

AT A CONTINUATION OF THE REGULAR MEETING OF THE RAPPAHANNOCK COUNTY BROADBAND COMMITTEE HELD ON MONDAY JUNE 21, 2021 AT 5:30 P.M. AT THE RAPPAHANNOCK COUNTY COURTHOUSE, 250 GAY STREET, WASHINGTON, VIRGINIA.

CALL TO ORDER

Chair Donehey called the meeting to order at 5:30 P.M.

Authority Board Members present: Debbie P. Donehey; Christine Smith; I. Christopher Parrish, Keir A. Whitson and Ronald L. Frazier.

Others present: Garrey W. Curry, Jr., FOIA Officer; Margaret Bond, Secretary.

PLEDGE OF ALLEGIANCE

Ms. Donehey led attendees in the Pledge of Allegiance.

MOMENT OF SILENCE

Ms. Donehey requested that attendees observe a moment of silence

ADOPTION OF AGENDA

Mr. Whitson moved to adopt the Agenda as presented. Vice Chair Smith seconded the motion. The motion to adopt the Agenda carried unanimously.

Aye: Donehey, Smith, Parrish, Whitson, and Frazier.

Nay:

Abstain:

MINUTES FOR ADOPTION

Chair Donehey introduced the minutes of the last Broadband Authority Meeting for adoption. Several members indicated they had not had sufficient time to review them. Mr. Whitson moved to table consideration of meeting minutes until the next regularly-scheduled meeting of the Broadband Authority. Vice Chair Smith seconded the motion. The motion to table carried unanimously.

Aye: Donehey, Smith, Parrish, Whitson, and Frazier.

Nay:

Abstain

PUBLIC COMMENT PERIOD

Rich Shoemaker, Piedmont Broadband – Stonewall-Jackson District. Mr. Shoemaker revealed to the

Broadband Authority that he was working on a new program plan for his company's broadband service in the County. He reported his technical advisor, Rich Pate, has a technical team that he said "rivaled anyone who is coming into the County. Mr. Pate is planning to invest in Piedmont Broadband. Mr. Shoemaker said he was going to step down as the managing chief executive officer and Mr. Pate is going to take over. Mr. Shoemaker assured the Authority Board he was going to stay in the wings as a consultant to Piedmont Broadband and interface with the Rappahannock County Broadband Authority as much as necessary.

Mr. Shoemaker said ongoing plans involved investing over \$100,000 into the company to improve and upgrade his system. He said Piedmont Broadband was looking for help from the County or other sources to implement this plan, which is already underway. For example, he said, Piedmont Broadband has acquired the rights to major hilltops in the County to put its equipment; the company plans to deploy LTE¹ so it can meet the 25/3 Mbps standard. Mr. Shoemaker referenced a recent news story on All Points Broadband plans to develop a fiber optic cable network. He told the meeting his company has the capability, resources, and available contractors to integrate fiber in their upgraded and expanded fixed wireless network – and to do it economically.

Mr. Shoemaker described these plans as a "major step" in Piedmont Broadband's evolution. He said he wanted to present the Broadband Authority with a solid proposal that can be implemented economically reaching customers with the lowest cost per customer, and "you won't see us" which is the whole idea of preserving the Rappahannock viewshed the way it's supposed to be.

Mr. Shoemaker recapped: Piedmont intends to upgrade its network to achieve 25/3 Mbps, based on towers that protect the viewshed, using solar for backup power. He said Piedmont can do it more economically than other companies because it didn't have the overhead that some of the bigger outfits carry. He said Rich Pate projected hooking up 12-1,300 customers by the end of three years.

Mark Anderson - Piedmont District. Mr. Anderson said over the past three weeks he had been focusing on researching and becoming more knowledgeable on the Department of Housing and Economic Development's economic development grant opportunity for funding broadband planning. He said this grant is a program separate from the VATI program and others that are going on parallel to it. What caught his eye about this program, he reported, is that it has its own line of funding up to \$700,000 for FY 2022. He said the program started issuing grants last April, and administrators are making allocations on a rolling basis. Mr. Anderson thought it would be a good thing to put together an application and get it in, before the program exhausts its available funds. He said he had started drafting an application on his own.

Mr. Anderson said he would have an application product ready to show the Broadband Authority as quickly as possible. He advised the Broadband Authority that, under terms of this economic development grant, the program would put up to \$40,000, which cannot be more than 50% of the total cost.

He said he envisioned doing broadband planning in two phases: (1) the first phase would be kind of an assessment effort directed to mapping and identifying the different broadband services in the County and the need. He indicated an important statistic is the distance between the middle mile of broadband along the roads and the last mile to the home. He said, for fiber optic network, while there are approximately 300 miles of VDOT roads in the County, there could be as much as 300 miles of private roads and long driveways from these roads to the subscriber's residence or business. If the system is all fiber optic, the

¹ LTE in telecommunications means Long-Term Evolution. It is a standard for wireless broadband communications for mobile devices and data terminals based on GSM/EDGE and UMTS/HSPA technologies. It increases the capacity and speed of broadband signals using a different radio interface together with core network improvements.

cost for fiber to the home adds significantly to the overall system costs. If, however, if Piedmont or other wireless companies can supply a simple transmission from the road to the residence, this connection would save considerable money to the subscriber, and in most cases, would not involve towers. Part of this initial assessment would be getting firm figures for these distances and associated costs.

(2) According to Mr. Anderson's vision the second phase of this assessment would be a deployment plan or an implementation plan wherein the County knows exactly what it needs to provide, then identifies an ISP to execute the plan. The County then would work with the ISP to figure out what the funding would look like. It might take three years to complete this project, and the County would likely not be able to start the process until next year. He said he understood Mr. Curry to say that the County could apply some of its American Rescue Plan Act (ARPA) money to broadband planning, as long as the application uses the magic words: "We are planning to achieve 100/20 or 100/100 Mbps", then we can make that expenditure towards' the County's portion of this grant. He thought the County might still have to come up with 10% of its own funds, say, \$7,500 on a \$75,000 expenditure.

