

DAVID Y. IGE
GOVERNOR

JOSH GREEN
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ANNE E. PERREIRA-EUSTAQUIO
DIRECTOR

JOANN A. VIDINHAR
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JOVANIE DOMINGO DELA CRUZ
EXECUTIVE DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
OFFICE OF COMMUNITY SERVICES
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IN REPLY, REFER TO:
OCS 22.1021

January 31, 2022

To: The Honorable Gregg Takayama, Chair,
The Honorable Linda Clark, Vice Chair, and
Members of the House Committee on Higher Education and Technology

Date: Wednesday, February 2, 2022

Time: 2:00 p.m.

Place: Room 309 & Videoconference

From: Jovanie Domingo Dela Cruz, Executive Director
DLIR – Office of Community Services

Re: H.B. 2397 – RELATING TO BROADBAND

I. OVERVIEW OF PROPOSED LEGISLATION

HB 2397 would create a new chapter in the Hawaii Revised Statutes to establish the Hawaii Broadband Infrastructure Authority. The chapter would establish “State connectivity goals” for the Authority.

The Authority would be composed of a Board of overseers, of whom seven would be appointed by the Governor, three of whom would have technical expertise, one of whom would represent rural communities, one of whom would have banking or lending expertise, one an education expert, and one of whom possesses expertise in telehealth. There would also be four ex-officio Board members: the Director of DBEDT; the President of the University of Hawaii; the Director of Finance; and the State’s Chief Information Officer.

The Authority would be managed by an Executive Director appointed by the Governor upon the recommendation of the Board. The Authority would have corporate legal powers and would collect data from communications service providers, which can be made subject to confidentiality provisions set out in the bill. The Authority would provide annual reports to the Legislature documenting its activities.

The bill would also amend HRS Chapter 206S to add a definition of “Broadband equity” and incorporate that definition into the definition of “Digital equity.” The bill would also modify the powers and duties of the Hawaii Broadband and Digital Equity Office that are set out in HRS §206S-3.

II. CURRENT LAW

The Legislature has been making major strides in creating a statutory platform for Broadband in just the past couple of years. HRS Chapter 206S was enacted just last year. It created the Hawaii Broadband and Digital Equity Office in DBEDT, provided a key definition of “digital equity”, provides for a Strategic Broadband Coordinator to manage that office, and in Sections 206S-3 and 206S-4, lays out a detailed series of duties for the office. These all build on a Broadband Task Force initially established by legislation back in 2007 and the 2020 Hawaii Broadband Strategic Plan.

III. COMMENTS ON THE PRESENT BILL

OCS is an agency attached to the Department of Labor and Industrial Relations. We are pleased to support this bill. The people who would be assisted by this bill are members of the core constituency of OCS, which was created by the Legislature by Act 305, SLH 1985, codified as chapter 371K, Hawai‘i Revised Statutes.

The mission of OCS is to eliminate the causes and conditions of poverty for economically disadvantaged persons, immigrants, and refugees in the State of Hawaii, by facilitating and enhancing the development, delivery, and coordination of effective programs for these persons and communities to enable them to achieve and maintain greater economic self-sufficiency and integration into Hawaii society.

For these reasons, OCS strongly supports structural, programmatic, and fiscal strengthening of Hawaii’s efforts to improve broadband services to underserved people and geographic areas. OCS would be pleased to assist in helping in any way that we reasonably can. Thank you very much for the opportunity to testify.



DAVID Y. IGE
GOVERNOR

JOSH GREEN
LT. GOVERNOR

**STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

335 MERCHANT STREET, ROOM 310
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CATHERINE P. AWAKUNI COLÓN
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

Testimony of the Department of Commerce and Consumer Affairs

**Before the
House Committee on Higher Education & Technology
Wednesday, February 2, 2022
2:00 p.m.
Via Videoconference**

**On the following measure:
H.B. 2397, RELATING TO BROADBAND**

Chair Takayama and Members of the Committee:

My name is Catherine P. Awakuni Coloñ, and I am the Director of the Department of Commerce and Consumer Affairs. The Department offers comments on this bill.

