PCCA Government Relations Roundtable

PCCA Annual Convention
Tuesday, March 19, 2019
Frigate Bay, St. Kitts
Overview

- 2019 PCCA Congressional Fly-In
- Rural Utilities Service; ReConnect Pilot Program
- Infrastructure Package - “LIFT America” Act
- Brett Kilbourne - Utilities Technology Council
- Agriculture Broadband Coalition - Precision Agriculture Connectivity Act
- Broadband Mapping
- PCCA Efforts re: FMCSA Hours-of-Service Regs
  - Ad Hoc Construction Coalition
  - ANPRM on HOS Regs
- Jonathan Adelstein - Wireless Infrastructure Association
- Kansas Damage Prevention Legislation
## 2019 PCCA Washington Fly-In

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2019 PCCA Washington Fly-In

- 6 committees visited - House T&I, E&C; Senate EPW, Commerce, Ways and Means
- Messages
  - Introduction to PCCA
  - Broadband Deployment
  - DOT Hours-of-Service
  - Permit Reform
  - Damage Prevention
  - Preserving Reg Rollback
- Wrap Up - Capitol Hill Club
- Feedback from participants?
  - Annual event?
  - Timing?
RUS ReConnect Pilot Program

- $600 million in Consolidated Appropriations Act of 2018
- “Rural e-Connectivity Pilot Program” (ReConnect Program)
- Comments to RUS Notice of Inquiry (NOI)
- December, 2018 - parameters set in RUS Notice
- Loans, grants, loan/grant combinations
- Program to “facilitate broadband deployment in areas of rural America that don’t currently have sufficient access to broadband.”
- Applicants must be able to supply retail broadband
- Eligible entities: Cooperatives, non-profits, corporations, LLCs, states, local governments, territories, Indian tribes, etc.
RUS ReConnect Pilot Program

“Rural”
- Service areas not located in city, town or incorporated area with population less than 20,000
- Areas must be completely contained in rural areas or composed of multiple rural areas

“Insufficient Service”
- 90% households without fixed broadband service of 10/1 Mbps
- No part of proposed area can overlap w/service area that has received RUS broadband loan
RUS ReConnect Pilot Program

- Funds used for:
  - Construction, improvement/upgrade or acquisition of facilities to provide 25/3 Mbps
  - Acquisition of existing system without sufficient broadband (25/3 Mbps)

- Funding Types:
  - Rural Broadband Grant
    - Applicant provides 25% of project cost
    - Total of $200 million in federal funds
    - $25 million maximum per project
    - “Competitive review” based on number of rural premises connected and speeds provided
    - Areas where 100% households lack sufficient access
RUS ReConnect Pilot Program

- **Grant/Loan Combo**
  - 50/50 — grants/loans (Treasury rate of 3.9%)
  - Total of $200 million in federal funds
  - $50 million maximum per project
  - “Competitive review” based on number of rural premises connected and speeds provided
  - Areas where 90% households lack sufficient access

- **Rural Broadband Loan**
  - Fixed loan at 2%
  - Total of $200 million in federal funds
  - $50 million maximum per project
  - Funds awarded on ‘first-come-first-serve” basis for areas where 90% households lack sufficient access
LIFT America Act

- Leading Infrastructure For Tomorrow’s America Act (LIFT Act)
  - Secure and Resilient Broadband
    - $40 billion over five years
    - Three quarters of funding reserved for unserved areas of the country via national reverse auction
    - Remaining funds to states through state-wide reverse auctions
    - “Underserved areas” eligible if no unserved areas in a state
    - Deploy broadband or connective technology to schools and libraries
    - Fund deployment of Next Generation 9-1-1.
LIFT America Act

- **Clean Energy Infrastructure**
- **Grid Security and Modernization**
  - $4 billion over five years for electric grid infrastructure
  - Grid modernization, security, resiliency, and efficiency.
  - Funds will support infrastructure improvements to enhance energy security, deployment of smart grid technology, and efficiency upgrades.
  - Includes funding to establish methods to speed electric grid recovery following extreme weather events.
- **Energy Efficient Infrastructure**
  - Any program designed to save energy and address climate change (e.g.: home and school energy efficiency retrofits; emission reduction from older vehicles (school buses); energy efficient water distribution systems)
  - Strengthen existing energy supply infrastructure and expand renewable energy infrastructure
LIFT America Act

- Drinking Water Infrastructure
  - $21 billion to Drinking Water SRF
  - “Buy American” for iron and steel
  - $1.1 billion to remove / replace sources of lead in DW systems
  - $250 million to assess & address vulnerabilities (climate change terrorism, water contamination)