Mr. Anderson said it was unfortunate that use of the words "economic development" were unpopular in Rappahannock County because there was a lot of sources for money for various County programs in DHCD economic development grant programs. He said they are all administered through an online program called CAMS, (Centralized Application and Monitoring System) which would require the Broadband Authority to set up an account to access and apply for grant funds.

Chair Donehey called for any additional members of the public in person or on Zoom to speak. Hearing and seeing none, she closed the Public Comment session.

PRESENTATIONS- None

REGULAR AGENDA ITEMS

Potential Broadband Funding Methods – Chair Donehey referenced VATI program deadlines for reminder for Authority Board, as requested by Vice Chair Smith. These deadlines are: Application period opening – June 17, 2021; Notice of Applications due July 27; and Applications due on September 14, 2021.

Authority Board Broadband Mission/Vision – Vice Chair Smith presented a draft of a mission/vision statement, noting that it was different from the Broadband Mission Statement adopted into the County's 2020 Comprehensive Plan. Ms. Smith explained that her version of a Rappahannock Broadband Authority mission/vision was based on the Orange County mission/vision.

Vision - A rural community where everyone has access to next generation broadband.

Mission - Bringing affordable Broadband Service to our county one connection at a time while enhancing overall quality of life and serving community needs in accord with our scenic, rural nature.

Objective - Reducing capital costs and start-up operating expenses for private sector providers to provide next generation broadband access in unserved and underserved areas of our rural community with a choice.

Vice Chair Smith pointed out she had particularized the Orange County wording to reflect the scenic, rural nature of Rappahannock county and included a reference to next generation broadband.

Mr. Whitson – “Next-generation” should be hyphenated to reflect its use as an adjective. Under Objective, he recommended changing the wording to “capital/start-up costs and ongoing operating expenses”. He also recommended changing Objective to include “provide a choice of next-generation broadband access”.

Vice Chair Smith moved for adoption of the above Vision/Mission/Objective statements with the additions and edits provided by Mr. Whitson as the official documents for the Broadband Authority. Mr. Parrish seconded the motion which was approved unanimously.

Aye: Donehey, Smith, Parrish, Whitson, and Frazier.

Nay:

Abstain

Treasurer - Broadband Authority Checking Account – Chair Donehey advised the Authority Board that she had notified Debra Knick that this item was included on the meeting Agenda. She reminded the Broadband Authority that, while the Authority had no funds to administer at present, there would be monies at some point. She advised the meeting that there was a need to keep County funds separate from state and federal funds so that they would be trackable and recordable. She also indicated there might be funds from private sources, such as the PATH Foundation, for broadband needs and these funds also needed to be kept separate from County monies. She said, though, that PATH would require the Board present a plan before they would commit funds. Vice Chair Smith recommended the Authority Board keep in mind future staffing needs as its work develops.

Mr. Parrish moved that the Rappahannock County Authority Board start a checking account. Vice Chair Smith seconded the motion, which was approved unanimously.

Aye: Donehey, Smith, Parrish, Whitson, and Frazier.

Nay:

Abstain

RFI/RFP – Margaret Bond introduced the final version of the Request for Information which Chair Donehey, Mr. Whitson, and she had worked on editing over the previous weekend. The final version of this document appears as Attachment One at the end of these minutes. Ms. Bond initially advised the Board that she had contacted Mr. Lonnie Hamilton from the Department of Housing and Community Development about providing some sort of broadband map of the County to accompany the RFI. She reported Mr. Hamilton was not able to get a map with the detail requested. She said he had told her the Authority Board need not worry about starting out with all the detail needed in such a map because the process of soliciting and evaluating broadband plans from ISPs and leading up to applying for the VATI grant would generate the information. She also advised the Board that Mr. Hamilton had pointed out— even if the map submitted with the VATI application was slightly “off” in terms of identifying areas served and service providers – that the challenge process which would take place after VATI applications were received, would allow ISPs to correct such mistakes and thereby help define served and unserved areas.

Ms. Bond said she had asked Mr. Hamilton about getting a copy of a network plan – so the Board could get an idea of what one looked like, by reviewing what another county had prepared. Mr. Hamilton reported he did not have such a plan at present but might be able to obtain one at a later date which he would share, with any proprietary information redacted.

Ms. Bond said Mr. Hamilton suggested it might be difficult for an ISP to identify every household and

business that would be served by their network plan and share it with the Authority Board. He also suggested the Board allow for some “wiggle room” for ISPs to present their needs assessment as called for in the RFI, because not all of them would want to do it in the same way.

She noted Mr. Hamilton said it might not be appropriate to ask how an ISP would partner with other ISPs to build out a broadband plan, because ISPs were competitors and might not want to build coalitions with other ISPs for that reason. He also said asking for RSSI might be objectionable as proprietary.

Ms. Bond pointed out the RFI as it appeared in the Agenda documents included sections in varying typeface colors to indicate edited and other sections added to the first RFP draft and reflecting changes the Authority Board discussed at its previous two Special Meetings. In particular she referenced inclusion of a hyperlink to the Broadband Committee’s Interim Report of October 2018 in the map section as providing useful information and some map data. She next referenced a section page 5 of the documents which included a suggestion from Mr. Frazier that the ISP provide some photographs of the equipment, such as towers, they intended to install with their plans.

Ms. Bond addressed the Authority Board’s previous suggestions to address the RFI responses in relationship to the County’s Comprehensive Plan. She pointed out the proposed RFI included a link to the Comprehensive Plan in the introductory sections and also included an attachment providing specific language from the Comp Plan which addressed broadband development.

