, especially towns like those in my district," said Representative Steven Kulik (D-Worthington). "With this legislation, this region will finally have access to those opportunities, and the return on this state investment will be significant in terms of jobs, education and regional economic development."

## **Governor Patrick Appoints Members to Massachusetts Broadband Institute Board of Directors**

Board has cross-section of expertise in telecommunications, broadband infrastructure, public-private partnership development and information technology fields

BOSTON- Wednesday, January 14, 2009 - Governor Deval Patrick today appointed four members with a cross-section of expertise in advanced telecommunications and broadband technologies to the Board of Directors of the Massachusetts Broadband Institute (MBI). The new members are:

- Brian Burke, Northeast Director, State Government Affairs / Legal and Corporate Affairs, Microsoft Corporation;
- Dr. David Clark, Senior Research Scientist and Director of the Advanced Network Architecture Group, Computer Science and Artificial Intelligence Laboratory (CSAIL), Massachusetts Institute of Technology;
- Linda Dunlavy, Executive Director, Franklin Regional Council of Governments; and
- Rick Oliveri, Director of Technology Management, Baystate Health and Co-Chair, Pioneer Valley Connect

*An Act Establishing and Funding the Massachusetts Broadband Institute*, signed by Governor Patrick in August, established the Massachusetts Broadband Institute under the Massachusetts Technology Collaborative. The law is aimed at making affordable broadband available in cities and towns that currently lack access to high-speed Internet.

"When we expand the availability of broadband, we create a whole host of educational and economic opportunities for our Commonwealth and for our citizens," said Governor Deval Patrick. "The collective knowledge and experience of this board will help us forge successful public-private partnerships that close broadband gaps and let everyone take part in today's 21<sup>st</sup> century global economy."

The Massachusetts Broadband Institute manages the Massachusetts Broadband Incentive Fund. The public purpose \$40 million investment fund is designed to leverage private sector and federal investment by financing the construction and acquisition of broadband infrastructure.

The Board will also be responsible for working with Broadband Institute staff to assess broadband penetration and access in the Commonwealth, engaging with stakeholder and broadband service providers and monitoring compliance and impacts of Broadband Institute investments.

"We are truly fortunate to have a Board of Directors that will bring an unsurpassed level of expertise in telecommunications to guide the Broadband Institute," noted Housing and Economic Development

Secretary Dan O'Connell. "The strategic investments that the Broadband Institute Board of Directors will make will bring private companies to the table and ignite the competition that will make broadband accessible and affordable throughout the Commonwealth."

The complete Broadband Institute Board of Directors is as follows:

- Secretary of Housing and Economic Development Dan O'Connell (ex-officio)
- C. Stanley McGee, Assistant Secretary for Policy and Strategic Planning, **designee**
- Secretary of Administration and Finance Leslie Kirwan (ex officio)
- Jay Gonzalez, Undersecretary, **designee**
- Sharon Gillett, Commissioner of the Massachusetts Department of Telecommunications of Cable (ex officio)
- Mitchell Adams, Executive Director, Massachusetts Technology Collaborative (ex officio)
- Don Dubendorf, Chair of John Adams Innovation Institute Governing Board (ex officio)
- Brian Burke, Northeast Director, State Government Affairs / Legal and Corporate Affairs, Microsoft Corporation
- Dr. David Clark, Senior Research Scientist and Director of the Advanced Network Architecture Group, Computer Science and Artificial Intelligence Laboratory (CSAIL), Massachusetts Institute of Technology
- Linda Dunlavy, Executive Director, Franklin Regional Council of Governments
- Rick Oliveri, Director of Technology Management, Baystate Health and Co-Chair, Pioneer Valley Connect

# GOVERNOR PATRICK FILES BROADBAND LEGISLATION TO PREPARE THE COMMONWEALTH FOR ACCESS TO FEDERAL STIMULUS FUNDS

## Bill to Ensure Massachusetts Captures Funding Opportunities

BOSTON- Monday, April 27, 2009 - As part of his Massachusetts Recovery Plan to secure the state's economic future, Governor Deval Patrick has filed legislation to help leverage federal economic recovery funds to boost broadband services throughout Massachusetts.

"This bill builds on our commitment to provide broadband access to all areas of the Commonwealth, and positions the state for long-term economic growth," said Governor Patrick. "This effort will also help streamline state zoning and permitting rules to expedite the availability of this enabling technology."

Many of the provisions in the American Recovery and Reinvestment Act include "use it or lose it" deadlines that require states to use federal funds quickly or the funding will be reallocated to other states. Changes to current state law are necessary to meet these deadlines and other ARRA requirements. This bill proposes changes that will ensure that the Commonwealth takes full advantage of ARRA funding for deployment of broadband infrastructure.

Specifically, the measure:

- Authorizes the Massachusetts Broadband Institute ("MBI") to use funding to acquire indefeasible rights of use and federal-government (FCC) spectrum;
- Clarifies that petitions relative to the zoning of a communications or cable facility will be reviewed by the Department of Telecommunications and Cable and petitions relative to all other types of public service facilities will be reviewed by the Department of Public Utilities - consistent with the 2007 reorganization of the Department of Telecommunications and Energy;
- Clarifies that the MBI may be exempt from local zoning by-laws or ordinances so long as the MBI is acting within the confines of its essential government function for the public good; and
- Authorizes MassHighway to enter into long-term leases with the MBI so that fiber and conduit can be deployed along certain existing right-of-ways in parallel with certain MassHighway construction projects.

"These changes will not only allow us to better compete for federal broadband funding, but will complement Governor Patrick's efforts at the state level to bring affordable, robust and ubiquitous broadband and advanced telecommunication services throughout the Commonwealth, specifically to western Massachusetts where the digital divide is most acute, and will enable continued improvements in

our local and regional economies, healthcare, public safety and education," said Housing and Economic Development Secretary Gregory Bialecki.

Investments in broadband are critical components to Governor Patrick's [Massachusetts Recovery Plan](#), which combines state, federal and, where possible, private efforts to provide immediate and long-term relief and position the Commonwealth for recovery in the following ways:

- **Deliver immediate relief** by investing in the road, bridge and rail projects that put people to work today and providing safety net services that sustain people who are especially vulnerable during an economic crisis;
- **Build a better tomorrow** through education and infrastructure investments that strengthen our economic competitiveness, prepare workers for the jobs of the future and support clean energy, broadband and technology projects that cut costs while growing the economy; and
- **Reform state government** by eliminating the pension and ethics loopholes that discredit the work of government and revitalize the transportation networks that have suffered from decades of neglect and inaction.

## **MASSACHUSETTS WINS \$2 MILLION IN FEDERAL STIMULUS FUNDING FOR BROADBAND DATA DEVELOPMENT & MAPPING**

BOSTON - Friday, November 06, 2009 - Governor Deval Patrick today announced that Massachusetts has won approximately \$2 million in federal stimulus funding to aid in the development of affordable, reliable broadband Internet services for all communities in the Commonwealth. On Wednesday, the Governor met with U.S. Secretary of Commerce Gary Locke in Washington, D.C. to push for the state's broadband priorities, noting that expanding access to high-speed Internet will create jobs, support business expansion and help students and businesses compete in a 21<sup>st</sup> global economy. The funding from the U.S. Department of Commerce's National Telecommunications and Information Administration (NTIA) for the collection and mapping of broadband availability and infrastructure information will lead to the creation of a comprehensive, statewide database of broadband availability and an updated state map of broadband coverage. This project will help the state prepare for additional federal funding to build new broadband infrastructure that will bring high-speed Internet, or broadband, access to tens of thousands of households, businesses and community anchor institutions throughout the Commonwealth - including the unserved and underserved communities of western Massachusetts and the Cape.

"We are grateful to the Obama Administration and our Congressional delegation for this investment that moves us another step closer to bringing broadband access to all businesses, schools and communities in the Commonwealth," said Governor Patrick. "Broadband access is an essential element of economic success in the 21<sup>st</sup> century, and we look forward to putting these funds to work immediately."

Governor Patrick has designated the Massachusetts Broadband Institute (MBI), a division of the Massachusetts Technology Collaborative, to lead the state's efforts to increase broadband deployment. In August 2009, the state applied for more than \$100 million in federal stimulus funding, which was divided into two proposals focused on mapping and infrastructure development in western Massachusetts. Federal funding awards for broadband infrastructure deployment are expected to be announced on a rolling basis beginning mid-December 2009 through February 2010, and will be followed by one additional funding round.

"Too many Massachusetts communities are underserved when it comes to broadband access and some, such as Wendell and Monterey in western Massachusetts, have no access at all. Communities on one side of the state should be able to benefit from broadband the same way as communities on the other side of the state, and that's why my colleagues in Congress and I have pushed so hard for this funding. I'm grateful to the Commerce Department for helping us to continue deploying broadband to as many people as quickly as possible," said Senator John Kerry.

"Guaranteeing affordable, dependable broadband throughout the Commonwealth is a question of basic fairness," said Senator Paul G. Kirk, Jr. "Access to high-speed Internet is an absolute necessity for educational and business development in today's global marketplace. This grant is a good first step to enable families, schools and businesses in communities throughout the state to gain access to the high-speed broadband they need."

"Success in the fiercely competitive global economy depends on our overarching telecommunications policy goals, including a competitive, high speed broadband infrastructure," said Congressman Ed Markey. "A broadband network will spur new growth, investment, choice and greater affordability in cutting-edge broadband applications, services and technologies. As the author of the Recovery Act provision funding the expansion of broadband deployment, I am pleased that Massachusetts will get federal funds to help our state plan for the deployment of new broadband infrastructure that will expand broadband access to households and businesses in unserved and underserved communities."

The NTIA has awarded the MBI over \$1.5 million to collect and verify the availability, speed and location of broadband across the Commonwealth. This activity is to be conducted on a semi-annual basis between 2009 and 2011, with the data to be presented in a clear and accessible format to the public, government and the research community. In addition, WesternMA Connect, Inc., the combined entity of formerly Berkshire Connect, Inc. and Pioneer Valley Connect, will receive \$500,000 for the cost of broadband planning activities in Massachusetts over two years, bringing the Commonwealth's mapping grant award total to approximately \$2 million.

In May 2009, Governor Patrick unveiled a new interactive mapping tool using Google mapping technology that enables users to pinpoint the locations of their homes, businesses or schools on a map and to enter their current mode of access to the Internet. Working with the Massachusetts Office of Geographic and Environmental Information (MassGIS), the MBI has a head start on mapping broadband access across the state.

The Massachusetts Broadband Data Mapping Project will accomplish the following:

- develop a database of broadband availability and capability at the county, community and street level;
- put in place the tools, partnerships, and processes to keep the database current and accurate;
- make the public portions of the database easily accessible by the citizens, businesses and agencies throughout the state, while maintaining the security and integrity of the data;
- utilize stringent protocols and processes consistent with all state and federal legal requirements to protect confidential data; and
- provide regular updates of the data to the NTIA for inclusion in a nationwide database.

The MBI proposes to build broadband fiber infrastructure that will provide citizens of all unserved and underserved communities of western Massachusetts with high-speed Internet access. Specifically, the MBI plans to build a fiber "middle mile" network throughout the western region of the state that, in addition

to bringing broadband access to these communities, would provide direct connection to regional anchor institutions ( e.g., schools, libraries, hospitals and other facilities) and other critical community facilities. The project could create as many as 3,040 jobs and would be in partnership with other state and local government entities, non-profits and for-profit companies.

The fiber-optic network would build on a recently announced \$4.3 million, 55-mile segment of MBI fiber currently being deployed along the Interstate 91 corridor in western Massachusetts. This partnership with MassDOT constitutes a "match" from Massachusetts towards the federal funding proposal.

Studies indicate that communities with broadband access experience increases in jobs, business expansion and property values. Other broadband-enabled benefits include improvements in public safety and access to health care, educational opportunities and civic participation.

For more information, please visit [www.massbroadband.org](http://www.massbroadband.org).

## **GOVERNOR PATRICK APPOINTS JUDITH DUMONT AS DIRECTOR OF THE MASSACHUSETTS BROADBAND INSTITUTE**

BOSTON - Thursday, December 17, 2009 - Governor Deval Patrick today announced the appointment of Judith A. Dumont as Director of the Massachusetts Broadband Institute (MBI) - an agency working to bridge the digital divide and deliver affordable, reliable, high-speed Internet service to every community in the Commonwealth by 2011.

"Broadband lifts up local economies, improves our schools and strengthens public safety. That's why expanding coverage throughout the state has been one of our foremost priorities," said Governor Patrick. "Judy's strong skill set and proven track record make her the perfect fit to head up the MBI and help us make our vision for universal broadband a reality."