The purpose of this bill is to ensure that the State takes full advantage of available funds to build broadband infrastructure necessary to sustain interconnectivity throughout the islands by (1) establishing the Hawaii Broadband Infrastructure Authority, to be administratively attached to the Department; (2) defining broadband equity with the Hawaii broadband and digital equity office, and (3) appropriating federal funds in fiscal year 2022-2023 to the Department.

The Department believes strongly in the importance of a resilient broadband infrastructure throughout the state, to provide critical connectivity for among other things, telehealth, telework, and remote learning. The Department notes, however, that the bill as drafted will require a significant commitment of personnel and funds. Although the bill on page 19 line 18 to page 20 line 2 provides for a one-time

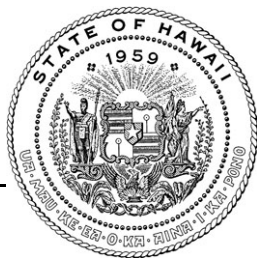
Testimony of DCCA

H.B. 2397

Page 2 of 2

appropriation of federal funds received by the State, it is unclear whether the funds will in fact be available, or how long the funding will be available. Also, the bill does not provide for the establishment of positions that would be needed to support the new authority.

Thank you for the opportunity to testify on this bill.



DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

DAVID Y. IGE
GOVERNOR

MIKE MCCARTNEY
DIRECTOR

CHUNG I. CHANG
DEPUTY DIRECTOR

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
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Statement of
MIKE MCCARTNEY
Director

Department of Business, Economic Development, and Tourism
before the

HOUSE COMMITTEE ON HIGHER EDUCATION & TECHNOLOGY

Wednesday, February 2, 2022

2:00 PM

State Capitol, Conference Room 309

In consideration of

HB2397

RELATING TO BROADBAND.

Chair Takayama, Vice Chair Clark, and members of the Committee. The Department of Business, Economic Development and Tourism (DBEDT) offers comments on Part III of HB2397 that defines broadband equity within the Hawaii broadband and digital equity office.

Over the course of the last two years, the COVID-19 pandemic has spotlighted the need for broadband infrastructure and digital equity for all of Hawai'i's residents and the federal government has identified the need to build robust broadband infrastructure and to fund digital equity programs across the country.

In Part III, DBEDT feels that the amended changes to HRS 206S-3 (3) are already underway with the University of Hawai'i, leading major infrastructure projects like the cable landing project and projects funded by the U.S. Treasury, Capital Projects Fund and therefore should remain unchanged.

Also, in Part III, page 19, lines 5 and 6, DBEDT feels that the deletion of the terms "broadband infrastructure" and "innovation" should remain unchanged since there may be future opportunities to seek broadband infrastructure and innovation grants from federal agencies like the US Economic Development Administration and US Department of Agriculture.

Thank you for the opportunity to submit this testimony.

OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII
NO. 1 CAPITOL DISTRICT BUILDING
250 SOUTH HOTEL STREET, SUITE 107
HONOLULU, HAWAII 96813
TELEPHONE: 808-586-1400 FAX: 808-586-1412
EMAIL: oip@hawaii.gov

To: House Committee on Higher Education & Technology

From: Cheryl Kakazu Park, Director

Date: February 2, 2022, 2:00 p.m.
State Capitol, Conference Room 309 and Via Videoconference

Re: Testimony on H.B.No. 2397
Relating to Broadband

Thank you for the opportunity to submit testimony on this bill, which would establish a Hawaii Broadband Infrastructure Authority. The Office of Information Practices (OIP) takes no position on the substance of this bill, but offers comments on and **proposed amendments** to a remote meeting provision for the Authority and a provision allowing the Authority to designate information as confidential at its discretion.