She also referred the Authority Board to specific sections in the edited RFI which Ms. Donehey’s neighbor, who had extensive experience with RFIs and RFPs, had suggested. One of the recommendations included information on accountability of respondent ISPs to the Authority Board. She also referenced discussion from the Board’s last special meeting over how to score or otherwise compare respondents’ submissions. She advised the Board Ms. Donehey’s neighbor had corroborated the Board’s understanding that a scoring sheet was more suitable for an RFP. However, to help potential ISPs figure out what the Board was most interested in, Ms. Bond said she had rank ordered the section on required submissions to reflect requested information in descending order of importance. In this way, responding ISPs could figure out which information was most important to develop for the Board’s consideration.

Ms. Bond concluded with telling the Board she had asked Mr. Hamilton if he had ever seen a county go from an RFI directly to a memorandum of agreement, skipping the RFP step. According to Mr. Hamilton, he had encountered this process, but would check to see if it were possible, or if there was any requirement under state law for an RFP to compete the project.

The Authority Board then reviewed the draft RFI page by page. Mr. Whitson recommended the RFI state clearly that all ISPs should provide the information called for in Section 6. He suggested the references to the Rappahannock County Broadband Authority be referred to, consistently, as RCBA or Authority. He noted the time for receiving responses should be Eastern Daylight Time. He also pointed out that there were inconsistencies in identifying the ISPs responding to the RFI, and suggested one word, such as respondent, be used throughout the document and state it up front. Typically available commercial “infrastructure” should replace “investments”. Mr. Whitson pointed out the document should differentiate between unserved and underserved, or provide definitions of exactly what these terms mean.

He also provided some typographical and spelling errors and style points and inconsistencies in use of terms and partial sentences. [These changes are reflected in the edited final version attached.]

Chair Donehey brought up the question whether this document would be the only one the Authority would issue or whether the Board anticipated publishing a follow-on RFP, based on the information received in response to the RFI? Rich Shoemaker indicated the RFI as drafted was not too daunting in the detail it requested. He said the Board might be surprised at the amount of detail ISPs such as Piedmont

Broadband would be able to provide in responding to the RFI.

Mr. Anderson, referring to protections provided for proprietary information, asked Mr. Shoemaker if he would provide different information in his response to the RFI if that language protecting such information were included in the RFI or not. Mr. Shoemaker indicated he would exercise more discretion in what information he disclosed if there were insufficient protections. The Board discussed procedures and language for allowing ISPs to identify proprietary information that they would not want disclosed in public discussions of the submissions. Mr. Whitson agreed to provide language for this purpose, that was ultimately added to the attached RFI. Mr. Shoemaker said he thought asking for photographs of equipment would be OK, as would general inquiries about things like tower heights and backhaul. He also said that locations of subscribers would need to be provided in general terms, not specific addresses. He also thought that asking for details about responding ISPs' financial information might be more appropriate when the Board was trying to narrow the field down.

Chair Donehey said she would work with Ms. Bond to get the changes and edits from the discussion above into a final document to be published June 22 or June 23rd. She reviewed publication procedures, sites and forwarding the RFI to individual ISPs on Chair Donehey's list, along with a letter inviting them to respond. Her list included: All Points Broadband, CenturyLink, Comcast, DataStream, Firefly, Madison Gigabit, Piedmont Broadband, RiverStreet, Shentel, Verizon, and Virginia Broadband. Mr. Frazier suggested sending the RFI to Rappahannock Electric as an FYI.

Mr. Curry suggested posting on County website, EVO – the State bidding list. The Board also discussed sending out the RFI by June 23rd, dates for reviewing the submissions received, based on the submission deadline of July 8, 2021. The Board settled on holding a work session on July 14, 2021 at 6:00 P.M. in the Courthouse to review the RFI responses.

Mr. Frazier moved to approve the RFI, subject to the edits provided in discussion and in written form by Mr. Whitson. Mr. Whitson seconded the motion which was approved unanimously.

Aye: Donehey, Smith, Parrish, Whitson, and Frazier.

Nay:

Abstain

Follow on discussion considered how many PDF and hard copies of redacted and un-redacted responses each ISP would be asked to supply. Mr. Shoemaker asked if the Authority would send acknowledgements of receipt of submissions, and Chair Donehey said it would.

OPEN BOARD DISCUSSION

Mr. Parrish referred back to earlier Broadband Authority meetings in which members of the public had stated the former Broadband Committee "never did anything." But the truth of the matter is, he said, that the Broadband Committee got to a certain point where it was obvious the County needed to become a partner and put some money for further work, but it was not willing to do that. That refusal shut down the Broadband Committee. So the comments about it not doing anything were an unfair criticism. He complimented the Broadband Authority for working well together and making pretty good progress.

Vice Chair Smith said a lot of people she talked to asked why the County was not trying to court StarLink. Wouldn't it make sense to make StarLink part of the solution? She said it seemed odd for the State to say that folks who have satellite broadband are not served. Does it make sense, she asked, for the Broadband Authority to start a dialogue with StarLink similar to other counties?

Chair Donehey said she had a call in to Jack Kennedy, coordinator for the StarLink pilot project in Wise County which was set up to serve school children lacking broadband, and Dr. Robin Bolt of

Rappahannock County Public Schools. They planned call on July 12th about the feasibility of getting a similar program for RCPS.

Mr. Whitson encouraged being opportunistic and seizing on whatever technology we can get our hands on that serve the most people. He said he was shocked that Shentel, in its earlier presentation to the Board, kind of glossed over StarLink in favor of putting up 13 towers to serve 800 people.

Vice Chair Smith suggested the Authority Board seek help from other elected officials such as the state senator and delegate covering Rappahannock County.