Dumont has over 20 years of management experience, including more than 17 years in the wireless telecommunications industry. She was President of the Decisioning Solutions business unit at Lightbridge, Inc., a Massachusetts publicly traded software provider for the industry. During her tenure at Lightbridge, Judy held numerous positions at all levels ranging from client support to account management and from product management to business and strategic planning. As President/General Manager for the company's largest business unit, Dumont worked closely with the Lightbridge CEO and Board of Directors on strategic planning, corporate development and organizational design, as well as managing the operation.

"Thanks to the leadership and advocacy of Governor Patrick and his team, Massachusetts is now well-positioned to expand broadband services so that every community has the infrastructure in place to strengthen schools, businesses and public safety," said Dumont. "I want to thank Governor Patrick for giving me this tremendous opportunity to serve the citizens of the Commonwealth, and I am confident that we will get results in cities and towns across the state."

Governor Patrick signed landmark legislation creating the Massachusetts Broadband Institute, a division of the Massachusetts Technology Collaborative, to make strategic investments and harness public-private partnerships to develop broadband infrastructure in unserved and underserved communities.

The MBI is making strategic investments in broadband infrastructure assets, such as fiber-optic cables and wireless towers, thereby lowering the overall cost of deployment for private providers. The MBI manages the Massachusetts Broadband Incentive Fund, which is capitalized by \$40 million in state bond funding.

Pam Reeve, the past Chair and Founding CEO of Boston's openairboston.net, and the current Chair of The Commonwealth Institute, worked with Dumont while at Lightbridge as its President and CEO. Reeve said, "I had the privilege of working with Judy for over 15 years, and she is among the most talented managers and problem solvers with whom I have worked. Judy has successfully managed complex projects with very time-sensitive deliverables. She is comfortable managing engineers and other team

members in a technology setting. She is smart, flexible and resilient, and she is a very well-rounded executive and superb collaborator. Judy's hands-on leadership and operational expertise will be particularly important as the MBI moves from the planning to the implementation phase."

Don Dubendorf, the Chair of WesternMA Connect, Inc., the combined entity of formerly Berkshire Connect, Inc. and Pioneer Valley Connect, said, "Too many Massachusetts communities are underserved when it comes to broadband access and some, particularly in western Massachusetts, have no access at all. Judy is the perfect choice to lead the MBI at this critical juncture. We have a good plan in place, and the job now is operational and getting this done. Judy is particularly well-suited to this implementation challenge, and those of us in western Massachusetts, where our digital divide is most acute, are anxious to join her in getting the job done."

The American Recovery and Reinvestment Act provides \$7.2 billion in funding to help states that are ready to deploy broadband in unserved and underserved areas. The Massachusetts broadband initiative means that, under the Patrick-Murray Administration, the Commonwealth has already commenced the work required to seize the extraordinary opportunity to attract significant federal funding.

The MBI is already implementing the first broadband federal stimulus award announced in Massachusetts, approximately \$2 million for the collection and mapping of broadband availability and infrastructure information. This project will help the state prepare for additional federal stimulus funding to build new broadband infrastructure that will bring broadband access to tens of thousands of households, businesses and community anchor institutions throughout the Commonwealth - including the unserved and underserved communities of western Massachusetts and the Cape.

The MBI proposes to build broadband fiber infrastructure that will provide citizens of all unserved and underserved communities of western Massachusetts with high-speed Internet access. Specifically, the MBI plans to build a fiber "middle mile" network throughout the western region of the state that, in addition to bringing broadband access to these communities, would provide direct connection to regional anchor institutions, such as schools, libraries and hospitals, and other critical community facilities. The project could create as many as 3,040 jobs and would be in partnership with other state and local government entities, non-profits and for-profit companies.

The fiber-optic network would build on a recently announced \$4.5 million, 55-mile segment of MBI fiber currently being deployed along the Interstate 91 corridor in western Massachusetts.

Federal funding awards for broadband infrastructure deployment are expected to be announced on a rolling basis beginning today through February 2010, and will be followed by one additional funding round.

Studies indicate that communities with broadband access experience increases in jobs, business expansion and property values. Other broadband-enabled benefits include improvements in public safety and access to health care, educational opportunities and civic participation.

Since leaving Lightbridge in January 2005, Dumont has worked as a strategic consultant. Dumont has served on the Board of Advisors for Fulfillment Plus, an Internet e-commerce fulfillment company and

also served on the Board of Directors for Club Passim, a non-profit folk music cultural center located in Cambridge. She currently serves on the board of The Boston Club, the area's largest organization for high-achieving senior executive and professional women, and chairs its strategic planning committee.

Originally a native of Fitchburg, Massachusetts, Dumont lives in Nahant.

For more information, please visit [www.massbroadband.org](http://www.massbroadband.org).

## **GOVERNOR PATRICK CELEBRATES \$32 MILLION IN FEDERAL FUNDING FOR BROADBAND**

EAST SANDWICH, MA - Friday, March 12, 2010 - Governor Deval Patrick today joined state and local leaders on Cape Cod to celebrate a \$32 million federal award received by the regional non-profit OpenCape Corporation through the U.S. Department of Commerce's National Telecommunications and Information Administration's (NTIA) Broadband Technology Opportunities Program (BTOP). This award will be combined with \$8 million in state and regional funding for a \$40 million investment in the region. OpenCape's project will create over 400 jobs, fostering economic development and long-term regional growth.

"This is terrific news for the Cape. We are grateful to the Obama Administration and our Congressional delegation for supporting this critical economic development initiative for the Cape," said Governor Patrick. "In addition to supporting the important work OpenCape and its partners are doing to bring new economic opportunity to the Cape and the Islands, we are re-doubling our efforts to deliver high-speed Internet connectivity to thousands of individuals and businesses in western Massachusetts. We will not stop until every region of the state has the building blocks in place to compete in the 21st century economy."

Southeastern Massachusetts has a different set of needs than those of rural areas, such as western Massachusetts, or major metropolitan areas, such as Boston. It has some minimal services that are not available in rural areas, but it does not have the robust telecommunications infrastructure it needs to support the economic, educational, public safety and governmental needs of the region.

With this federal award, OpenCape will provide critical middle-mile capacity for the Cape Cod region by building a 350-mile fiber-optic backbone, wireless microwave network and regional data center. This open-access broadband network will create opportunities for jobs, economic diversification and regional efficiencies in government, and will connect over 60 anchor institutions - including schools, libraries, colleges, health centers and public safety facilities - on Cape Cod, Martha's Vineyard and Nantucket. It will also enable last-mile providers to reach underserved residents, allow health care facilities to meet complex networking and archiving needs, and create emergency redundancy in the hurricane-vulnerable region.

"This is a gigantic shot in the arm for the Cape and an excellent example of the Recovery Act in action," said Senator Kerry. "I've been a broken record for years about universal broadband and this is part of getting to that goal. Our community and our congressional delegation came together to construct a model proposal for a regional broadband initiative with widespread benefits and I sent multiple letters of support for the project. I'm very grateful to Secretary Locke and his team for their hard work. On the Cape, too many people still don't have access to broadband service, the network requires redundant services to provide for public safety, and our community college and research institution needs have lagged behind

due to a lack of capacity or high cost. This investment will make high-quality service available across the Cape, make us more competitive, help create jobs and boost our economy."

"This project will literally bring hundreds of real jobs directly to southeastern Massachusetts through its construction and operation, while boosting our economy and providing expansion opportunities to Woods Hole, and our schools and business that have been held back by infrastructure limitations in the region," said Congressman William Delahunt. "OpenCape is an essential element of the future economic development of our region and will lay an important foundation for job creation for years to come."

"This is great news for economic development for South Coast communities like Fall River, as well as the Cape," Rep. McGovern said. "Access to cutting-edge communications technology is absolutely essential for us to compete in the global 21st Century economy."

"This project is yet another example of how the Recovery Act is providing near term stimulus coupled with a vision towards the future by providing the region with an improved telecommunication infrastructure that will reap many long-term economic benefits," said Congressman Barney Frank.

"The Internet is now a necessary and critical component of everyday life. This funding will expand and improve access to broadband, making our public institutions and public safety networks more efficient, while making our businesses more competitive and creating jobs for the region," Congressman Stephen F. Lynch said. "I am pleased to see stimulus funds being used for the OpenCape broadband initiative."

"This is particularly good news because it means we can advance the goal of broadband access that I have been working on with Open Cape for quite awhile," Senate President Therese Murray said. "This funding will promote a fundamental technology that will be a tremendous asset to our educational institutions, economy and communities."

OpenCape, under the leadership of Dan Gallagher, Chief Information Officer at Cape Cod Community College, is a non-profit entity and community-driven regional advocate for the improvement of broadband infrastructure on Cape Cod and the Islands.

"OpenCape is the product of tremendous collaboration that included critical funding commitments and advocacy from Governor Patrick and the Massachusetts Broadband Institute," said Gallagher. "It's a vital part of the region's long-term growth and competitiveness strategy, and we are excited to have assembled all of the necessary funding to immediately begin building the OpenCape network."

"This federal award will help OpenCape build a regional network that supports innovation and cutting-edge research, leading to new economic opportunities and enhanced public safety for the entire region," said Judy Dumont, Director of the Massachusetts Broadband Institute (MBI). "The Massachusetts Technology Collaborative's John Adams Innovation Institute and the MBI both provided long-term support to OpenCape, and we congratulate the entire OpenCape team on winning this federal award. Deploying broadband in underserved areas in western Massachusetts and the Cape is a mission of economic justice and fundamental fairness that addresses a critical need for individuals who have been forced to go without for far too long. The MBI's mission continues as we work to close the digital divide from Provincetown to Pittsfield."

"As elected officials, we need to help communities help each other, and by linking them through the OpenCape broadband expansion project it will be possible to do that across the Cape and southeastern MA," said Senator Robert O'Leary. "This project literally bringing this area of the state up to speed and these improvements will provide for streamlining and increased collaboration between local governments, better access for small businesses and better service for all of our constituents. With the Governor's, Legislature's and our Federal representatives' support, these funds have become available and I am proud of the work we have done to reinvest in our communities here on the Cape and throughout southeastern Massachusetts."

"This is very good news. These broadband services are vital to the growth of our excellent institutions in Woods Hole. We find that fast and dependable access to technology via the internet has become essential to continue the important research being done at these institutions. In today's world, everyone needs good access to the internet," said Representative Timothy R. Madden.

"This OpenCape project is arguably the single most important tool for job growth and development that the Cape has seen in decades. It is a success story born of a collaboration of local, state, and federal officials and agencies and private institutions. I look forward to seeing the build out and the economic growth that will follow," said Representative Sarah Peake.

"It's an extremely important communications tool for small business and economic development on Cape Cod," said Representative Cleon H. Turner.

# **GOVERNOR PATRICK CONTINUES TO PUSH FOR FEDERAL FUNDING TO EXPAND BROADBAND IN WESTERN MASSACHUSETTS**

## **State submits application for \$45.4 million to bring high-speed Internet to unserved and under-served communities**

BOSTON - Thursday, March 25, 2010 - Governor Patrick today announced that the state has submitted an application for \$45.4 million in federal stimulus funding to expand broadband access in western Massachusetts. The application, called MassBroadband 123 and submitted by the Massachusetts Broadband Institute (MBI), a division of the Massachusetts Technology Collaborative (MTC), seeks funding under Round Two of the U.S. Department of Commerce's Broadband Technology Opportunities Program (BTOP).

"Bringing adequate broadband service to unserved and under-served communities in western Massachusetts has been a priority of my administration from the start," said Governor Patrick. "MassBroadband 123 offers an enduring, cost-effective solution to one of our most urgent, long-standing problems and will lay the foundation for sustainable prosperity to a region covering over a third of our state. I cannot overstate either the importance of this project to the Commonwealth or the benefits it will provide the citizens of western Massachusetts."

"Expanding broadband service is a key element of improving and investing in our state's infrastructure," said Lieutenant Governor Timothy Murray. "The MassBroadband 123 application supports our administration's goal to provide broadband service to un-served and under-served communities, which will be a catalyst for increased community and economic development and long-term growth in the western region of Massachusetts."

MassBroadband 123 will build more than 1,338 miles of fiber-optic cable to connect homes and businesses, as well as community anchor institutions, including community colleges, public safety institutions, hospitals and libraries in a proposed service area covering over one-third of Massachusetts.