The Authority is created in proposed section ___-4, HRS, as a board with seven regular and four ex officio voting members. It would meet the definition of a Sunshine Law board under section 92-2, HRS. The Sunshine Law was amended effective January 1, 2022, to allow boards to hold remote meetings under standards set forth therein, so as a Sunshine Law board, the Authority would be authorized to hold remote meetings following those standards. However, proposed section -8, HRS, at bill pages 8-9, provides what appears to be a conflicting remote meeting authorization with far less detail and less provision for public access: “[a] member of the authority may participate in a meeting of the authority and place a vote electronically or telephonically as long as members of the public have an

opportunity to listen to the deliberations and otherwise participate in or observe the proceedings of the authority.” If this provision is meant to simply confirm that the Authority can hold remote meetings as authorized under the Sunshine Law, it is unnecessary; and if it is meant to provide an exception to the Sunshine Law allowing the Authority to meet remotely without having to follow the same standards as other Sunshine Law boards, it appears unjustified and will be to the detriment of public access to the Authority’s formation and conduct of public policy, which the Sunshine Law is meant to provide. **To avoid a potential conflict between this bill and the Sunshine Law, OIP first recommends that proposed section -8, HRS, at bill page 8 line 18 through page 9 line 2, be deleted.**

Proposed subsection -13(a) authorizes the Authority to collect data from broadband providers on infrastructure deployment and costs, revenues, and subscribership. Subsection -13(b) then allows the Authority to determine that information about broadband providers – not necessarily limited to the information collected under -13(a) – is “of a competitive or proprietary nature” and order it to be designated as confidential once the Authority has adopted rules to implement the process. Subsection -13(c) allows a broadband provider to request that competitors sitting on the Authority not be permitted to view information the provider submitted, which is confusingly referred to as information “designated as confidential under subsection (a)” even though it is subsection (b) that allows the Authority to designate information as confidential. **OIP also has several concerns with proposed section -13.**

First, there are existing standards under the Uniform Information Practices Act (UIPA), chapter 92F, HRS, for determining when a business’s information submitted to a government agency can be withheld from the public as confidential

commercial or financial information, and when technical information about a broadband network or other infrastructure information can be withheld based on the risk its disclosure would pose to the security of the network or infrastructure. Part of the purpose of the UIPA is to ensure that uniform standards for public access to government records apply across agencies, and that purpose would be undermined by giving the Authority the discretion to set its own standards in place of those provided by UIPA. OIP further notes that the UIPA's standards for determining when information may be withheld from the public are already in existence and available for use, and the Authority would not be required to go through rulemaking before treating information as confidential based on its non-public status under the UIPA. Finally, section -13 as written is unclear about whether its confidentiality provisions apply to any information originating from a broadband provider or just information provided upon the Authority's request under subsection (a). Thus, **OIP's second recommendation is that section ___-13 be amended to reference the UIPA's existing standards to save the Authority the need to through rulemaking to create its own standards and process, by collapsing subsections (a) and (b) into one subsection requiring the Authority to keep confidential to the extent allowed by law information submitted by a broadband providers and designated as nonpublic.** This would also resolve the confusion over whether subsection (c) was supposed to reference subsection (a) or (b). **Specifically, OIP recommends that subsections (a) and (b) at page 13 line 13 through page 14 line 14 be replaced by the following:**

(a) Subject to the provisions of this section, the authority may collect data from communications service

providers and any wireless providers that own or operate advanced communications technology infrastructure in the State concerning infrastructure deployment and costs, revenues, and subscribership. A communications service provider or wireless provider may designate information provided to the Authority under this subsection as non-public, and the authority shall keep information so designated confidential to the extent permitted by chapter 92F and other applicable laws.

Thank you for considering OIP's testimony and proposed amendments.