Mr. Frazier pointed out that Governor Northam said last November that he was looking for counties to be creative with finding ways to bring internet to their communities. Ms. Smith said she had talked with a constituent over the past weekend who had StarLink service, and he was delighted with it. But, she added, under some of these grant guidelines, he would be counted as not having service.

Mr. Whitson referenced a constituent who showed him a screen shot of the St. Patrick Day's parade broadcast via StarLink at 300 Mbps. However, he said the constituent's wife still had problems with low latency for Zoom and which frequently got bumped off calls.

Chair Donehey said StarLink is still in beta testing so it may make sense to continue to classify people with this service as "unserved" until the technology is proved. Mr. Shoemaker said that sometime servers get overloaded with too many people logged in at the same time and they drop service.

Vice Chair Smith referenced, re: StarLink discussions, adding downlink sites in the county, particularly in volunteer service locations.

At the conclusion of the Board's Discussions, Mr. Whitson moved to adjourn. The motion was seconded by Mr. Parrish, and the motion passed unanimously.

Aye: Donehey, Smith, Parrish, Whitson, and Frazier.

Nay:

Abstain

The meeting adjourned at 6:30 p.m.

Respectfully submitted,

Margaret Bond, Secretary

ATTACHMENT ONE



**RAPPAHANNOCK COUNTY
BROADBAND AUTHORITY**

3 Library Road - P.O. Box 519
Washington, Virginia 22747-0519
Phone: (540) 675-5330 Fax: (540) 675-5331
www.rappahannockcountyva.gov

Debbie P. Donehey, Chair

Christine Smith, Vice Chair

Ronald L. Frazier

REQUEST FOR INFORMATION (RFI)

RFIRCBA #2021-01

PARTNERSHIP FOR INTERNET CONNECTIVITY IN RAPPAHANNOCK COUNTY, VIRGINIA

ISSUED: June 23, 2021

The Rappahannock County Broadband Authority (RCBA) will accept responses **until 4:00PM EDT on July 8, 2021**, in the Rappahannock County Administration Office, which is located at 3 Library Road Washington, Virginia 22747.

INQUIRIES: Address questions related to this RFI to County Administrator, Garrey W. Curry, Jr. (gwcurry@rappahannockcountyva.gov). Contact initiated by a respondent concerning this RFI with any other County or RCBA representative, not expressly authorized elsewhere in this document, is prohibited. Any such unauthorized contact may result in disqualification of the respondent from consideration.

PLEASE PROVIDE THE FOLLOWING INFORMATION:

Complete Legal Name of Firm (Respondent): _____

Address: _____

Federal Tax ID Number: _____

Signature of Authorized Representative: _____

Printed Name & Title: _____

Please provide the primary contact person for questions relative to this project:

Contact Name & Title: _____

Phone: _____ **E-mail:** _____

The respondent has the sole responsibility to identify and describe the services it proposes. Respondents should take into account not only the content but also the form and clarity of their response. In addition, please ensure all requests enumerated in Section VI of this RFI are fully addressed in your response. If the RCBA cannot determine what is being proposed, it is likely to reject the response. All information should be submitted in an organized, easy-to-understand manner. The RCBA reserves the right to revise this document prior to the due date and postpone the due date. Such revisions will be announced by written addenda. The RCBA will reject responses received after the date and time of closing and will return them to the respondent. Timely submission of a response is the sole responsibility of the respondent. If the

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County Administration office is closed on the date proposals are due, the deadline will be extended to the same time on the next business day.

The RCBA requests that respondents provide seven (7) paper copies and one PDF electronic copy of all responses it authorizes for release and discussion in a public forum, with any proprietary or sensitive information redacted. The RCBA also requests that respondents provide one PDF electronic file for any response to this RFI containing proprietary or sensitive information that the respondent wishes the RCBA to consider but that the respondent does not authorize the RCBA to release to the public. Please refer to pages 6 and 7 for further details.

RETURN THIS PAGE WITH RESPONSE

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DEFINITIONS for terms used in this RFI:

RCBA – Rappahannock County Broadband Authority, also known as the Authority

Mbps – Megabits per second

Served (broadband) – Properties that currently have access to internet speeds greater than 25 Mbps download speed and 3 Mbps upload speed (VATI 2021 Guidelines)

Unserved (broadband) – Properties that currently have access to internet speeds at or below 25 Mbps download speed and 3 Mbps upload speed (VATI 2021 Guidelines)

Universal (broadband) – 97% of households/businesses within Rappahannock County served

ISP – Internet service provider

Respondent – ISP responding to this RFI and submitting information called for in Section VI below

I. PURPOSE

The RCBA is seeking one or more Internet Service Providers (ISPs) with which to partner to expand the availability of broadband internet connectivity in Rappahannock County, Virginia. The need for such a partnership overtly recognizes that the density of housing units in Rappahannock County is generally considered too sparse to support broadband deployment using only typically available commercial infrastructure.

It is anticipated that the partnerships resulting from this RFP process will lead to one or more joint efforts to seek all forms of available government and non-government funding to bridge the gap between commercially available infrastructure (from a provider/respondent) and what is actually needed to deploy broadband service to 97% of households in Rappahannock County.

One such form of government funding is the Virginia Department of Housing and Community Development (DHCD) Virginia Telecommunication Initiative (VATI) Grant opportunity for FY2022. This funding opportunity requires a public-private partnership. VATI Guidelines are available on the DHCD VATI webpage, which can be accessed via: <https://www.dhcd.virginia.gov/vati>. Critical VATI deadlines include: Notice of Application due on July 27, 2021; Applications due on September 14, 2021.