MassBroadband 123 also builds on the Governor's ongoing efforts to expand access to broadband in unserved and under-served regions of the Commonwealth. In 2008, Governor

Patrick signed legislation that he introduced to direct millions of dollars in capital funding to support broadband expansion projects. The Commonwealth is providing \$26.2 million in matching funds in this BTOP application to bring the total investment in the proposed project to \$71.6 million.

The application strengthens ongoing work to install 55 miles of fiber-optic cable along I-91. This \$5 million project is an important component of MassBroadband 123 and was recently cited in President Obama's National Broadband Plan as a model for leveraging transportation projects to deploy broadband infrastructure. If the MBI is selected for a BTOP award, the federal stimulus funding would advance the completion of the project and connect western Massachusetts with broadband high-speed Internet.

"Providing affordable, quality broadband connectivity to every community in this region is our top priority as we work to bridge the digital divide in western Massachusetts," said MBI Director Judith Dumont. "I want to thank all of our partners, state and federal leaders, community groups and our entire team for the tremendous collaboration that went into producing MassBroadband 123."

The state's Chief Information Officer and a member of the MBI's Board of Directors, Anne Margulies said, "This middle-mile fiber network will connect unserved and underserved communities in a region that spans more than a third of the state. The Governor has made it a priority to bring broadband access to every corner of the state, helping businesses grow and expanding access to important services. This infrastructure will help people connect with agencies such as the Executive Office of Health and Human Services, Veterans' Services, and Labor and Workforce Development, leading to better services not just for the people in the region, but for the entire Commonwealth."

"As new technologies arrive to improve our efforts to keep the public safe, our first responders need the infrastructure in place to ensure that all Massachusetts residents receive the best services available," said Secretary Mary Elizabeth Heffernan, Executive Office of Public Safety and Security. "The MassBroadband 123 project will deliver service that is one thousand times faster than currently exists to more than 375 public safety locations in the region. That means better police, fire and other public safety services for our neighbors in western Massachusetts." The proposed MassBroadband 123 network will provide a publicly owned, open access, middle-mile backbone infrastructure, which enables last-mile service providers to connect to the middle-mile infrastructure and bring broadband services to households and businesses. The middle-mile backbone will place fiber as close to population and business centers as possible, providing

sufficient fiber for last-mile providers to use along their entire routes, enabling connection at virtually any point of the network.

For more information on the Massachusetts application for federal funding, please visit [www.massbroadband.org](http://www.massbroadband.org).

## **GOVERNOR PATRICK, CONGRESSIONAL DELEGATION ANNOUNCE MASSACHUSETTS WILL RECEIVE \$45.4 MILLION IN FEDERAL STIMULUS FUNDS TO EXPAND BROADBAND ACCESS IN WESTERN AND NORTH-CENTRAL REGIONS OF STATE**

Patrick-Murray Administration commits \$26.2 million in matching funds, bringing total investment to \$71.6 million

BOSTON - Friday July 2, 2010 - Governor Patrick and members of the Massachusetts Congressional delegation today announced the Commonwealth has been awarded \$45.4 million in federal stimulus funding to expand broadband access in Western and North-Central Massachusetts. The Patrick-Murray Administration worked closely with federal and state elected leaders to help secure this significant federal award, which will support long term economic growth, improve health care and education and strengthen public safety throughout the region.

"Expanding broadband access has been at the forefront of our economic development agenda since day one," said Governor Patrick. "I cannot overstate the value of this project for the communities of Western and North-Central Massachusetts that have gone without reliable high speed broadband service for too long. We are extremely grateful to the Obama Administration and our Congressional delegation for supporting this critical initiative and look forward to putting these funds to work immediately so that the businesses, hospitals, classrooms and households of Western and North-Central Massachusetts can connect to and take active part in a 21st Century economy."

The federal stimulus funding was awarded to the Massachusetts Broadband Institute (MBI), a division of the Massachusetts Technology Collaborative, through the highly-competitive second round of the National Telecommunications and Information Administration's (NTIA) Broadband Technology Opportunities Program (BTOP). Governor Patrick has long advocated for broadband expansion in unserved and underserved communities. Thanks to the leadership of the Patrick-Murray Administration on this critical economic development issue, the Commonwealth will be providing \$26.2 million in matching funds, bringing the total investment in the project to \$71.6 million.

"Our administration has remained committed to finding solutions to deliver broadband service to the unserved and underserved communities in Massachusetts," said Lieutenant Governor Timothy Murray. "We are thankful to the Obama Administration and our Congressional delegation for their continued leadership to expand this service, and we look forward to applying these funds to better serve the residents and businesses in the Western and North-Central regions."

"This wasn't easy and it didn't happen overnight. I remember sitting with our state legislators and business leaders in 1998 talking about how to wire Western Massachusetts for the future. Some people said it was a pipe dream, and now we've proven them dead wrong. We've been fighting a long time to make this day a reality for Western Massachusetts and I couldn't be happier. This is history-making. Broadband service is essential to the region's economic future. Our businesses and our kids will feel the legacy of this network for decades to come. Secretary Locke, Governor Patrick, Congressman Olver and our state leaders were great partners every step of the way and I was proud to champion this effort in Washington. Now, after so many meetings, phone calls, letters and a public plea in the Small Business Committee, this is one huge victory for western Massachusetts. Together with the OpenCape grant we won last year, we can safely say that Massachusetts will have blanket broadband coverage within the next few years, and I couldn't be happier," said Senator John Kerry.

"Today, in the four western counties of Massachusetts, there is only one city block in the city of Springfield that can house a broadband intensive business. This puts the entire region at a major economic disadvantage. I am thrilled to announce that with this award, MassBroadband 123 will change this," said Congressman John Olver.

"The \$45 million federal investment announced today will bring high speed internet access to more than one million people in western Massachusetts, thousands of businesses in the region, and hundreds of community organizations. It will create jobs and help strengthen our local economy. With this broadband technology expansion, the people who live in the 123 unconnected communities will see their quality of life dramatically improved, and their towns will finally bridge the digital divide. This is extraordinarily good news for Hampden, Hampshire, Berkshire and Franklin Counties," said Congressman Richard E. Neal.

"This is terrific news for many small communities, including Princeton," said Congressman James McGovern. "If we are to compete in the 21st Century economy, we need to provide our businesses and schools with access to the best technology."

The MBI's project, MassBroadband 123, will create a robust, fiber-optic network that will connect 123 communities in the western and north-central regions of the Commonwealth. By expanding broadband services to unserved and underserved communities, MassBroadband 123 will build an essential foundation for these areas of the state. Expanded broadband connectivity will enable residents and businesses to better compete in the 21st century global economy. Businesses in the regions will be more adequately equipped with the tools necessary to grow and to improve their services, and educational institutions will be able to provide the enhanced curriculums necessary to cultivate a highly-skilled workforce.

"The MBI is looking forward to bringing affordable, quality broadband access that will improve the lives of residents and put an end to the digital divide in Western and North-Central Massachusetts," said MBI Director Judith Dumont. "I would like to thank the Patrick-Murray Administration and all of our partners, including the Commonwealth's Information Technology Division, the Executive Office of Public Safety and Security, the Executive Office of Housing and Economic Development, the Massachusetts Department of Transportation, the Department of Conservation and Recreation, state and federal leaders, community groups and stakeholders for their tremendous support and dedication."

MassBroadband 123 will be a critical component of Governor Patrick's initiative to expand broadband access across the Commonwealth. In 2008, the Governor signed the Broadband Act into law, creating the MBI and providing capital funding for broadband-related infrastructure projects. MassBroadband 123 will construct approximately 1,100 miles of new fiber-optic cable to connect homes and businesses, as well as community anchor institutions, including community colleges, public safety institutions, hospitals and libraries. The proposed service area covers over one-third of Massachusetts.

The MBI developed MassBroadband 123 in close collaboration with the state's Information Technology Division and the Executive Office of Public Safety and Security. These agencies are committing a total of \$6.2 million to help build the network, and provided significant expertise to develop the MassBroadband 123 application.

The MBI's network will also contain 55 miles of fiber-optic cable that was deployed along I-91 from the Vermont border to the Connecticut border through the MBI's partnership with the Massachusetts Department of Transportation (MassDOT). This \$5 million project will be a key component of the greater MassBroadband 123 network.

MassBroadband 123 will be a publicly owned, open access, middle-mile backbone that will allow last-mile service providers to connect and deliver broadband services to households and businesses. The backbone will place fiber as close to population and business centers as possible, and will allow last-mile providers to connect at virtually any point of the network.

For more information on MassBroadband 123, please visit [www.massbroadband.org](http://www.massbroadband.org).

View Photos of the Governor signing the Bill [here](#).

Watch video of the Governor's testifying on the Broadband Bill [here](#).

Learn more about Broadband .

## **PATRICK-MURRAY ADMINISTRATION CELEBRATES \$4.1 MILLION FOR BROADBAND ASSISTANCE TO HELP MASSACHUSETTS VETERANS & SMALL BUSINESSES**

**\$1 million to provide technical assistance for veterans, \$1 million to small businesses**

WELLESLEY - Friday, October 1, 2010 - Continuing the Patrick-Murray Administration's commitment to supporting long-term economic growth and streamlining government services, Lieutenant Governor Timothy P. Murray today joined the Massachusetts National Guard and members of the veterans community to celebrate Massachusetts' receipt of \$4.1 million in federal stimulus funding that will provide broadband assistance for veterans and small businesses, and also enhance mapping efforts to expand broadband infrastructure.

In partnership with the Massachusetts congressional delegation, the Patrick-Murray Administration worked to secure this federal stimulus funding that will create new broadband adoption programs for both veterans and small businesses and also provide continued support for the state's broadband availability mapping program. The funding was awarded to the Massachusetts Broadband Institute (MBI), a division of the Massachusetts Technology Collaborative, through the National Telecommunications and Information Administration (NTIA).

"The expansion of broadband access for unserved and underserved communities has been a priority of this Administration since day one," said Governor Deval Patrick. "We look forward to helping small businesses and veterans connect to the resources they need."

The first of the two new broadband adoption programs is a comprehensive web portal for veterans and family members to make online access of veterans' services more streamlined, safe and effective. Lieutenant Governor Murray highlighted this specific funding today at an event with the veterans community hosted by the Massachusetts National Guard in Wellesley.

"Through this federal stimulus funding, Massachusetts will enhance critical services and resources for several communities in the Commonwealth," said Lieutenant Governor Murray, who chairs the Governors Advisory Council on Veterans Services. "We thank our congressional delegation for their support to help not only expand broadband services but also develop innovative ways to support our veterans and small businesses in Massachusetts."

"The Massachusetts National Guard is enhanced by its many veterans and their experience; therefore, I am extremely grateful that our veterans and families will have the opportunity to access this amazing, comprehensive Internet service," said Major General Joseph C. Carter, The Adjutant General,

Massachusetts National Guard. "Making online access to veterans' services more streamlined, safe and effective will result in increased benefits to veterans, families and communities throughout Massachusetts.

In addition to streamlining veterans' services, this federal funding will also allow the state's community development corporations to provide technical assistance for local small businesses. The MBI will work closely with approximately 40 small businesses and non-profit organizations interested in growing and creating jobs, while also fully integrating broadband use and computer ownership into their organizations and the programs they run.

"Reliable broadband service is an essential building block for the Massachusetts economy. This investment will help bridge the technological divide in the western and north-central regions, and help veterans and small businesses compete and win in the job market," said Senator John Kerry.

"Internet access is not only a matter of competitive advantage for large businesses, it is also becoming a necessary and critical component of everyday life," Congressman Stephen F. Lynch said. "Improving broadband benefits cities and towns throughout Massachusetts and I am pleased to see that Governor Patrick has targeted these stimulus funds to help our veterans and small businesses while expanding broadband access in underserved communities."

"This federal funding creates two new vital programs and enhances our state's ability to identify and bring high-speed Internet connections to unserved and underserved communities. The online portal for veterans and their families is an excellent use of funding in support of the heroes to whom our country owes so much. The funding to assist small businesses will spark growth, while the mapping funds are key to closing the digital divide. I congratulate the Patrick Administration for its tremendous work to bring this federal funding to the Commonwealth," said Congressman Edward Markey.

"I'm very pleased that the Massachusetts Broadband Institute will receive this funding," said Congressman James McGovern. "In order to fully compete in the 21<sup>st</sup> Century economy, we must do everything we can to provide access to high-speed broadband to all of our communities. I'm particularly pleased that these funds will target small businesses and our veterans."

"These additional funds are crucial for identifying the households and businesses where broadband is most urgently needed. This will allow for a more effective roll-out of broadband across western Massachusetts," said Congressman John Olver. "This funding will also provide technical assistance to our veterans and our small businesses. I am excited to see this project continuing to move forward."