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

**TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON HIGHER EDUCATION & TECHNOLOGY
ON
HOUSE BILL NO. 2397**

**February 2, 2022
2:00 p.m.
Room 309 and Videoconference**

RELATING TO BROADBAND

The Department of Budget and Finance (B&F) offers comments on Parts II and IV of this bill, which creates a new Broadband Authority administratively attached to the Department of Commerce and Consumer Affairs (DCCA) and appropriates an unspecified amount of federal funds for broadband infrastructure and expansion of broadband access to DCCA. B&F defers to the Department of Business, Economic Development and Tourism on Part III, which amends Sections 206S-1 and 206S-3, HRS, which relate to the Hawai'i Broadband and Digital Equity Office.

B&F suggests that it would be premature to establish a new Broadband Authority and appropriate federal funds to this new Authority at this time. The Federal Broadband Equity, Access and Deployment and State Digital Equity Planning and Capacity Grant programs are still being developed by the National Telecommunications and Information Administration at the U.S. Department of Commerce, which has not yet issued firm guidance on what the allowable uses of these funds will be.

Thank you for the opportunity to provide testimony.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Higher Education and Technology
Wednesday, February 2, 2022 at 2:00 p.m.

By

Garret T. Yoshimi, Vice President for Information Technology/Chief Information Officer
University of Hawai'i System

HB 2397 – RELATING TO BROADBAND

Chair Takayama, Vice Chair Clark, and members of the committee:

The University of Hawai'i, representing the State's broadband interests, supports the intent of HB 2397.

HB 2397 creates a state broadband infrastructure authority, and provides for clarification of the role of the state broadband office within DBEDT to focus on critical elements of digital equity and literacy necessary to maximize benefits of investment in broadband infrastructure. Creation of a state broadband infrastructure authority, administratively attached to DCCA, could provide a useful vehicle for the ownership and governance of the assets and facilities to be constructed and acquired with the anticipated influx of public funds. It appears that the authority would need to be self-funded, and would rely on future revenue from the collection of managed assets in order to support its staffing and operations. The rules and processes to support the expected Federal formula and competitive funds remain unclear, and are likely to be issued over the second half of calendar 2022.

Planning for the ideal use of the expected Federal funds is underway, and we expect that we will align projects and outcomes with those funds as the programs controlling the funds issue rules and create the mechanisms to expend the funds. Part of the planning effort is to address the governance and sustainability of the efforts to be implemented; we expect to be able to provide specific inputs and recommendations once the rules are clear and plans come together later this year. Financial sustainability of the investments is critical to ensure sufficient support of operations, maintenance and the eventual renewal of critical broadband assets.

Thank you for the opportunity to provide comments on HB 2397.

DAVID Y. IGE
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
PRINCESS VICTORIA KAMĀMALU BUILDING
1010 RICHARDS STREET, Room 122
HONOLULU, HAWAII 96813
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
February 2, 2022

The Honorable Representative Gregg Takayama, Chair
House Committee on Higher Education & Technology
The Thirty-First Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813

Dear Representative Takayama and Committee Members:

SUBJECT: HB2397 Relating to Broadband

The Hawaii State Council on Developmental Disabilities **SUPPORTS** **HB2397** establishes the Hawaii broadband infrastructure authority and defines broadband equity within the Hawaii broadband and digital equity office.

COVID has shown that our communities, especially our most vulnerable, must turn more and more to internet-based support. Some of these supports come in the form of telehealth appointments and Zoom-based communication. COVID proved that many individuals within our intellectual and developmental disability community are part of a high-risk group that needs to rely on staying at home and using internet services more than the average citizen. Many of our community members live in rural areas of our State and do not have easy broadband access. These individuals found themselves without internet and many times without any form of support during the pandemic.

As we continue to make strides in technology, more and more technology is invented that helps individuals with intellectual/developmental disabilities (I/DD) live more independently. However, we find that having broadband access is key for most new technologies that rely on wi-fi to function. Time is of the essence, and it appears that allowing the electric utilities to own, operate, lease, plan, construct, install, maintain, and/or replace broadband facilities will be the quickest and most efficient way to bring broadband facilities and services to our vulnerable population throughout State.

Thank you for the opportunity to submit testimony in **support of HB2397**.