II. COUNTY BACKGROUND

Rappahannock County is located in the northern Piedmont area of Virginia in the foothills of the Blue Ridge Mountains. The County comprises an area of 267 square miles with a population of approximately 7,300. Shenandoah National Park (SNP) occupies nearly 50 square miles of the western most portion of the county within which broadband services are not required, leaving the populated area at 217 square miles with a net density of 33.7 persons per square mile. The U.S. Census Bureau reported that there were approximately 3,131 households in the county in 2017 with an associated density of 14.4 households per square mile. The Town of Washington is the only incorporated town in Rappahannock County and has a population of under 150. There are five other “village areas” of varying household and business density including Amissville, Chester Gap, Flint Hill, Sperryville, and Woodville. The County does not have a publicly facing GIS system from which the public and businesses are able to analyze the population density. Given the rural character of the Rappahannock County landscape, many households are served by very long private driveways.

Rappahannock County is bordered to the northwest by Warren County, the northeast by Fauquier County, the southeast by Culpeper County, the south by Madison County, and the west by Page County. Warren County and Page County lie on the western side (opposite side) of the Blue Ridge Mountains. The topography in Rappahannock County is varied, ranging from 360 to 3,720 feet above mean sea level. The

lowest point in the county is where the Rappahannock River crosses into Culpeper County. The highest point is along the top of the Blue Ridge Mountains along the border with Page County in the SNP.

Portions of Rappahannock County are currently served by varying degrees of terrestrial based internet connectivity by incumbent broadband providers either with DSL, wireless, coaxial cable, or fiber; however, large portions of the County are not covered by reliable, affordable broadband. In 2021, the Rappahannock County Board of Supervisors created the RCBA, an independent political subdivision of the Commonwealth of Virginia under the Virginia Wireless Service Authorities Act, in order to address the issue of providing high-speed and affordable broadband service to citizens using partnerships not inherently available to the local county government.

III. PARTNERSHIP

As noted, the RCBA intends to partner with one or more private sector broadband service providers to expand the availability of broadband internet connections in Rappahannock County. The desired outcome of the partnership(s) is a joint effort to seek all forms of available government and non-government funding to bridge the gap between commercially available investment and what is needed to deploy broadband service to 97% of households (universal broadband service) in Rappahannock County. The RCBA has a preference to enter into a partnership with a single partner for the entire county, but reserves the right to enter into geographically distinct partnerships dividing the County into sub-parts, which would be ultimately served by different partners.

The potential availability of state, federal, and non-governmental funding to supplement the deployment of broadband internet connectivity in the wake of the global pandemic is unprecedented with trillions of dollars in pandemic relief appropriated by the federal government, of which billions are expected to be available for various pandemic related needs in the Commonwealth of Virginia, including the expansion of Broadband. The Governor of Virginia recently issued a directive signaling his plan to invest heavily in the expansion of broadband internet connectivity using these funds and to shorten his 10-year goal for statewide universal broadband deployment to an 18-month period.

Recognizing the current investment opportunity, the RCBA seeks to provide broadband internet connectivity to citizens and businesses in Rappahannock County while meeting the speed requirements stated in the recently released interim final rule for the American Rescue Plan Act (ARPA), **which are 100 Mbps download and 20 Mbps, scalable to 100 Mbps upload** (upload could possibly be reduced if there is an upgrade path). We presume that these speeds would require the installation of optical fiber at least in the middle mile of installed systems, but other innovative technical solutions to the premises, including high speed wireless solutions, capable of meeting the technical requirements found in the interim final rule, will be considered. At present, desired minimum speeds for VATI grant purposes are 25/3 Mbps.

If 100/20 Mbps speeds are not immediately attainable in your proposed plan, please provide information in the materials you submit (under section VI below) regarding how the VATI 25/3 minimums will be attained and how these minimums can transition to 100/20 Mbps in a later phase of broadband installation. Meeting this standard will ensure deployment of internet service that meets foreseeable future requirements in the County and will allow the RCBA to invest both ARPA funds and other funds it receives that have the same technical service requirement.

Respondents should **identify existing structures already served by an ISP, what type of internet connection currently exists, who the ISP is, and determine those end users that are adequately served or are unserved. The final result will be a detailed map of the entire county displaying this information.**

Generalized maps of broadband coverage in Rappahannock County appear at the end of the Interim Report of the Broadband Committee to the Rappahannock County Board of Supervisors, October 2018. This can be accessed via:

[https://go.boarddocs.com/va/corva/Board.nsf/files/BY3MYN5COB6F/\\$file/2018%20Broadband%20Committee%20Interim%20Rpt%20to%20BoS.pdf](https://go.boarddocs.com/va/corva/Board.nsf/files/BY3MYN5COB6F/$file/2018%20Broadband%20Committee%20Interim%20Rpt%20to%20BoS.pdf)

A key portion of a response should outline the methods a respondent would use to **identify existing structures already served by an ISP, what types of Internet connections currently exist and who the ISP is, and determine those end users that are unserved:**

- Research, understand, and explore the technical requirements involved in various available funding support opportunities (available now or in the future) including, but not limited to, the definition of “unserved” and “served” as they apply to households and areas eligible to receive grant funding (from various grant sources).
- Conduct a broadband needs assessment including an “on-the-ground” defensible survey of the County to identify structures (households, businesses, other) and the method through which they are currently able to access broadband internet connectivity.
- Compare the results of the technical requirements and standards with the on-the-ground survey to identify “unserved” and “served” structures definitively as groupings may vary from funding opportunity to funding opportunity based upon different technical standards.