Today's announced funding also included an award of \$2 million for broadband mapping. These mapping funds will be used to develop address level data files to pinpoint broadband availability in communities that are underserved or unserved by broadband. These files will help Internet service providers identify effective ways to bring affordable, high-speed broadband Internet access to these communities.

Governor Patrick designated the MBI to lead the state's efforts to increase broadband deployment. The MBI previously received \$2.1 million in mapping funds in November 2009. This funding has been used to

create the first statewide map of broadband infrastructure.

"The MBI is committed to bringing broadband to the unserved and underserved areas of the Commonwealth, and putting an end to the digital divide in western and north central Massachusetts," said Judith Dumont, MBI Director. "This funding will enhance the MBI's ability to expand broadband to those areas that are unconnected, and will help veterans and small businesses take advantage of online resources."

In July 2010, the MBI was awarded \$45.4 million in federal stimulus funding to increase broadband access in north central and western Massachusetts. The funding was awarded through the highly-competitive NTIA Broadband Technology Opportunities Program (BTOP). The Commonwealth is providing \$26.2 million in matching funds, bringing the total investment in the project to \$71.6 million.

The MBI's network, MassBroadband 123, will be a 1,338 mile fiber-optic network that will connect 123 communities in western and north central Massachusetts. The robust network provides the necessary broadband infrastructure to foster economic growth, improve health care and education and strengthen public safety.

In 2008, Governor Deval Patrick signed into law the Broadband Act, legislation he introduced after becoming Governor, which created the MBI. The MBI is investing \$40 million in state funds in long-lived, carrier-neutral infrastructure assets to promote broadband expansion to unserved and underserved areas, primarily in western Massachusetts, where the digital divide is most acute. Since then, the MBI has successfully competed for and leveraged an additional \$83.5 million in federal stimulus funding for related broadband infrastructure and improvement in Massachusetts, including MassBroadband 123 and OpenCape. Through these investments and others, the Patrick-Murray Administration is laying the essential groundwork necessary for business and institutions to collaborate and expand, to boost the innovative capacity, and to spur overall economic growth in the Commonwealth.

For more information on the Massachusetts Broadband Institute, please visit [www.massbroadband.org](http://www.massbroadband.org).

# **PATRICK-MURRAY ADMINISTRATION ANNOUNCES THE USE OF STATE FIRE TOWERS TO EXPAND BROADBAND ACCESS IN WESTERN MASSACHUSETTS**

## Four towns to receive expanded Internet service

WESTBOROUGH - October 28, 2010 - As part of the Patrick-Murray Administration's commitment to supporting long-term economic growth, Governor Deval Patrick today announced the Massachusetts Broadband Institute (MBI) is awarding the use of three Department of Conservation and Recreation (DCR) fire towers to expand broadband services in western Massachusetts.

"The expansion of broadband access has been a priority of this Administration since the beginning," said Governor Patrick. "This is an excellent example of collaboration between the Commonwealth and private industry that will help residents and businesses connect to the resources they need and strengthen our state's economy."

A division of the Massachusetts Technology Collaborative, the MBI awarded the use of the fire towers to two wireless Internet service providers, WiSpring of Great Barrington and AccessPlus of Byfield. WiSpring and AccessPlus will increase wireless Internet service availability to over 850 residences in Lenox, Richmond, Savoy and Tyringham. By providing access to existing fire towers, the MBI has reduced the cost and time required to deploy broadband infrastructure. Wireless broadband is one of the many technologies that will be used to provide Internet access to western Massachusetts.

"The MBI is committed to bringing high-speed Internet access to the unserved and underserved communities in the Commonwealth," said Judith Dumont, MBI Director. "Using existing fire towers for broadband is an important step toward closing the digital divide, while we construct the MassBroadband 123 fiber-optic network. This is exactly the type of coordination Governor Patrick sought to achieve with the creation of the MBI - a single point of contact on broadband connectivity for the Commonwealth that can help providers successfully navigate impediments and use existing state assets to bring broadband to homes and businesses."

The MBI worked closely with DCR to utilize existing fire towers to expand wireless connectivity for last-mile broadband. The MBI and DCR signed a Memorandum of Understanding to allow 47 fire towers across the state to be used for broadband infrastructure. The three towers awarded through an open and competitive Request for Proposal (RFP) to expand last-mile broadband services are located on Borden

Mountain in Savoy, Mt. Lenox in Richmond and Mt. Wilcox in Monterey. The MBI expects to issue subsequent RFPs on a periodic basis for other DCR fire towers.

"It makes enormous sense to use existing state assets to increase broadband availability and help our residents," said DCR Commissioner Rick Sullivan. "DCR is pleased to be part of this new initiative."

"I think it's great what Governor Patrick and the MBI are doing for towns like Tyringham," said Molly Curtin-Schaefer, Tyringham Executive Secretary. "Using these existing fire towers is an innovative way to bring broadband to us quickly without incurring the time and expense of new tower construction."

"Governor Patrick, the MBI and DCR are making it possible for WiSpring to provide additional wireless broadband solutions that will support education, create jobs and bolster the economy," said Crispin Tresp, founder of WiSpring.

Governor Patrick designated the MBI to lead the state's efforts to increase broadband deployment. In July 2010, the MBI was awarded \$45.4 million in federal stimulus funding to increase broadband access in north central and western Massachusetts. The funding was awarded through the highly-competitive NTIA Broadband Technologies Opportunities Program (BTOP). The Commonwealth is providing \$26.2 million in matching funds, bringing the total investment in the project to \$71.6 million.

The MBI's project, MassBroadband 123, will create a robust, fiber-optic network that will connect 123 communities in the western and north central regions of the Commonwealth. MassBroadband 123 will construct approximately 1,100 miles of new fiber-optic cable to connect homes and businesses, as well as community anchor institutions, including community colleges, public safety institutions, hospitals and libraries. The project will expand broadband services to unserved and underserved communities in a service area which covers over one-third of Massachusetts.

For more information, please visit the MBI website at [www.massbroadband.org](http://www.massbroadband.org).

## GOVERNOR PATRICK KICKS OFF CONSTRUCTION ON ONE OF NATION'S LARGEST BROADBAND EXPANSION PROJECTS

MassBroadband 123 network to create hundreds of construction jobs and spur economic growth for more than 120 communities in western and north central Massachusetts



Governor Patrick speaks about **MassBroadband123** in front of the Sandisfield Fire Department (Photo: Mass. Broadband Initiative)

SANDISFIELD - Tuesday, July 26, 2011 - Governor Deval Patrick today joined public officials and firefighters at the Sandisfield Fire Department to kick-off construction of the **MassBroadband 123** fiber-optic network project to expand broadband access to more than 120 communities in western and north central Massachusetts. The event marks the launch of one of the largest fiber-optic expansions under construction in the nation.

The 1,300 mile Internet backbone network will attract private investment and job opportunities, help local governments deliver services more efficiently, and will provide direct connections to the nearly 1,400 schools, libraries, hospitals and public safety facilities that currently lack reliable, affordable Internet service, including the Sandisfield Fire Department.

"For too long, families and businesses in western Massachusetts have lived without reliable and affordable high-speed Internet access," said Governor Patrick. "Today, as we commence the installation

of more than 1,000 miles of fiber-optic cable across the region, we start the critical final step in delivering broadband access to everyone. The digital divide in Massachusetts is about to close."

"Our Administration is committed to making infrastructure investments that unlock private investment and innovation and create jobs in every corner of the Commonwealth," said Lieutenant Governor Timothy Murray. " **MassBroadband 123** exemplifies that strategy, and we are getting results for the people and businesses of western and north central Massachusetts that have been unconnected for too long. Through broadband, we are giving our neighbors, small business owners, students, teachers, public safety officials and municipal leaders the tools they need to compete and thrive in today's global economy."

The Patrick-Murray Administration began work with the Legislature to expand broadband access across the Commonwealth during its first term, when Governor Patrick introduced and signed legislation to create the Massachusetts Broadband Institute (MBI), providing state capital funding for broadband-related infrastructure projects. These resources, combined with an effective partnership with the Obama Administration and the Massachusetts congressional delegation, helped the MBI secure multiple federal grants worth more than \$80 million, including a \$45.4 million American Recovery and Reinvestment Act award through the highly-competitive National Telecommunications and Information Administration (NTIA) Broadband Technology Opportunities Program (BTOP).

The BTOP funds will be used to complete the **MassBroadband 123** project which, over the next two years, will put hundreds of people to work building a fiber-optic network to serve 333,500 households and 44,000 businesses in an area with more than one million residents. The MBI, the Commonwealth's Information Technology Division, and the Executive Office of Public Safety and Security are providing \$26.2 million in matching funds for the project.

"Governor Patrick deserves an immense amount of credit for keeping good on his word to bring broadband to central and western Massachusetts," said Congressman John Olver. "His leadership, along with the American Recovery and Reinvestment Act dollars dedicated to this crucial project, are making broadband a reality. This investment will strengthen our economy, make our communities safer and improve our children's educational opportunities."

"Not only will this project create needed jobs in the short term, but it will also bring investment and job growth to these regions over the long haul," said House Speaker Robert A. DeLeo. "In this day and age, no community in our Commonwealth should be without high-speed Internet access. This initiative will go a long way toward ensuring that our children, businesses and public facilities have the broadband access needed to thrive."

"This is a great infrastructure improvement for Western Massachusetts. This expansion will provide faster and more reliable service and the increased connectivity will benefit both residents and businesses," said Stephen M. Brewer, Chair of the Senate Committee on Ways and Means. "I applaud the Administration and MassBroadband for working together to create jobs and continue to move forward to improve the economy across the state."

"Today's announcement is important not only for the immediate jobs it will create, but also for the significant step forward in addressing one of the most significant regional disparities in the Commonwealth," said Senator Gale D. Candaras. "Governor Patrick and MassBroadband should be commended for making this commitment to the under-served communities of Western and Central Massachusetts."

"I am excited to join with Governor Patrick, Lt. Governor Murray and fellow local elected officials to announce this exciting step in our combined efforts to close the digital divide and bring jobs to western Massachusetts," said Senator Benjamin B. Downing, chair of the Joint Committee on Telecommunications, Utilities and Energy. "Broadband Internet is the roads and bridges - or the electric grid - of the 21st century economy. If we want to bring jobs to this region, we need to provide the infrastructure to do it. Today we start to build it, right here in Sandisfield."

"Expanding access to broadband throughout Massachusetts is a job-creator, plain and simple," said Senator Jamie Eldridge. "In this day and age, it's critical that residents and businesses throughout the Commonwealth have access to high-speed internet, and I applaud the Patrick-Murray Administration for its commitment to investing in the infrastructure - whether it's our education system, or transportation system, or our broadband communications systems - necessary to support and promote economic growth in our state."

"The small towns of western Massachusetts offer a special quality of life and this investment in high-speed broadband will help our communities to connect with the new economic reality," said Senator Michael R. Knapik. "MassBroadband will help diversify the local economy and allow for new growth opportunities for small and medium-sized industry."

"I am thrilled that we are moving closer to connecting those here in Western Mass that are still unserved," said Representative Smitty Pignatelli. "I hear from my constituents almost daily with stories how the lack of broadband adversely affects their lives. On behalf of my constituents, I thank Governor Patrick, the MBI, the Commonwealth's Information Technology Division and the Executive Office of Public Safety and Security for their diligence in closing the great digital divide across the Commonwealth."

"Connecting more Americans to broadband Internet is central to the Obama administration's strategy to help create the jobs of the future - giving small businesses access to consumers around the world," said Anna M. Gomez, Deputy Administrator of the National Telecommunications and Information Administration. "This Recovery Act investment in broadband infrastructure will pave the way for greater economic growth and an enhanced quality of life in Massachusetts."

"The MBI is committed to bringing affordable broadband access that will greatly benefit the residents and businesses of western and north central Massachusetts," said MBI Director Judith Dumont. "Our team is in place and will continue to make significant and timely progress to build the **MassBroadband 123** network and connect the unconnected."

"The **MassBroadband 123** network will allow police, fire and emergency personnel to access to the most up-to-date information and resources to protect the public," said Sandisfield Fire Chief Ralph Morrison. "This will greatly enhance our ability to keep our residents safe."

To expand high-speed Internet access in the region, the MBI will attach fiber-optic cable to 35,000 existing utility poles in the project's service area. The MBI recently signed an agreement with G4S Technology, LLC to serve as the design-builder for the **MassBroadband 123** network. Under the agreement, G4S will complete the final design, engineering and construction of the fiber-optic Internet backbone. The MBI is a division of the Massachusetts Technology Collaborative (MTC), a public economic development agency chartered by the Commonwealth to spur innovation across the state. The MTC will own **MassBroadband 123** and work with G4S to oversee the final design and construction of the network, which is expected to be completed by June 2013.