HB2397 Relating to Broadband

February 2, 2022

Page 2 of 2

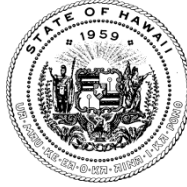
Sincerely,

A handwritten signature in blue ink that reads "Daintry Bartoldus". The signature is written in a cursive style with a blue ink color.

Daintry Bartoldus

Executive Administrator

DAVID Y. IGE
GOVERNOR



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
ROSS M. HIGASH
EDUARDO P. MANGLALLAN
PATRICK H. MCCAIN
EDWIN H. SNIFFEN

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 2, 2022
2:00 P.M.
State Capitol, Teleconference

H.B. 2397
RELATING TO BROADBAND

House Committee on Higher Education & Technology

The Department of Transportation (DOT) **supports** the intent of this measure that establishes the Hawaii Broadband Infrastructure Authority.

The department supports achieving digital equity and a resilient digital economy through the build out of broadband infrastructure across all islands. Effective coordination of state efforts is critically important and will ensure we are efficient, agile, responsive, and successful. In reviewing the proposed make up of members on the authority board, we respectfully request your committee's consideration of the inclusion of a member with expertise in infrastructure development, construction, and large-scale capital improvement projects.

We also request your consideration of the inclusion of the Director of the DOT as an ex officio member of the board. There is a general expectation that transportation infrastructure should and could be used for the backbone of the broadband infrastructure. To that end, inclusion of the DOT in the authority board will facilitate discussions in the earliest phases for projects involving transportation infrastructure.

Thank you for the opportunity to provide testimony.



February 1, 2022

The Honorable Gregg Takayama
Chair, House Higher Education and Technology Committee
Hawaii State Capitol, Room 404
Honolulu, HI 96813

The Honorable Linda Clark
Vice Chair, House Higher Education and Technology Committee
Hawaii State Capitol, Room 303
Honolulu, HI 96813

RE: HB 2397 Oppose Unless Amended – Relating to Broadband

Dear Chair Takayama and Vice Chair Clark,

On behalf of CTIA, the trade association for the wireless communications industry, I respectfully write in opposition unless amended regarding HB 2397, related to broadband. While we support the very laudable goal of bringing broadband to all the residents of Hawaii, we do have concerns in Part II, Broadband Infrastructure Authority, Section 13, “collection of data” and request clarity.

Part II of HB 2397 creates the Hawaii Broadband Infrastructure Authority Act and Section 13 relates to the “collection of data.” This section appears very broad in its application directed at “communications service providers and any wireless providers that own or operate advanced communications technology infrastructure in the State concerning infrastructure deployment and costs, revenues, and subscribership.” While it appears this section may be addressing the availability of broadband mapping data, it is important to note that in summer 2021, AT&T, T-Mobile, Verizon, and UScellular voluntarily submitted new 4G LTE mobile broadband maps. These maps seem to satisfy the requirements of Part II, Section 13 of HB 2397 and they are publicly available for download.

In addition of note, new broadband mapping rules are currently being developed by the Federal Communications Commission (FCC) per the Broadband Deployment Accuracy and Technological Availability Act (the “DATA Act”) passed by the US Congress in March 2020.¹ The FCC’s new mapping rules implementing the DATA Act, known as the Broadband Data Collection (“BDC”), represent a complete overhaul of the collection and verification of mobile wireless coverage maps, consistent with Congress’s intent. These forthcoming federal broadband maps also render Part II, Section 13 of HB 2397 unnecessary.

¹ See Public Law 116-130, <https://www.congress.gov/116/plaws/publ130/PLAW-116publ130.pdf>, last accessed 1/31/2022.



Finally, if the ultimate purposes of Part II, Section 13 relate to utilizing incoming federal broadband grant moneys, as mentioned in Part I and Part III of HB 2397, it is important to bear in mind that the recent enactment of the federal Infrastructure Investment and Jobs Act (IIJA) and its funding from the Broadband Equity, Access, and Deployment (“BEAD”) program, mandates that “unserved” and “underserved” locations eligible for grant funding be defined by reference to the FCC’s broadband DATA maps. Investment in Hawaii-level mapping will therefore not improve Hawaii’s grant applications and cannot bypass the role that federal mapping will play in determining Hawaii’s use of these broadband grants.