IV. DESIRED OUTCOME

Following the research needed to understand the areas of the County that are eligible to receive outside funding, explore and **fully identify funding needs:**

- **Identify** existing services and infrastructure that can be leveraged to most efficiently provide universal broadband service.
- **Develop** a broadband internet connectivity deployment plan that provides universal broadband service at the referenced speeds to the citizens and businesses of Rappahannock County. The deployment plan shall include plan of action and milestones covering all aspects of a project and ending with universal broadband service.
- **Determine** the capital investment needed to complete the deployment plan; the capital recovery that is expected from customer revenue; and the supplemental capital that must be provided from federal, state, local, and non-governmental agencies to close the capital funding gap.
- **Lead** the process to assemble broader partnerships (as necessary).
- **Lead** the process to apply for outside funding including VATI funds before their respective application deadlines.
- Following the identification of funding needs and the application and receipt of necessary funds, **own and deploy the broadband system.**

V. GOALS AND OBJECTIVES

By releasing this RFI, RCBA seeks to:

1. Understand the key technical considerations involved in integrating with a fiber middle mile and last mile connection and deploying an optimized solution to residences, businesses and Community Anchor Institutions (CAI), which includes schools, library, and fire and rescue stations.
2. Uncover potential issues that need to be addressed prior to construction of the planned network.

3. Develop an appropriate business model for Rappahannock County and any contracted vendor during construction and service phases, keeping in mind all requirements under Virginia law.
4. Learn the capabilities and requirements of the respondents with regard to construction, operation, maintenance, and sustainability (including technology upgrades) of the network.
5. Identify strategies for structuring and/or implementing the proposal and to stimulate interest in providing broadband/high-speed internet service access to all unserved areas of the County.
6. Identify potential challenges and/or roadblocks related to the implementation of broadband/high-speed internet service access for underserved and unserved areas of Rappahannock County.
7. Identify ideas and/or recommendations on ways to speed deployment of broadband/high-speed internet service infrastructure to meet Rappahannock County broadband/high speed internet service goals and the proposed timeline.
8. Identify suggestions on how the County can leverage partnerships, utilize existing assets, coordinate broadband/high speed internet service deployment with other infrastructure improvements and/or take other steps to reduce broadband/high-speed internet service deployment costs.
9. Identify regional considerations that might be relevant to the Rappahannock County Broadband Authority's ability to meet its goals.
10. Identify potential challenges, and/or roadblocks, barriers, etc., that might prevent residents, businesses and/or CAIs from taking advantage of the benefits of broadband/high-speed internet service, including approaches to ensure all citizens and business owners have uncapped access to the internet that is affordable, adequate, reliable and low latency.

VI. REQUESTED INFORMATION

Responses to this RFI must include, in order of importance, complete responses to the below requests. Those ISPs that are most responsive to this RFI will enhance their prospects for being selected as a member of a public/private partnership to implement service funded by a VATI grant.

1. Technologies proposed to deliver universal broadband as defined herein, including projected range of maximum and minimum download speeds, upload speeds, "ping" (latency in milliseconds). Also, please attach photographs or other digital imagery of major types of broadband equipment your proposed plan will use, including technical specifications and physical dimensions of each item.

NOTE: All such proposals of technology for universal broadband and its proposed deployment in the County must conform to the 2020 Comprehensive Plan Principles and Policies and the Wireless Telecommunications Plan outlined in ATTACHMENT ONE below. Please consult the Rappahannock County Comprehensive Plan 2020 for more information:
<http://www.rappahannockcountyva.gov/compplan.html>

2. List of company principals who will be assigned to the project and be responsible for overall development and implementation.
3. Timeline of proposed actions including those expressed as desired herein and expressly including actions necessary to jointly submit the necessary documents for the FY2022 VATI program. In what ways would you report to the County and be accountable for the work you will be doing on the VATI grant application? What are your processes for accountability, scheduling, and delivery?
4. Proposed partnership agreement including guarantees that will be offered in exchange for the investment of federal, state, local, and non-governmental funds through the RCBA.
5. Summary of current broadband services provided and locations your organization currently serves including the number of years in the telecom industry.

6. Evidence of financial capacity to deliver the Desired Outcome with levels of commercial capital necessary for deployment in the form of guaranteed funding put up as “grant match” together with RCBA funds totaling an amount necessary to have a competitive and realistic opportunity to receive federal, state, and non-governmental funds.
7. Listing and copies of existing partnership agreements with other local governments in Virginia and evidence showing progress toward meeting the intent of those agreements.
8. Please describe potential partnerships you feel will/might be necessary to enable the RCBA to achieve its goals.
 - a. Are there strategic partners whose cooperation would enhance your ability to deliver services under the Initiative and/or reduce your time and cost to deploy? If so, please list the strategic partners with whom you are currently working and/or plan to partner with in the future.
 - b. Would you be willing to partner with other broadband providers and/or municipalities to provide broadband access to underserved and unserved areas of Rappahannock County? If so, please explain under what circumstances you would be willing to enter into such partnerships.
 - c. Are you willing to connect to open-access fiber networks? Or to open your fiber networks or lease fiber or communications services to partners?
 - d. Are there types of interconnection arrangements that would foster innovative models to reach underserved and unserved areas?
 - e. In addition to 8.a. through 8.d, are you open to other types of collaboration with ISPs, Cooperatives, non-profit organizations and governmental bodies that lead to universal provision of adequate, affordable, and low latency broadband service throughout Rappahannock County? If so, describe how you would work with such entities for full implementation.
9. A listing of support needed from the RCBA to meet the above DESIRED OUTCOMES. Respondent must be prepared to carry nearly all of the burden to prepare complete and approvable grant documents with limited support from the RCBA.
10. What other steps can the County take to encourage or facilitate such collaboration?

VII. SUBMISSIONS and TIMELINE

Submit requested information and all other information the respondent deems pertinent (creative ideas, recommended approaches, strategies, advice, etc.). RCBA seeks input in any form deemed appropriate by the respondent, including, but not limited, to white papers, lessons learned, etc. All submissions should be made in printed form with a soft copy in portable document format (PDF), in accordance with the last paragraph of Page 1 of this RFI.