G4S Technology has expertise in successfully designing and building broadband networks, and has deployed over two million miles of fiber in more than 200 rural and metropolitan areas, including 55 miles of fiber-optic cable along I-91 in Massachusetts from the Vermont to the Connecticut borders. The fiber along I-91 is a key component of the **MassBroadband 123** network and was built through the MBI's partnership with the Massachusetts Department of Transportation.

"G4S Technology is honored to be chosen as the design/build partner for **MassBroadband 123**," said Bob Sommerfeld, President of G4S Technology. "Bringing the benefits of broadband to this mostly rural area will improve the quality of life and help secure a stronger economic future for businesses and residents, while greatly strengthening public safety and security, education and health care in these Massachusetts communities. The benefits will continue to grow and be realized for years to come."

The MBI is currently working with broadband service providers in western and north central Massachusetts to expand broadband connectivity. In March, the MBI signed an agreement with Axia NGNetworks USA to serve as the network operator for the **MassBroadband 123** network. Axia will provide wholesale services on the network to broadband service providers and maintain and refresh the fiber-optic network to ensure its operability and efficiency. Axia is committed to investing \$35 to \$45 million in the operations and expansion of **MassBroadband 123**, which will generate economic growth in the region and spur investment by broadband service providers. The **MassBroadband 123** network will be open to allow any broadband provider to connect and offer its services, increasing competition and affordability for broadband customers.

"Axia has been very impressed by the innovative thinking of the MBI and the Commonwealth of Massachusetts throughout the **MassBroadband 123** initiative," said Murray Sigler, President of Axia North America. "We are already working with broadband service providers in the region, and are excited about the opportunities this network will bring to the residents, businesses and government of western Massachusetts."

"Governor Patrick and the MBI are making it possible for WiSpring to provide broadband solutions that will create jobs and bolster the economy," said Crispin Tresp, founder of WiSpring. "By working with the MBI and Axia, we're positioning ourselves to expand services through the **MassBroadband 123** network."

# **11.08.11 Broadband Development and Expansion in Massachusetts**

**Governor Deval L. Patrick**

**Broadband Event**

**Suffolk University, Boston**

**Tuesday, November 8, 2011**

Good morning all. Thank you, Secretary Anthony, for your generous introduction and for your leadership on so many issues, actually, all of the things that she talked about she actually did on behalf of the Administration. So thank you for inviting me here this morning.

I want to acknowledge Commissioner Clyburn, welcome to Massachusetts. Thank you so much for your leadership and to the FCC for taking on the task of modernizing and reforming the Universal Service Fund and making affordable, reliable broadband service for all Americans a priority. We will be right in line, I hope, high in the line, first in the line would be ok too.

I want to acknowledge Senator Ben Downing and Representative Gailanne Cariddi for being marvelous partners on these issues in the legislature. Also, Commissioner Geoffrey Why, thank you and Mass Broadband Institute Director Judy Dumont, thank you.

Ladies and gentlemen, good morning. Thank you very much for having me this morning. As Mignon said when I came in, I was 15 minutes early and no governor is 15 minutes early. This is how we roll.

In today's world, high speed broadband is as necessary an infrastructure as roads, and bridges. It is an educational necessity, an economic necessity, and a competitive necessity. I think we all share this belief, that's why you're here, and fortunately here in Massachusetts, thanks in large part to private investment, many homes and businesses have access to broadband today. But that access is still too far from universal. And we can no more afford to have a community without access to broadband internet than we can afford to have a community without access to a good school or a decent road.

Like I said, we made a lot of progress in Massachusetts over the years with private investment, but government has a role to play here. This is in fact exactly where government should play a role. Government should not be about trying to solve every problem in everybody's life. But it should help people help themselves. Government should and must invest in the things we choose to do together. And investing in things as basic and fundamental as the components of a functioning economy and a functioning community is exactly the role that government should pay.

Broadband access is one of those components. No company is going to move to a town not in 2011 that doesn't have broadband access. No student can be asked to compete on a global stage without broadband access. As we move toward new integrated medical care, access to e-records for doctors will be a basic part of providing quality, customized care. Let alone the more routine day-to-day PTO email chains and grandparents seeing their grandchildren on streaming video and yes, a little time on Facebook.

For all of these reasons my Administration and our partners in the state legislature have made bringing broadband access to those unserved parts of Massachusetts a priority. In 2008, we created the MassBroadband Institute and started investing \$40 million in conduits, fiber optic cables, and wireless towers. In 2009, we laid the 55 mile cable along Rt. 91, in Western Massachusetts I91, to serve as a back bone for the rural areas most underserved. In 2010 we received a federal stimulus grant to construct MassBroadband 123. That investment that will extend coverage to hundreds of thousands of households, 44,000 business and more than one million residents. Just this past summer, we began installation of over 1,000 miles of fiber-optic cable over 35,000 utility poles across the region.

We know our investment will change lives. Like the people in Goshen, where people who want to read their email or search the web come to the public library. Now after hours, that means kids sit in the back seat of their parent's car and do their homework parked in the library parking lot, because that's the only broadband hotspot anywhere for miles. That's why we invest. So children will have access to educational materials at school and at home. So law enforcement officials will have immediate access to criminal justice information system and medical professionals will have access to online databases. So local municipalities will deliver services more efficiently and businesses will be able to better compete in our 21st century economy.

Our commitment to broadband expansion is just one piece of a wider strategy for renewing our public infrastructure: creating jobs today and a platform for future growth. Just as we invest in our physical infrastructure - roads, rails, and bridges - to connect our regions to one another, we invest in our information infrastructure to ensure that our ideas and information can travel just as efficiently from one corner of the Commonwealth to any corner of the globe and back again.

These kinds of investments are why Massachusetts is growing jobs today faster than other states. It's why we are growing our economy more than twice as fast as the national growth rate. Our unemployment rate is well below the national average and falling, and we are coming out of recession faster than most of the rest of the country. This is not by accident. It's because we have pursued a strategy about investing in education, in innovation, and in infrastructure. A strategy we know will not only make us stronger today but stronger for a generation to come.

The kind of success we're demonstrating here in Massachusetts is through discipline of that strategy.

And by the way, it's exactly the reason why the Congress should pass President Obama's Jobs Act. We know these kinds of investments work. That is not a partisan opinion, it's a proven fact. And if you agree with it, get on the phone and on your email and contact members of this do-nothing Congress.

I want to thank you all for your work on this issue. With your help and focus every community, every household and every small business in our Commonwealth will soon be connected. I look forward to continuing to work together in partnership to ensure that Massachusetts leads the nation in broadband connectivity.

Thank you all for being here today.

## Governor Patrick Lights First Section of New MassBroadband 123 Fiber-Optic Network

### Over 1,200 Community Facilities to Receive Broadband Access

OTIS – Thursday, April 4, 2013 - Governor Deval Patrick today lit the first section of a new 1,200-mile fiber-optic network that will bring high-speed Internet access to underserved areas of western and central Massachusetts. The event was held at the regional Farmington River Elementary School, one of the facilities to be connected to the **MassBroadband 123** network.



*Governor Patrick highlights progress being made on broadband accessibility across the Commonwealth at the Farmington River Regional School in Otis.*

*(Photo: Eric Haynes / Governor's Office)*

[View More Photos](#)

“Broadband is essential for Massachusetts to remain competitive,” said Governor Patrick. “Today is a remarkable milestone because now every corner of the Commonwealth will be connected to the educational and economic opportunities everywhere else in the world.”

The **MassBroadband 123** network will provide fiber-optic connectivity directly to 1,200 key facilities in more than 120 western and central Massachusetts communities. These Community Anchor Institutions include schools, libraries, municipal buildings and public safety and health care facilities. The section lit up on Thursday runs from Springfield to Sandisfield and includes 51 community institutions. The remaining segments of the **MassBroadband 123** network will be powered up in the months ahead.

The Patrick-Murray Administration has been a longtime champion for broadband expansion in unserved and underserved communities to enable residents and businesses to better compete in the 21st century global economy. **MassBroadband 123** is a critical component of Governor Patrick's strategy to invest in education, innovation and infrastructure in order to create growth and economic opportunity in every corner of the Commonwealth.

"By connecting businesses and residents in every part of the state to dependable Internet access, we are investing in the type of infrastructure that will help create economic opportunity for everyone," said Secretary of Housing and Economic Development Greg Bialecki. "High-speed Internet is another asset to Central and Western Massachusetts, along with a well-educated workforce, great quality of life, and easy access to Boston and New York City, that makes these parts of the Commonwealth attractive to a wide range of industries."

"Nothing is more important to our future than making sure our students have the education and skills they need to compete and succeed in a digital world," said CEO of the Massachusetts Technology Collaborative Pamela Goldberg. "Today, we take the first step in the crucial process of connecting them to that digital world."

The immediate benefits of providing fiber-optic connectivity to the 1,200 Community Anchor Institutions include:

- **Opportunities to enhance school curriculums.** These opportunities include virtual field trips, access to online content such as videos or podcasts, and the opportunities to learn and use digital technologies such as websites, wikis and blogs.
- **Greater bandwidth in libraries so that they can meet the increasingly digital needs of local residents.** For example, libraries will be able to aid in job searching and training by providing access to job websites and assisting with resume writing and computer skills training. They can assist businesses by being a video conferencing hub and can teach digital literacy to the elderly and disabled.
- **Improved and enhanced communications by police and fire departments internally, across departments and with the public.** With this new network, police stations across the region will have reliable, fast access to the state Criminal Information database, and be prepared for the next generation 911, which will allow reports to come in via voice, text, email and even videos of an emergency situation.

As part of the network's launch, a Microsoft Skype demonstration connected students at the Farmington River School with students at a Vive Digital center in Bogota, Colombia and the NASA Goddard Space Flight Center. The Colombian students participated through Vive Digital, Colombia's comprehensive

broadband initiative, with Governor Patrick and members of his Administration met with during his February 2013 trade mission to Colombia.

Governor Patrick and the Legislature created the Massachusetts Broadband Institute at the Massachusetts Technology Collaborative in the Broadband Act of 2008, providing \$40 million in state bond funds to start the process of connecting the unconnected in Western Massachusetts. In 2010, \$45.4 million in federal stimulus funding was awarded to the Massachusetts Broadband Institute at MassTech through the highly-competitive second round of the National Telecommunications and Information Administration's (NTIA) Broadband Technology Opportunities Program (BTOP).

The **MassBroadband 123** network has been developed through industry collaborations, including network operator Axia NGNetworks USA, network builder G4S, owner's project manager Tilson Technologies and internet service provider Crocker Communications who provided Internet connectivity for the event.

"This exciting milestone would not have happened without the support of the Patrick-Murray Administration, the region's legislative and congressional delegations, the leadership and staff at MassTech and MBI, and terrific industry project partners and community representatives," said MBI Director Judy Dumont.

"I have fought hard to bring broadband technology to western and central Massachusetts for many years. There is simply no reason why every resident, business and school in the region should not have reliable high speed internet access in 2013. More than one million people will benefit from this important broadband expansion project when it is completed. If we are going to remain competitive in a 21st Century information based economy, high speed internet access will be critical, said Congressman Richard E. Neal.

"Today is the beginning of the end of the digital divide," said State Senator Benjamin Downing. "Five years ago the MBI embraced its mission to bring high speed Internet to the unserved and underserved communities of western Massachusetts and today is delivering real results. Judy and her team should be congratulated, and I look forward to continuing our partnership as we now turn our attention to building the Last Mile network -- and finally connecting every address in the Commonwealth to the Internet -- together."

As the **MassBroadband 123** fiber-optic network begins to connect community anchor institutions, the Massachusetts Broadband Institute is looking forward to developing public-private solutions that bring broadband directly to more homes and businesses in Western Massachusetts. Governor Patrick recently filed bond legislation that contains \$40 million in new funding for the Massachusetts Broadband Institute at MassTech. The funding is designed to leverage additional investment toward developing last-mile solutions that bring broadband connectivity directly to homes and businesses in 45 underserved western and central Massachusetts communities.

#### **About the Massachusetts Broadband Institute**

The Massachusetts Broadband Institute at MassTech is working to extend affordable high-speed Internet access to all homes, businesses, schools, libraries, medical facilities, government offices, and other public places across the Commonwealth, allowing all regions to participate more fully in the innovation economy. MBI also works to promote broadband usage and adoption by our residents and small businesses. Learn more at <http://broadband.masstech.org>.