In closing, thank you for the opportunity to comment today. CTIA and our members support the goal of bringing broadband to all the residents of Hawaii. However, as drafted Part II, Section 13 of HB 2397 is ambiguous and needs clarity of its intent. We welcome the opportunity to discuss our questions further with the sponsor, key decision makers and interested stakeholders.

Sincerely,

Bethanne Cooley
Assistant Vice President
State Legislative Affairs



Charter Communications
Testimony of Rebecca Lieberman, Director of Government Affairs

COMMITTEE ON HIGHER EDUCATION AND TECHNOLOGY

Hawai'i State Capitol
Wednesday, February 2, 2022

COMMENTS ON H.B. 2397, RELATING TO BROADBAND

Chair Takayama, Vice Chair Clark, and Members of the Committee.

Thank you for the opportunity to provide comments on H.B. 2397, a bill that would (1) establish the Hawaii Broadband Infrastructure Authority, (2) define broadband equity, and (3) designate additional responsibilities to the broadband and digital equity office.

As the largest broadband provider in the state, Charter supports efforts to promote digital equity and broadband access. However, there are aspects of H.B. 2397 that require deeper review and may be problematic. The nature of broadband infrastructure deployment is an important and complicated issue, involving federal, state, and local agencies, as well as private entities. A Broadband Infrastructure Authority may be best suited as a standalone entity. As the federal government is directing significant funding and attention to broadband infrastructure, access, and adoption, Hawaii should consider creating an independent entity that can address and coordinate the many unique and novel issues associated with broadband.

Charter believes that every Hawaii resident should have reliable access to the Internet ecosystem. We stand ready to help bring the benefits of broadband and access to the internet to those who need it most. In 2020 alone, Charter extended its network to reach an additional 14,000

homes and small businesses in Hawaii, investing more than \$87 million in the state. Additionally, Charter is pleased to now provide high-speed data services to beneficiaries living in the Hawaiian Homelands following an announcement made earlier this month by DHHL, which allows homesteaders to obtain telecommunications services from a provider of their choice.

Charter is a member of DBEDT's weekly Broadband Hui to assist in strategic broadband planning and closing the Digital Divide. Additionally, Charter participated in the FCC's Emergency Broadband Benefit Program (EBB) and is now participating in the \$14.2 billion federal Affordable Connectivity Program (ACP). The EBB, and now the ACP, has helped connect over 18,000 eligible households in Hawaii with high-speed broadband during the ongoing COVID-19 pandemic. Broadband internet access is more important than ever and the newly adopted ACP offers a tremendous opportunity to help low-income families stay connected, providing eligible households a discount of up to \$30 per month toward broadband service and up to \$75 per month for households on the Hawaiian Homelands.

Charter looks forward to working with the legislature on this important issue.

Mahalo for the opportunity to testify.

February 1, 2022

House Committee on Higher
Education & Technology
Hearing Date: Wednesday, February 2, 2022, 2:00pm

**Honorable Representatives Gregg Takayama, Chair; Linda Clark, Vice Chair; and
Members of the House Committee on Higher Education and Technology**

Subject: HB 2397, Relating to Broadband

TESTIMONY IN SUPPORT

Aloha Chair Takayama, Vice Chair Clark, and Committee Members:

Ocean Networks, Inc. (“ONI”) has supported the expansion of Broadband Services in the State of Hawaii for many years. As such we firmly support this bill.

ONI supports this bill because it will enact steps and allocate funds to positively impact the expansion of broadband and provide digital and broadband equity. This will contribute to the greater good for all people of Hawaii.