Responsive submissions **must be received** by the date and time listed on the cover page of this RFI. If not hand delivered to the location listed on the cover page of this RFI, submissions may be mailed with the following clearly labeled on an outer envelope or box: “RFI RCBA #2021-01” to the attention of:

Rappahannock County Broadband Authority
c/o Garrey W. Curry, Jr., County Administrator
Rappahannock County, Virginia
3 Library Road
PO Box 519
Washington, VA 22747

Business Proprietary Information

If you include in your response proprietary information, please:

DRAFT

1. State clearly on the cover page of your response that “This response contains business proprietary information.”
2. Identify in your cover letter the page numbers on which this business proprietary information appears;
3. Enclose in brackets (“[]”) **all** business proprietary information contained in your response; and
4. Provide with your response a public version from which the business proprietary information has been redacted.

VI. DISCLAIMER

Be advised: this RFI is not a purchase of goods or services. This RFI is an expression of interest for potential partners who are seeking a partnership with a local broadband authority in such a way as to provide non-commercial investment necessary to implement a privately held broadband internet connectivity system as expressed herein within Rappahannock County that would otherwise not be commercially viable if not for the non-commercial investment. Responding to this RFI does not obligate RCBA or Rappahannock County to select any respondent for further work, or to enter into a contract for anything at any time.

Any materials submitted in response to this RFI shall be the sole property of the RCBA.

ATTACHMENT ONE

[Following are extracts from 2020 Rappahannock County Comprehensive Plan, pp 86, 87 and 99 – 103. The Rappahannock County Comprehensive Plan 2020 sets forth the characteristics of Rappahannock County, including a statement of Principles and Policies reflecting the County’s goals for future growth. Below are key Principles and Policies relating to broadband development plans in the County and the Wireless/Telecommunications Plan. A complete copy of this Comprehensive Plan is posted on the County website: www.rappahannockva.gov.]

Principles and Policies – pp. 86 & 87

Principle 3

“Protect natural resources, including soil, water, air, viewsheds, scenery, night skies, national park access, and fragile ecosystems².” . . .

Policies Supporting Principle 3

12. To the extent permitted by applicable federal and state laws and regulations, restrict the potential adverse effects of telecommunications infrastructure, including (i) broadband and wireless facilities; and (ii) wind, solar, and other renewable energy or public utilities facilities on prime agricultural land, sensitive or scenic landscapes, ridges and crests as defined in Code of Virginia § 15.2-2295.1, and viewsheds from designated scenic highways, designated historic sites, and other areas important to maintaining a rural county atmosphere.

13. Ensure the ridges, crests, and ridgetops in Rappahannock County remain scenic and are preserved as a valuable resource.

Wireless/Telecommunications Plan – pp. 99-103

Telecommunications play an important role in the quality of life for residents of the county. In rural areas of the county, in particular, there has been a shift in recent years toward greater demand from residents for access to wireless communication and also to ensure reliable law enforcement and fire and rescue department communications throughout the county. However, wireless transmission structures have potential negative impacts – primarily visual.

The value of expanding wireless facilities in the county should be balanced with protection of Rappahannock county’s landscape, vistas, scenic viewsheds, and its historic heritage that contribute in a significant way to the quality of life and are cited by residents and visitors alike in noting their attraction to Rappahannock County. As valuable as telecommunications might be, so too is the protection of our county’s natural scenic and historic resources (including but not limited to sites designated in the Virginia Landmarks Register and the National Register of Historic Places). Our proximity to the Shenandoah National Park is an additional unique and valuable characteristic of Rappahannock

County, and as a gateway community to this national resource, we recognize the importance of preserving viewsheds that attract tourists and related businesses to both the Shenandoah National Park and to Rappahannock County.

The purpose of this Comprehensive Plan is to establish a policy approach that accommodates access to competitive telecommunications services for law enforcement, fire and rescue services, businesses, residents, and visitors while protecting Rappahannock County's unique resources. This policy approach must be consistent with the permissible regulatory framework established by federal laws and regulations that have increasingly eroded the county's ability to regulate telecommunications facilities.

The Federal Telecommunications Act of 1996 ("FTA") preserves the zoning authority of Rappahannock County to regulate the placement, construction, and modification of personal wireless service facilities. Under the FTA, authority to regulate siting and construction of telecommunications towers is subject to certain limitations, see 47 U.S.C. § 332(c)(7)(B). These limitations include prohibitions against discriminating among wireless service providers and against banning personal wireless services altogether; and requirements that local governments act on permit applications within a reasonable period of time and to deny applications only in writing and only when supported by substantial evidence contained in a written record. Federal law also prohibits local governments from taking into consideration the environmental effects of radio frequency emissions. Moratoriums on approval of wireless service facilities are also prohibited.

In addition to federal law and regulations, the Code of Virginia also limits the extent to which localities are able to regulate wireless facilities through their zoning ordinances. Current state law limits those circumstances under which a locality may disapprove a proposed location or installation for "small cell facilities" and restricts the regulatory options for certain other wireless facilities and wireless support structures. Federal and state regulations that restrict the locality's ability to regulate commercial wireless telecommunications structures and facilities are ever-changing. It is critical that the county stay abreast of federal regulations and update our local regulations to maintain compliance, as needed, and to update this Comprehensive Plan in a timely fashion to reflect changes in the applicable regulatory scheme.