- Brownfields Development
  - $2.7 billion for renewable energy projects on Brownfields sites

- Sponsors: Frank Pallone(D-NJ), Chair of House E&C
  - 26 cosponsors - all Democrats
Agriculture Broadband Coalition

- A coalition of 15-20 stakeholders focused on Rural Development

- Key Issues:
  - Coverage in Ranch lands and Rangelands
  - “Technology Neutral”
  - Access to fastest speeds available

- Members include:
  - John Deere
  - AEM
  - Farm Bureau
  - CoBank
The Precision Agriculture Connectivity Act, S 2343 / HR 4881

- Introduced by Sens Wicker (R-MS), Klobuchar (D-MN), Representatives Latta (R-OH) and Loebsack (D-IA)

- Direct FCC to work with other organizations (DOA/RUS) to establish a Task Force of public and private sector members for meeting the technology needs of precision agriculture
  - Identify and measure gaps in broadband coverage of croplands and rangelands
  - Create comprehensive guide of Federal programs/resources working to address unserved croplands and rangelands
  - Develop policy recommendation to achieve 95 percent coverage of croplands and rangelands by 2025
Precision Agriculture Act (HR 4881/S 2343)

- Added to the 2018 Farm Bill - Signed into law December 20th, 2018

- USDA Task Force Structure
  - 15 voting slots - 1 non-voting slot for the Secretary of Agriculture
  - Task force modeled on BDAC
    - Original BDAC did not include construction industry members
  - Must be announced by December 20th, 2020

- Application Process
  - Self-nominated
  - NOI Opening on April 1st
  - Deloitte heavily involved in USDA Precision Ag report
    - Released in 1-2 months
Precision Agriculture Act (HR 4881/S 2343)

- USDA Focuses -
  - Fastest Speeds available
  - Getting infrastructure right from the beginning
  - 10/1 not acceptable
  - Full Implementation of Farm Bill as quickly as possible

- Primary USDA Contacts -
  - Jannine Miller, Senior Advisor for Rural Infrastructure
  - Ted Kaouk, Chief Data Officer
  - Carolyn Roddy, RUS Special Advisor
Broadband Mapping

- FCC Mapping -
  - Current Structure based on census blocks
  - Served definition anything above 10/1
    - Push for 25/1
- USDA acknowledges lack of reliability in data mapping
- TestIT App
  - Available on IOS/Android
  - Open source data collection
  - Allows for the collection of user reported speed tests
  - Produced by
    - National Association of Counties (NACo), Rural LISC, and Rural Community Assistance Partnership (RCAP)
FMCSA Hours-of-Service Regs

- Establishment of new Coalition
  - Excavation Contractors align with Highway Lobby

- Comments to FMCSA ANPRM
  - Associations and New Coalition
  - Description of existing exemptions
    - USV exemption
    - Short-haul exceptions
    - NAPA/NRMCA exception for “perishable product”
FMCSA Hours-of-Service Regs

- **Minor Fixes” vs. “Uniform Exemption”**
  - Expand/Harmonize Short-Haul Exemption
    - 12-to-14 hour driving time for 150 air-mile
    - Consistent with long-haul drivers
  - Remove “Return to Work Reporting Location” Requirement

- **Targeted Legislation**
  - Infrastructure Package
  - MAP-21 / Next Highway Bill

- **Challenges of 116th Congress**
Jonathan Adelstein
Wireless Infrastructure Association
Former FCC Commissioner
Former RUS Administrator
Kansas Damage Prevention Law

- KCC previous ruling: facility operator responsible for locating up to household or first building of incorporated area

- HB 2178: “Operator” (as amended) would exclude those “providing electric service for that portion of an underground facility downstream of the point where ownership of the facility changes

- HB 2178 passed Kansas House February 21st → Kansas Senate

- PCCA mobilizes five national excavation associations (AGC, DCA, NUCA, APCA, PCCA)
  - “The fact that the Kansas legislature would even consider enacting this provision into state law is astonishing.”
CGA Best Practice 4.21: “service line is marked in response to a locate request to the operator who uses the service line to pursue a business that derives revenue by providing a product or service to an end-use customer via the service line.”
Kansas Damage Prevention Law

- Ongoing Muster Campaign for Kansas Legislature Outreach
  - [https://app.muster.com/take-action/7PDUXKH9Q3/](https://app.muster.com/take-action/7PDUXKH9Q3/)

- Sent letter to Senate judiciary committee urging lawmakers vote “No”
Questions?

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