#### **About the Massachusetts Technology Collaborative**

The Massachusetts Technology Collaborative is a public agency working to keep Massachusetts at the forefront of innovation, for the purpose of generating more high-paying jobs, higher productivity, greater economic growth, and improved social welfare. We enhance economic growth, accelerate technology use and adoption, and harness the value of research by engaging in meaningful collaborations across academia, industry, and government. From improving our health care systems and expanding high-speed internet across the state to fostering new and emerging sectors, MassTech is driving innovation and supporting a vibrant economy across the Commonwealth. Learn more at [www.masstech.org](http://www.masstech.org).

# GOVERNOR PATRICK COMMEMORATES OPENING OF NEW BROADBAND NETWORK FOR CAPE & ISLANDS

## Over 70 Key Community Facilities to Gain Access to High Speed Broadband

BUZZARDS BAY – June 14, 2013 – Governor Deval Patrick today joined community leaders and public officials at the Massachusetts Maritime Academy to mark the beginning of operations on the new OpenCape fiber-optic broadband network. The Cape and Islands will now have a 300-mile open-access fiber-optic network connecting over 70 important community facilities, including community colleges, high schools, libraries, public safety facilities and other municipal buildings.

“Broadband is essential for Massachusetts to remain competitive,” said Governor Patrick. “OpenCape is a remarkable milestone that will connect thousands of residents and small businesses to education and economic opportunities all over the world.”

The Patrick Administration has been a longtime champion for broadband expansion to enable residents and businesses to better compete in the 21st century global economy. In April 2013, Governor Patrick lit the first section of MassBroadband 123, a new 1,200-mile fiber-optic network that will bring high-speed Internet access to underserved areas of western and central Massachusetts. Broadband expansion is a critical component of Governor Patrick’s strategy to invest in education, innovation and infrastructure in order to drive growth and economic opportunity in every corner of the Commonwealth.

“This broadband infrastructure is a tremendous asset for our communities, and it will connect our schools, libraries, hospitals and businesses,” said Senate President Therese Murray. “With the completion of this project, the Cape will finally have open access to a reliable communications network like the rest of the state.”

“It remains essential to invest in tools we can not only use today, but build upon for tomorrow,” said Senator Dan Wolf. “The OpenCape network does just this, and I look forward to seeing the positive impact it will have in our Cape community, notably our schools and libraries.”

“I am very excited about the potential that will now be unlocked by today’s opening of the new OpenCape fiber-optic broadband network,” said U.S. Representative Bill Keating. “High-speed broadband is an integral component of modern society and this project will bring us one step closer to leveling the ‘digital divide’ that still exists in Massachusetts. This is an essential tool for the youth, seniors, small businesses,

research institutions and local governments of our community.”

"The OpenCape network is the most significant economic tool to come along to in over a century," said Representative Sarah Peake. We can only begin to imagine the positive economic impact that a reliable and robust broadband network will have for our schools, businesses and healthcare institutions. This will help create jobs and make Cape Cod a true tech sandbar!"

"This is an excellent example of how a public/private partnership can provide critical infrastructure, drive job growth and revitalize a community, Cape Cod in this case," said Representative Randy Hunt.

"Potential uses for CapeNet are limited only by the imaginations of our most creative people."

"With the improved broadband network, I look forward to the expansion of the business community and the increase of educational opportunities that will grow with it," said Representative Cleon Turner.

Open Cape is a non-profit organization created to bring affordable, broadband access to the Cape and Islands. The network serves the Cape and Islands, and connects to Brockton and Providence, Rhode Island. OpenCape has licensed CapeNet LLC to operate its network and offer services to the community.

In 2010, OpenCape was awarded a National Telecommunications and Information Administration's Broadband Technology Opportunities Program (BTOP) grant for \$32 million. Through the Massachusetts Broadband Institute at the Massachusetts Technology Collaborative, the Commonwealth provided \$5 million in matching funds toward the federal BTOP grant.

#### **About the Massachusetts Broadband Institute**

The Massachusetts Broadband Institute at MassTech is working to extend affordable high-speed Internet access to all homes, businesses, schools, libraries, medical facilities, government offices and other public places across the Commonwealth, allowing all regions to participate more fully in the innovation economy. MBI also works to promote broadband usage and adoption by our residents and small businesses. Learn more at <http://broadband.masstech.org>.

# **Appendix B:** Legislation and Other Government Documents

**QUARTERLY PERFORMANCE PROGRESS REPORT FOR BROADBAND INFRASTRUCTURE PROJECTS**

General Information		
<b>1. Federal Agency and Organizational Element to Which Report is Submitted</b>  Department of Commerce, National Telecommunications and Information Administration	<b>2. Award Identification Number</b>  NT10BIX5570070	<b>3. DUNS Number</b>  147368641
<b>4. Recipient Organization</b>  Massachusetts Technology Park 75 North Drive , Westborough, MA 01581-3335		
<b>5. Current Reporting Period End Date (MM/DD/YYYY)</b>  03-31-2013	<b>6. Is this the last Report of the Award Period?</b>  <div style="text-align: center;"> <input type="radio"/> Yes    <input checked="" type="radio"/> No                     </div>	
<b>7. Certification: I certify to the best of my knowledge and belief that this report is correct and complete for performance of activities for the purposes set forth in the award documents.</b>		
<b>7a. Typed or Printed Name and Title of Certifying Official</b>	<b>7c. Telephone (area code, number and extension)</b>	
	<b>7d. Email Address</b>	
<b>7b. Signature of Certifying Official</b>	<b>7e. Date Report Submitted (MM/DD/YYYY):</b>	

**Project Indicators (This Quarter)**

**1. Please describe significant project accomplishments completed during this quarter (600 words or less).**

MassBroadband 123 accomplishments for the quarter ending March 31st, 2013:

Agreements and Administration

- Executed overlash agreement with Russell Municipal Cable TV & Internet
- Executed pole attachment agreement with Time Warner Cable Northeast, LLC
- Executed Indefeasible Rights of Use agreement with Chicopee Electric Light Department
- Executed Indefeasible Rights of Use agreement with Holyoke Gas & Electric Department
- Executed permitting agreement with Pan Am Railways
- Executed permitting agreement with New England Central Railroad
- Submitted 4th formal Award Action Request for modification of construction plans pending NTIA approval of route adjustments

Make Ready and Licensing

- Received 3,002 Verizon pole licenses for a total of 31,603 (96% complete)
- Received 3,218 electric utility pole licenses for a total of 29,428 (97% complete)
- Released 155 fully-licensed fiber miles to construction for aerial installation for a total of 895 miles for the project (96% complete)
- Received licenses for 14 miles conduit for a total of 39 miles to date (93% complete)

Network Design and Construction

- Installed 305 miles of messenger strand for a total of 775 miles for the project (83% complete)
- Installed 388 miles of aerial fiber optic cable for a total of 676 miles for the project (72% complete)
- Installed 8,131 feet of conduit for a total of 15,312 feet for the project (32% complete)
- Completed designs for 8 Community Anchor Institutions for a total of 790 locations (97% complete)
- Completed 44 Community Anchor Institution site installations for a total of 582 locations for the project (72% complete)
- Completed 81 Community Anchor Institution fiber terminations for a total of 260 locations for the project (32% of locations complete)
- Completed 6 Point of Interconnection and collocation site equipment installations for a total of 17 to date (63% complete)

Network Testing and Turnover

- Completed turnover of first network segment to Network Operator, connecting 3 Points of Interconnection and 2 regeneration sites

Sustainability

- Executed 4 Letters of Intent with an Internet Service Providers for a total of 31, as well as signing 5 connecting agreements to total 13 connecting agreements for the project

Jobs Created or Retained

- The total number of jobs created or retained during the quarter was 103.91

**2. Please provide the percent complete for the following key milestones in your project. Write "0" in the Percent Complete column and "N/A" in the Narrative column if your project does not include this activity. If you provided additional milestones in your baseline plan, please insert them at the bottom of the table. Unless otherwise indicated in the instructions, figures should be reported cumulatively from award inception to the end of the most recent reporting quarter. Please provide a narrative description if the percent complete is different from the target provided in your baseline plan (300 words or less).**

	Milestone	Percent Complete	Narrative (describe reasons for any variance from baseline plan or subsequent written updates provided to your program officer)
2a.	Overall Project	100	Throughout this report, we are calculating Percentage Complete with reference to the approved NTIA budget. Costs are now projected to be higher than that approved budget, and MTC has secured additional non-federal funds from the Commonwealth of Massachusetts to cover those amounts that exceed the approved NTIA budget. In comparison to the new project budget, 80% of the budget has been spent.
2b.	Environmental Assessment	100	Complete and at baseline projection. Compliance requirements with environmental mitigation included in Design-Build RFP and the Owner's Project Manager will oversee work
2c.	Network Design	100	Ahead on budgeted expenditures by 5%, due to front-loaded focus of Owner's Project Manager, Design Builder and other consultants as network design progressed and due to aforementioned higher costs
2d.	Rights of Way	100	On par with baseline budget as pole survey work and make ready application costs are essentially complete

	Milestone	Percent Complete	Narrative (describe reasons for any variance from baseline plan or subsequent written updates provided to your program officer)
2e.	Construction Permits and Other Approvals	100	On par with baseline percentage; high costs offset by additional matching funds from the Commonwealth of Massachusetts
2f.	Site Preparation	58	Behind on budgeted expenditures by 42% due to costs being allocated in other categories. Costs will be less than baseline projection
2g.	Equipment Procurement	100	On par with baseline percentage; high costs offset by additional matching funds from the Commonwealth of Massachusetts
2h.	Network Build (all components - owned, leased, IRU, etc)	72	Behind on budgeted expenditures by 24%. Design Build work has caught up with delays to close gap of expenditures, while some work continues to be delayed while MTC awaits NTIA approval of route and installation type changes. Additionally, some costs included in the baseline report under this category are being captured under Network Design
2i.	Equipment Deployment	100	On par with baseline percentage; high costs offset by additional matching funds from the Commonwealth of Massachusetts
2j.	Network Testing	18	Behind by 49% due to the aforementioned construction delays that have subsequently delayed the anticipated testing schedule
2k.	Other (please specify):	100	Ahead on budgeted expenditures by 2% due to costs including: -Federal Compliance Staff -BTOP Non-Construction Staffing -Application and Post Application Submission Costs included in approved budget -Staff, Consulting, and legal costs Costs will be offset by additional matching funds from the Commonwealth of Massachusetts

**3. To the extent not covered above, please describe any challenges or issues faced during this past quarter in achieving planned progress against the project milestones listed above. In particular, please identify any areas or issues where technical assistance from the BTOP program may be useful (600 words or less).**

MTC had anticipated being able to re-engage underground construction activities in mid-March, based on town moratoriums on road construction being lifted and a delay in asphalt plant production. Due to late winter weather it is now anticipated that construction will not fully re-engage until the end of April. It will be critical to have a productive crew count during May and the beginning of June to meet schedule needs.

MTC submitted its fourth Award Action Request regarding route adjustments in February 2013. As of the end of March it had not yet been approved and NTIA has anticipated a 4-6 week lead time on that approval. The work affected will become critical path starting in early April and cause a day-for-day delay in project completion. MTC will continue to work with NTIA in any way possible to facilitate the expedited review and approval of the Award Action Request. MTC will also be submitting, under the guidance of NTIA, a schedule extension request due to the aforementioned delays across the project

**4. Please report the following information regarding network build progress. Write "0" in the Total column and "N/A" in the Narrative column if your project does not include this activity. Unless otherwise indicated in the instructions, figures should be reported cumulatively from award inception to the end of the most recent reporting quarter. Please provide a narrative description if the total is different from the target provided in your baseline plan (600 words or less).**

Indicator	Total	Narrative (describe your reasons for any variance from the baseline plan or any other relevant information)
New network miles deployed	775	Behind on baseline projection by 175 miles due to slower-than-expected make ready completion and temporary construction hold instituted by NTIA. MTC has worked with its construction contractor to compress construction schedule and believes it will make up for the delays without them becoming critical path to completion
New network miles leased	193	Behind on baseline projection by 114 miles. Lease miles reduced from 307 to 192.5 per approved AAR due to switch to all dark fiber IRUs. 39 additional miles via IRU expected to become leased mileage in a future quarter

Indicator	Total	Narrative (describe your reasons for any variance from the baseline plan or any other relevant information)
Existing network miles upgraded	57	Ahead on mileage projection in baseline by 2 miles. The 57 miles along I91 were officially active as in-kind contribution on 6/29/12. The extra 2 miles are from an added section from I91 to the internet point of presence in Springfield
Existing network miles leased	0	N/A
Number of miles of new fiber (aerial or underground)	968	Behind on baseline projection by 289 miles as described in the preceding new network miles deployed and leased. The 289 miles do not include 55 additional miles from the baseline categorized as existing network miles upgraded
Number of new wireless links	0	N/A
Number of new towers	0	N/A
Number of new and/or upgraded interconnection points	2	Behind on baseline projection by 21. MTC has completed the new connection at internet Point of Presence at 1 Federal St. in Springfield, as well as a second internet Point of Presence in Boston. MTC has 17 Points of Interconnections with equipment installed, and aims to have connections achieved during the next quarter as testing is completed

For questions 5 and 6 please include information relating to agreements that you are negotiating or have entered into, or that your sub recipient, contractor or subcontractor is negotiating or entered into.

