



February 2, 2022

Representative Seth Berry
Senator Mark Lawrence
Joint Standing Committee on Energy, Utilities, and Technology, Maine State Legislature
Cross Building, Room 211
Augusta, ME 04330

RE: LD 1894, An Act To Support Municipal Broadband Infrastructure through Incentives and Competition

Senator Lawrence, Representative Berry, and members of the Joint Standing Committee on Energy, Utilities, and Technology, thank you for giving me a chance to weigh in on a matter under your consideration. My name is Colin Haley and I am External Relations Manager at GWI. GWI develops, designs, builds and operates fiber optic networks in Maine and other New England states. I am here to testify neither for nor against LD 1894, **An Act To Support Municipal Broadband Infrastructure through Incentives and Competition.**

While GWI builds and operates privately funded networks, a fast growing part of our business partnering with municipalities and municipal broadband utility districts (UD). In Maine, New Hampshire and Vermont, we serve over 60 rural towns and cities by developing financing, designing, building and operating municipal networks. The vast majority of these communities are served by utility districts. We strongly support the intention behind this bill, to strengthen the UD model in Maine, but we believe the practical impact is the opposite.

Section one of the bill is unnecessary and will cause many more problems than it solves. Currently Maine has a robust Broadband Utility District (BUD) legal framework, instantiated in [Maine Statute Title 30-A Section 2203](#) that already allows for the formation and operation of BUDs. A number of Maine BUDs already exist and GWI is working with many local communities to form more. Currently, there is no need for further legislation in this area. There is also no public benefit in extending further PUC oversight of BUDs. Effectively, the PUC already has oversight of BUDs through its pole attachment, Eligible Telecommunications Provider (ETC) oversight, and other powers. BUDs are also subject to significant Federal oversight. Section one would extend, potentially, conflicting PUC oversight to not only electric and water cooperatives, but also to existing broadband utilities which are operating functionally.

The ability to use grants from the Fund as a match for other sources of funding is quite useful. We hope this portion of the bill moves forward. What would be even more useful is a funding source.

Sincerely,

Colin Haley
GWI