The following principles are intended to guide the county, the public, and wireless service providers in addressing reasonable and feasible siting and design options as an alternative to otherwise highly visible personal wireless facilities. No wireless communication facilities (other than "administrative review eligible projects" facilities as prescribed by Code of Virginia § 15.2-2316-4:1 or those that are 80-feet or shorter above ground level and serve broadband internet based services or Rappahannock County public safety service) should be permitted in Rappahannock County except by way of a Special Exception permit issued by the Board of Supervisors after consideration and recommendation from the Planning Commission. When reviewing such applications, the Commission and Board of Supervisors should apply the following goals and policies to each application consistent with applicable federal and state law and regulations:

- All applications should include a section detailing what consideration the applicant gave to other alternatives, including alternative sites and why

and how the specific site proposed in the application was selected. If appropriate, the county should employ outside consulting and review services with expertise in telecommunications to assist in evaluating whether more desirable alternatives are viable in specific situations and to ensure all facilities are properly designed and constructed for safety.

- Co-locate wireless communications facilities whenever feasible, provided that such co-location has no or only a negligible adverse visual impact by placing new antennas on existing telecommunications towers. Utilizing existing towers reduces the need for additional new towers, minimizing new visual, aesthetic, and public safety effects upon the natural environment created by the construction of new towers. Local regulations should assure new co-locations do not diminish the low impact nature of concealed towers, or make non-concealed towers more obtrusive than they already are.
- The county has seen few, if any, proposals to locate antennas on buildings. The low height of most buildings in the county diminish opportunities for this approach. However, in cases where an opportunity might exist — in a church steeple, as part of an existing barn or silo, or 101 even on taller buildings — due consideration should be given to placement of antennas in such locations.
- Concealed facilities are those intended to blend unobtrusively with the surrounding landscape and are mandated in locations adjacent to or visible from Scenic Byways designated as such by the Virginia Department of Transportation (See Map No. 15), on or near ridges or crests, and on or visible from historic resources currently designated (or which may hereafter be designated) as such by the Virginia Department of Historic Resources (See Map No. 16). The key to a concealed facility strategy is to ensure that the specific design of each facility is appropriate for its immediate surroundings consistent with the following principles:
 - a. Obscure or blend the views of proposed wireless communications facilities with other existing structures, vegetation, tree cover, or topographic features to the maximum extent feasible so that the facility is more or less invisible or disguised as something other than a wireless tower.
 - b. Design, site, and/or landscape to eliminate impacts on the character of the area to the maximum extent possible. Proposed wireless communications facilities should be located near or within areas of mature vegetation and trees that effectively screen or provide an appropriate setting and backdrop for the proposed structure so that when viewed in context, perspective views, relative topography, and other factors eliminate or mitigate the visual presence and prominence of the facilities.

c. Disguise and camouflage so as to be of a bulk, mass, and height typical of and similar to the feature selected. Taking into consideration the mass, scale, location, and detailed design treatment of proposed facilities to assure the design blends harmoniously with its surroundings.

d. Use other new and existing structures and vegetation of comparable form and style to establish a grouping that complements camouflaged facilities and supports their design, location, and appearance. In the county's significant wooded areas, an appropriate design might be a tree pole. Silo towers would be appropriate for many rural landscapes provided they are designed with a scale, mass, and detail consistent with working silos found in the county.

- Non-concealed wireless facilities should be allowed only as a last-resort in those areas that are not adjacent to or visible from Scenic Byways or within proximity to Virginia Department of Historic Resources designated 102 historic resources, and only after a showing by the applicant that more desirable "concealed facility" approaches are not technically feasible or impossible. Unless such a showing is made, proposed wireless telecommunications facilities should be designed so as to disguise or camouflage their appearance by simulating man-made structures and natural features (such as flagpoles, silos, and trees) that are typically found in the surrounding areas and blend with the setting.

- Applicants should be required to demonstrate that any proposed site for new wireless communications facilities will ensure the protection of, and provides the least visual impact on, adjacent residential areas, the Shenandoah National Park, roads designated by the Virginia Department of Transportation as Scenic Byways, historically or sensitive scenic viewsheds, and other cultural resources. The views of and vistas from these locations should not be impaired or diminished by the placement of wireless communications facilities, and the feasibility of alternate less intrusive sites should be considered. In determining whether or not to approve or deny an application, the Commission and Board of Supervisors should analyze the potential impacts from other vantage points in the area to determine if the proposed site provides the best opportunity to minimize its visual impact on the area near the proposed site.

- Applicants should be required to demonstrate that the overall height of new wireless communications facilities is no greater than necessary to allow for future co-location on the facility based on its service area requirements, while ensuring that visibility principles in this section are followed. When new wireless support structures, co-locations and/or technologies are necessary to meet the service area requirements,

ensure that the height and mass of any appropriate co-location on the wireless communications facility is compatible with the surrounding area and mitigates the visual impact of the facility on the surrounding area to the greatest extent practicable.

- Design, site, and/or landscape of ground facilities around proposed wireless communications facilities should minimize impacts on the character of the neighborhood and surrounding properties. Applicants should be required to demonstrate the appropriateness of the design through facility schematics and plans that detail the type, location, height, and material of the proposed structures and their relationship to other structures on the property and surrounding areas. To ensure protection of vegetative screening, applications should include tree conservation plans by a certified arborist, and/or obtain tree preservation easements from surrounding properties.¹⁰³
- Proposed wireless communications facilities should avoid areas of environmental sensitivity, such as steep slopes, floodplains, wetlands, and resource protection overlay areas.
- All applications should include a decommissioning plan to remove the facilities if and when they reach the end of their useful life, are discontinued in use for a period of one year or more, or otherwise become obsolete. The decommissioning of the facilities should be guaranteed by certified funds, cash escrow, bond, letter of credit, or parent guarantee, in an amount based on an estimate of a professional engineer licensed in the Commonwealth. Since the useful life of these facilities could be 25 to 35 years, the county should condition approval on agreement of the applicant that the amount of such guarantee shall be recomputed every five years to ensure that it is sufficient. The required guarantee should contain an inflation clause.