5a. If applicable, please provide the following information with regard to agreements with broadband wholesalers and/or last mile providers as a result of your project.

Indicators	
Number of signed agreements with broadband wholesalers or last mile providers	13
Number of agreements currently being negotiated with broadband wholesalers or last mile providers	18
Average term of signed agreements (in quarters)	70

5b. Please list the names of the wholesale and last mile providers with whom you have signed agreements (100 words or less). Providers:

- Axia Networks, USA
- Massachusetts Information Technology Division (ITD)
- Crocker Communications
- FTG Technologies
- Center for Education Leadership (CELT)
- Access Plus
- Community WISP, Inc.
- Streamline Networks
- Cornerstone Communications
- Holyoke Gas & Electric
- MECnet
- Ayacht Technology Solutions
- Warwick Broadband Service

5c. What wholesale services are being provided by this project? Please describe below. As an attachment to this report, please provide pricing plans (in \$ per month) associated with each wholesale service provided by your product (100 words or less). Wholesale services description:

Wholesale services currently being provided are:  
 -Ethernet-100 Service - Ethernet-based bandwidth services that provide up to 100% of the line rate speed of the physical connection. It services a single User Network Interface (UNI) and a single Virtual Private Network membership (VPN)  
 -NNI (Network-to-Network Interface Service) - one port in Springfield and one port in Cambridge. Allows customers to access "off-net" services such as determined by the customer network.  
 -Gigabit Ethernet Boston Transport Service - Provides connectivity from either network Regional Gateway (Springfield Internet Point of Presence) to the Boston Global Gateways (Cambridge and Boston Points of Interconnection).

5d. If you have designated a third party to operate all or a portion of your network, please provide the name and contact information for this third party, indicate if this entity is a sub recipient, contractor, and/or subcontractor, and describe with specificity the portion of your network this third party operates (600 words or less).

MTC has hired Axia NGNetworks USA as a contractor to run the entirety of the MassBroadband 123 network. They will also assist with equipment specifications and network and fiber design during the construction period. Tim Scott, Vice President, may be contacted at

Tim.Scott@axia.com

6. Please provide the data according to the type of subscriber. Write "0" in the Total column and "N/A" in the Narrative column if your project does not pass or serve a particular subscriber type. Unless otherwise indicated in the instructions, figures should be reported cumulatively from award inception to the end of the most recent reporting quarter. Please provide a narrative description if the total is different from the target provided in your baseline plan (300 words or less).

Subscriber Type	Access Type	Total	Narrative (describe your reasons for any variance from the baseline plan or any other relevant information)
Broadband Wholesalers or Last Mile Providers	Providers with signed agreements receiving new access	13	Ahead on baseline by 11; interest of service providers has exceeded expectations held at the time of grant submission. While 13 wholesaler or last mile agreements have been executed; many additional letters of intent have been signed (18) and will lead to connecting agreements. Agreements originally categorized as "receiving improved access" are being categorized as "receiving new access" based on updated interpretation of the baseline category.
	Providers with signed agreements receiving improved access	0	Behind on baseline by 7. MTC interpreted the baseline differently and is now categorizing all signed agreements as "receiving new access" and does not expect to categorize any agreements as "receiving improved access".
	Providers with signed agreements receiving access to dark fiber	0	Per NTIA guidance, MTC now lists service providers who receive access to both lit and dark services on the primary method they will use to obtain services. MTC now anticipates that all service providers will primarily receive lit services, causing the value to remain at zero.
	Please identify the speed tiers that are available and the number of subscribers for each	1	5Mbps 10Mbps 20Mbps 100Mbps 1Gbps 5Gbps - 0 subscribers 10Gbps - 1 Subscriber
Community Anchor Institutions (including Government institutions)	Total subscribers served	1	In preparing the baseline, MTC considered CAI connections as occurring upon installation of systems, but is now reporting based on when Community Anchor Institutions are capable of connecting to its serving POI, resulting in a delay in the metrics. 796 installations have been performed vs. the projected 911 sites.
	Subscribers receiving new access	1	In preparing the baseline, MTC considered CAI connections as occurring upon installation of systems, but is now reporting based on when Community Anchor Institutions are capable of connecting to its serving POI, resulting in a delay in the metrics. MTC anticipates 1184 CAIs receiving "new access".
	Subscribers receiving improved access	0	In preparing the baseline, MTC considered CAI connections as occurring upon installation of systems, but is now reporting based on when Community Anchor Institutions are capable of connecting to its serving POI, resulting in a delay in the metrics. MTC anticipates 107 CAIs receiving "improved access".
	Please identify the speed tiers that are available and the number or subscribers for each	1	5Mbps 10Mbps 20Mbps 100Mbps 1Gbps 5Gbps - 0 subscribers 10Gbps - 1 Subscriber
Residential / Households	Entities passed	0	N/A
	Total subscribers served	0	N/A
	Subscribers receiving new access	0	N/A
	Subscribers receiving improved access	0	N/A
	Please identify the speed tiers that are available and the number of subscribers for each	0	N/A
Businesses	Entities passed	0	N/A
	Total subscribers served	0	N/A
	Subscribers receiving new access	0	N/A
	Subscribers receiving improved access	0	N/A

Subscriber Type	Access Type	Total	Narrative (describe your reasons for any variance from the baseline plan or any other relevant information)
	Please identify the speed tiers that are available and the number of subscribers for each	0	N/A

**7. Please describe any special offerings you may provide (600 words or less).**

MTC offers a 15% discount off of wholesale rates to our state partners, Information Technology Division and Executive Office of Public Safety and Security. Our state partners contributed matching funds to the MassBroadband 123 grant application and they have committed to being an anchor tenant on the new network.

**8a. Have your network management practices changed over the last quarter?**  Yes  No

**8b. If so, please describe the changes (300 words or less).**

n/a

**9. Community Anchor Institutions:**

Using the table below, please provide a list by service area of the community anchor institutions (including Government institutions) connected to your network as a result of BTOP funds. Figures should be reported for the most recent reporting quarter only (NOT cumulatively). Also indicate whether your organization is currently providing broadband service to the anchor institution. Finally, provide a short narrative description with examples of how institutions are using BTOP-funded infrastructure (300 words or less).

Institution Name	Service Area (town or county)	Type of Anchor Institution (as defined in your baseline)	Are you also the broadband service provider for this institution? (Yes / No)	Narrative description of how anchor institutions are using BTOP-funded infrastructure
Second Data Center	Springfield	Other Government Facilities	No	The CAI is using a 10Gbps circuit on BTOP funded infrastructure to establish a cost-effective link between the Commonwealth's data centers in eastern and western Massachusetts.

**Project Indicators (Next Quarter)**

**1. Please describe significant project accomplishments planned for completion during the next quarter (600 words or less).**

Administrative

- Execute Pole Attachment and Conduit Agreement with Massachusetts Department of Conservation and Recreation, Time Warner Cable, City of Pittsfield, and PJ Keating Company
- Obtain NTIA approval of all remaining route and installation type changes to ensure remaining work on hold may be released for installation/construction
- Obtain NTIA approval for project time extension

Design and Engineering

- Finalize approvals for all remaining permits and route designs

Construction

- Continue to install network equipment at Community Anchor Institution sites. Goal is to reach 85% of installations complete
- Continue to perform fiber terminations at Community Anchor Institution sites. Goal is to reach 50% of terminations complete
- Continue to install network equipment at Points of Interconnection. Goal is to complete the remaining 7 points of Interconnection
- Install messenger strand as utility pole licenses become available; estimated to reach 95% completion
- Install fiber optic cable as messenger strand is completed; estimated to reached 90% completion
- Install fiber optical cable in existing and new conduit as conduit becomes available

Acceptance Testing

- Complete testing and turnover of Segment 1 of the network
- Complete testing and turnovers of two (2) Points of Interconnection and co-location sites
- Expected to connect 78 Community Anchor Institutions across 53 unique locations

Sustainability

- Negotiate additional Letters of Intent with Internet Service Providers and work towards contracts to provide service. Expected to sign three (3) additional Connecting Agreements
- Conduct Community Outreach meetings in the service area

**2. Please provide the percent complete for the following key milestones in your project. Write "0" in the Planned Percent Complete column and "N/A" in the Narrative column if your project does not include this activity. If you provided additional milestones in your baseline plan, please insert them at the bottom of the table. Unless otherwise indicated in the instructions, figures should be reported cumulatively from award inception to the end of the next reporting quarter. Please provide a narrative description if the percent complete is different from the target provided in your baseline plan (300 words or less).**

	Milestone	Planned Percent Complete	Narrative (describe reasons for any variance from baseline plan or any other relevant information)
2a.	Overall Project	100	Throughout this report, we are calculating Percent Complete with reference to the original NTIA budget. Costs are now projected to be higher than that original budget, and MTC has secured additional non-federal funds from the Commonwealth of Massachusetts to cover those amounts that exceed the original NTIA budget. Against new budget with extra funds, expected to be at 90% complete
2b.	Environmental Assessment	100	Environmental Assessment completed. No further expenditures planned. Compliance requirements with environmental mitigation included in the Design Build Request For Proposal and the Owner's Project Manager will oversee work
2c.	Network Design	100	On par with baseline percentage; costs projected to be higher than baseline budget and accounted for with additional funds from the Commonwealth of Massachusetts
2d.	Rights of Way	100	On par with baseline percentage; costs projected to be higher than baseline budget and accounted for with additional funds from the Commonwealth of Massachusetts
2e.	Construction Permits and Other Approvals	100	On par with baseline percentage; costs projected to be higher than baseline budget and accounted for with additional funds from the Commonwealth of Massachusetts
2f.	Site Preparation	79	Behind on projected expenditures by 21% based on work being categorized in other budget categories
2g.	Equipment Procurement	100	On par with baseline percentage; costs projected to be higher than baseline budget and accounted for with additional funds from the Commonwealth of Massachusetts
2h.	Network Build (all components - owned, leased, IRU, etc.)	87	Behind on projected expenditures by 13% due to (a) some projected costs accounted for under other categories, (b) schedule recovery from the delay pending NTIA approval of Award Action Requests.
2i.	Equipment Deployment	100	On par with baseline percentage; costs projected to be higher than baseline budget and accounted for with additional funds from the Commonwealth of Massachusetts
2j.	Network Testing	82	Behind on projected expenditures by 18% due to construction delays which have pushed back the anticipated progress of testing, and the subsequent payment milestones
2k.	Other (please specify):	100	On par with baseline percentage no significant expenditures planned next quarter which aligns with PPR projections and baseline. Costs include: • Federal Compliance Staff • BTOP Non-Construction Staffing • Application and Post Application Submission Costs • Staff, Consulting and Legal Costs with procurements

**3. Please describe any challenges or issues anticipated during the next quarter that may impact planned progress against the project milestones listed above. In particular, please identify any areas or issues where technical assistance from the BTOP program may be useful (600 words or less).**

Because of the aforementioned moratoriums on underground construction, progress during the upcoming quarter will be critical to the schedule and in making up for the delays. In addition, NTIA approval of the Award Action Request for route adjustments is important for several areas of route and CAI installation that have become critical path items. MTC will coordinate closely with NTIA regarding any schedule extensions and associated items as they arise.





<b>Acts</b>
<b>2008</b>
<b>CHAPTER 231</b> AN ACT ESTABLISHING AND FUNDING THE MASSACHUSETTS BROADBAND INSTITUTE.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is forthwith to establish and fund the Massachusetts Broadband Institute, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

**SECTION 1.** To provide for a capital outlay program to achieve the deployment of affordable and ubiquitous broadband access for every citizen of the commonwealth, the sums set forth in section 2, for the several purposes and subject to the conditions specified in this act, are hereby made available, subject to the laws regulating the disbursement of public funds.