However, ONI is concerned with the removal of language which would allow the Hawaii broadband infrastructure authority or Hawaii broadband and digital equity office to “promote the landing of trans-Pacific submarine cable, including the development of a shared access cable station and associated terrestrial connectivity to reduce barriers to fiber landing in Hawaii. While we laud the House for promoting greater interconnectivity throughout the islands, true connectivity can only be achieved by also focusing on connectivity into and out of the State. For Hawaii to truly develop into a strategic communications and knowledge hub it will need to build stronger interconnectivity to the rest of the world. As such we feel the language should be reinserted and reinforced.

Thank you for this opportunity to submit testimony. Please feel free to contact me if you have any questions.

Sincerely,



Cliff Miyake
VP, Business Development
Ocean Networks, Inc.



Written Statement of
Jeannine Souki
Sr. Manager – Government & Regulatory Affairs

HOUSE COMMITTEE ON HIGHER EDUCATION & TECHNOLOGY

February 2, 2022 2:00PM
State Capitol, Conference Room 309, Videoconference

COMMENTS FOR:

H.B. NO. 2397 RELATING TO BROADBAND SERVICE INFRASTRUCTURE

To: Chair Takayama, Vice-Chair Clark, and Members of the Committee

Re: Testimony providing comments for HB 2397

Aloha Honorable Chair, Vice-Chair, and Committee Members:

Thank you for this opportunity to submit comments on House Bill 2397. The primary intent of this bill is to establish a Hawaii Broadband Infrastructure Authority, strengthen and clarify the Hawaii Broadband and Digital Equity Office's role, and appropriate funds for the establishment of the authority and for broadband infrastructure across the state.

Hawaiian Telcom has concerns regarding the establishment of a new authority, including the cost and time it will require to stand up a new authority to be attached to the Department of Commerce and Consumer Affairs. However, we do support the provisions in this bill to clarify the definitions of "broadband equity," and "digital equity," and update the role of the Hawaii Broadband and Digital Equity Office.

While there will be a temporary infusion of federal funds for broadband infrastructure that Hawaii needs to make the most of, the State should leverage this opportunity of public and private sector investments to address the digital divide especially in the undeserved and underserved areas. The private sector has and should continue to drive investment in broadband infrastructure so that consumers have competitive service offerings at affordable prices. The State can best assist by eliminating barriers and partnering with the private sector to go after grants. The creation of an authority will take considerable time and resources, and may result in slowing private investment in broadband infrastructure, which is counter to State's efforts to address the digital divide especially for students and those economically disadvantaged who currently do not have access to reliable and affordable broadband service. Public private partnerships need to be encouraged in order to deploy broadband to unserved areas where there is no economic business case to justify extension of service.

Hawaiian Telcom supports fair market competition and increased choices for broadband consumers. We also support policies that help to meet digital equity needs, promote the expansion of broadband infrastructure and services in unserved and underserved areas in the state.

Thank you for the opportunity to submit these comments for House Bill 2397.



HB-2397

Submitted on: 2/1/2022 1:48:14 PM

Testimony for HET on 2/2/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Sandie Wong	Individual	Comments	Yes

Comments:

I generally support this bill, but would echo the concerns of Ocean Networks about the removal of language which would allow the Hawaii Broadband infrastructure Authority or Hawaii Broadband and Digital Equity Office to "promote the landing of Trans-Pacific submarine cable, including the development of a shared access cable station and associated terrestrial connectivity to reduce barriers to fiber landing in Hawaii." Thank you.

HB-2397

Submitted on: 2/2/2022 10:18:09 AM

Testimony for HET on 2/2/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Daniel C. Smith	Individual	Comments	No

Comments:

How does HB2397 mesh with the State executive's apparent delegation of broadband strategy to the University of Hawaii? Duplication? Owning assets by the Authority could be a distinction with the UH role.

The bill appears to place strategic infrastructure matters to be handled by DCCA and outreach and last-mile issues would live with the Digital Equity office in DBEDT.

We do need to have soon an effective office or offices to get the Federal money.

Respectfully,

Dan Smith