**SECTION 2.**

**EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE**

1599-7060 For a reserve to provide funds to the Massachusetts Broadband Incentive Fund established by section 6C of chapter 40J of the General Laws.....  
\$40,000,000

**SECTION 3.** Section 3 of chapter 23A of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out, in line 24, the words “wireless broadband development council” and inserting in place thereof the following words:- Massachusetts Broadband Institute.

**SECTION 4.** Said section 3 of said chapter 23A, as so appearing, is hereby further amended by striking out, in lines 62 and 63, the words “wireless broadband development council, established pursuant to section 6A” and inserting in place thereof the following words:- Massachusetts Broadband Institute, established by section 6B.

**SECTION 5.** Said section 3 of said chapter 23A, as so appearing, is hereby further amended by striking out, in lines 87 and 88, the words “wireless broadband development council established pursuant to section 6A” and inserting in place thereof the following words:- Massachusetts Broadband Institute, established by section 6B.

**SECTION 6.** Chapter 40J of the General Laws is hereby amended by striking out sections 6B and 6C,

**B-11**

as so appearing, and inserting in place thereof the following 2 sections:-

Section 6B. (a) As used in this section and in section 6C, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

“Board”, the board of the Massachusetts Broadband Institute established by subsection (c).

“Broadband”, high-speed internet access, including wireless internet access, and as may be further defined by the board.

“Fund”, the Massachusetts Broadband Incentive Fund established by section 6C.

“Institute”, the Massachusetts Broadband Institute established by subsection (b).

(b) The corporation shall establish an institute for investment in broadband infrastructure in the commonwealth, to be known as the Massachusetts Broadband Institute. The executive director of the corporation, subject to the approval of the board, shall appoint a qualified individual as director to manage the affairs of the institute. The purpose of the institute shall be to achieve the deployment of affordable and ubiquitous broadband access across the commonwealth. The objectives of the institute shall include: (i) assessing and improving broadband access conditions in communities that have no access or have limited or insufficient access to broadband; (ii) promoting robust broadband access for essential state and local governmental services including, without limitation, public safety, health and education; (iii) promoting increased availability of, and competition for, broadband access and related services; and (iv) creating conditions that will encourage economic competitiveness and growth. The first priority of the institute shall be to assess and improve conditions in the commonwealth’s communities that have no broadband access.

(c) The institute shall be governed and its corporate powers exercised by a board of directors, which shall consist of the following 9 members: the secretary of administration and finance or his designee; the secretary of housing and economic development or his designee; the commissioner of telecommunications and cable or his designee; the executive director of the corporation or his designee; and the chairman of the governing board of the John Adams Innovation Institute or his designee; and 4 members to be appointed by the governor, all of whom shall have knowledge and experience in 1 or more of the following areas: telecommunications, broadband infrastructure, public-private partnership development, information technology or other fields of experience consistent with the mission of the institute. The governor shall, from time to time, designate 1 member to chair the board. Each member appointed by the governor shall serve a term of 4 years and thereafter until his successor is appointed. Any person appointed to fill a vacancy on the board shall be appointed in a like manner and shall serve for only the unexpired term of such member. Any appointed member shall be eligible for reappointment. An appointed member may be removed by the governor for cause. Five members of the board shall constitute a quorum, and the affirmative vote of a majority of the members present and eligible to vote at a meeting shall be necessary for any action to be taken by the board. The members shall serve without compensation, but each member shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of his official duties. The board shall

**B-12**

meet at least 4 times annually.

(d) The board shall leverage private sector and federal investment by financing the construction and acquisition of broadband infrastructure to promote the development of broadband access. This broadband infrastructure shall include, but not be limited to, conduit, fiber and towers. Any equipment or other property financed by the institute shall be owned by the corporation, the commonwealth or 1 or more other public entities, but may be leased or licensed by the institute, for a fee or otherwise, for use by nonprofit or for-profit private-sector entities. Any such transaction shall constitute a transaction with the commonwealth for the purpose of chapter 30B. The lessee or licensee shall pay any lease or license fees to the corporation, which shall credit them to the fund. The institute may provide and pay for advisory services and technical assistance as may be necessary or desired to carry out its purposes.

The board may work in collaboration with the corporation and other quasi-public and nonprofit entities and state agencies, and may provide advisory assistance to local entities, local authorities, public bodies and private corporations for the purposes of maximizing opportunities for the expansion of broadband access in the commonwealth and fostering innovative approaches to broadband access in the commonwealth.

(e) The board shall collect information from reasonably available sources including, but not limited to: municipalities and other public entities and agencies of the commonwealth, local and regional nonprofit entities and telecommunications and broadband service providers to develop and maintain an inventory of: (i) locations where telecommunications and broadband services are not available in the commonwealth; (ii) locations where telecommunications and broadband infrastructure is available or is likely to be available to support the provision of services to unserved and underserved areas; (iii) locations where new infrastructure may be necessary to support the provision of services to unserved and underserved areas; (iv) the quality of such services, including, but not limited to, speed of data transmission and cost of such services; and (v) any other relevant information as the board may deem necessary.

(f) The board shall establish a detailed long-term plan for the operation of the institute and the administration of the fund and shall consult with the joint committee on telecommunications, utilities and energy and the joint committee on economic development and emerging technologies on the plan. The plan, and any amendments thereto, shall be subject to the approval of the secretary of housing and economic development and the secretary of administration and finance and shall be filed with the clerks of the house of representatives and the senate who shall forward the same to the house and senate committees on ways and means, the joint committee on telecommunications, utilities and energy and the joint committee on economic development and emerging technologies.

(g) The board shall annually adopt an operating plan governing disbursements from the fund and, to the extent the plan provides for disbursement of appropriations or other moneys authorized by the general court, the plan shall be subject to the approval of the secretary of housing and economic

**B-13**

development and the secretary of administration and finance. The board shall file the plan, and any amendments thereto, with the clerks of the house of representatives and the senate who shall forward the same to the house and senate committees on ways and means, the joint committee on telecommunications, utilities and energy and the joint committee on economic development and emerging technologies.

(h) The board shall promulgate rules and regulations for the administration and enforcement of this section and section 6C.

(i) The board shall review and recommend changes in laws, rules, programs and policies of the commonwealth and its agencies and subdivisions to further financing, infrastructure and development for broadband access in the commonwealth.

(j) The board shall prepare, publish and distribute, with or without charge, as the institute may determine, any studies, reports and bulletins and other material as the institute deems appropriate.

(k) The institute shall file an annual report of its activities with the governor and the clerks of the house of representatives and the senate who shall forward the same to the joint committee on telecommunications, utilities and energy, the joint committee on economic development and emerging technologies, and the house and senate committees on ways and means.

(l) Actions of the board may take effect immediately and notice thereof shall be published and posted. Meetings of the board shall be subject to section 11A1/2 of chapter 30A. Records pertaining to the activities of the institute shall be subject to section 10 of chapter 66, unless exempted under subsection (h) of section 12. The operations of the institute shall be subject to chapters 268A and 268B; provided, however, that the members of the board shall be considered directors for the purposes of the fourth, fifth and seventh paragraphs of section 3.

(m) Sections 38A1/2 to 38O, inclusive, of chapter 7, section 39M of chapter 30, subject to the provisions of subsection (c) of section 4A and sections 44A to 44J, inclusive, of chapter 149 shall apply to the operations of the institute.

Section 6C. The corporation shall establish a fund to be known as the Massachusetts Broadband Incentive Fund. The corporation shall hold the fund separate and apart from its other funds, to finance the activities of the institute. The corporation shall credit to the fund any appropriations, bond proceeds or other moneys authorized by the general court and specifically designated to be credited to the fund, and any other moneys legally available to the corporation which the board of the corporation may determine to deposit in the fund.

**SECTION 7.** Notwithstanding any general or special law to the contrary, to meet the expenditures

**B-14**

necessary to carry out section 2, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, \$40,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Massachusetts Broadband Incentive Fund Loan Act of 2008, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2043. No authorization shall be expended unless expressly authorized by the secretary of administration and finance. All interest and payments on account of principal of such obligations shall be payable from the General Fund. Bonds issued under the authority of this section shall be general obligations of the commonwealth.

**SECTION 8.** Notwithstanding any general or special law to the contrary, in making the initial appointments pursuant to subsection (c) of section 6B of chapter 40J of the General Laws, the governor shall appoint 1 member to serve for a term of 1 year, 1 member to serve for a term of 2 years, 1 member to serve for a term of 3 years and 1 member to serve for a term of 4 years.

**SECTION 9.** Notwithstanding any general or special law to the contrary, not less than 10 days after the effective date of this act, the Massachusetts Technology Park Corporation, established by section 3 of chapter 40J of the General Laws, shall transfer the balance of the Wireless and Broadband Development Fund established by section 6C of chapter 40J of the General Laws to the Massachusetts Broadband Incentive Fund, established by said section 6C.

*Approved August 4, 2008*

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<b>Acts</b>
<b>2009</b>
<b>CHAPTER 33</b> AN ACT PROVIDING FOR ECONOMIC RECOVERY THROUGH BROADBAND INITIATIVES.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to access forthwith available federal funds and ensure Massachusetts' immediate economic recovery by increasing broadband access and infrastructure, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

**SECTION 1.** Section 3 of chapter 40A of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out, in lines 49 and 57, the word "energy" and inserting in place thereof, in each instance, the following words:- cable or the department of public utilities.

**SECTION 2.** The second paragraph of said section 3 of said chapter 40A, as so appearing, is hereby amended by adding the following 2 sentences:- For the purpose of this section, the petition of a public service corporation relating to siting of a communications or cable television facility shall be filed with the department of telecommunications and cable. All other petitions shall be filed with the department of public utilities.

**SECTION 3.** Section 6B of chapter 40J of the General Laws, as so appearing, is hereby amended by inserting after the word "financed", in line 58, the following words:- or acquired.

**SECTION 4.** Said section 6B of said chapter 40J, as so appearing, is hereby further amended by inserting after the word "entities", in lines 61, the following words:- ; provided, however, that acquisition of (i) an indefeasible right of use of facilities used for the transmission of intelligence by electricity for a period of not less than 20 years or for such lesser term and subject to such other conditions as the board may determine to be appropriate to protect the public interest; or (ii) a license or other agreement to use electromagnetic spectrum licensed by the federal government shall be considered to be acquisition of an ownership interest in broadband infrastructure.

**SECTION 5.** Subsection (d) of said section 6B of said chapter 40J, as so appearing, is hereby amended by adding the following two paragraphs:-  
Notwithstanding any general or special law or rule or regulation to the contrary, the department of highways may lease or license for a term not to exceed 25 years any interest in real property deemed appropriate by the corporation and the commissioner of highways to promote the objectives of this chapter. The nature and extent of such interest shall be transferred on such terms and conditions as

**B-16**

the commissioner of highways may determine. The terms and conditions of any conveyance executed pursuant to this subsection shall be approved by the commissioner of capital asset management, in consultation with the inspector general and the secretary of transportation. Any interest acquired by the corporation may be transferred, leased or licensed by the corporation for use by public entities or nonprofit or for-profit private sector entities subject to the approval of the commissioner of highways and subject to this section including, without limitation, such right of reverter at the expiration of the term. The corporation shall lease or license any such interest using such competitive processes and procedures as may be reviewed and approved by the inspector general. Notice that such interest is available for lease or license shall be publicly advertised in 2 daily newspapers of general circulation published in the city of Boston and, if such real property is located in any other city or town, in a newspaper of general circulation published in such other city or town, once a week for 2 successive weeks. Such advertisements shall state the availability of such interest, the nature of the competitive process and other information deemed relevant, including the time and place where all pertinent information relative to the interest to be leased or licensed may be obtained, the criteria for selection of a successful proponent, and the time, place and manner for the submission of bids, proposals and the opening thereof. The consideration for any such interest shall be within the estimated range of the fair market value of the interest as determined by the corporation based upon an independent professional appraisal. Any such interest conveyed by the department of highways shall revert to the commonwealth at the expiration of any such term.

The corporation may exercise any of its powers to assist or enable the institute to fulfill its purposes as set forth in this section, including without limitation the powers set forth in clause (e) of section 4, and such purposes are hereby deemed and held to be purposes of the corporation. Without limiting the generality of the foregoing, the corporation shall have the power to develop, lease or otherwise acquire, own, hold, dispose of and encumber conduit, fiber, towers and other real and personal property related to broadband infrastructure that shall be necessary or convenient to the fulfillment of such purposes. The exercise by the corporation of any such powers shall be deemed and held to be an essential governmental function.

*Approved July 16, 2009*

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