

**MINUTES**

***SIXTY FIFTH MEETING***

of the

**BOARD OF DIRECTORS**

of the

**MASSACHUSETTS BROADBAND INSTITUTE**

June 16, 2020

Boston, Massachusetts

The Sixty Fifth Meeting of the Board of Directors of the Massachusetts Broadband Institute (“MBI”) was held on June 16, 2020, via video conference, pursuant to notice duly given to the Directors and publicly posted on the MBI website with corresponding notice provided to the Office of the Secretary of State.

The following members of the MBI Board of Directors attended the meeting: Secretary of Housing and Economic Development Mike Kennealy (represented by Peter Larkin of the Executive Office of Housing and Economic Development), Carolyn Kirk, David Clark, Frederick Keator, Linda Dunlavy, Paul Peter Nicolai, Secretary of the Executive Office for Administration and Finance Michael Heffernan (represented by Sean Cronin of the Division of Local Services), Commissioner of the Department of Telecommunications and Cable Karen Charles Peterson, and Don Dubendorf.

The following Mass Tech Collaborative staff was present: Michael Baldino, Carolyn Kirk, Brianna Wehrs, Lisa Erlandson, Brian Noyes, Cynthia Gaines, Jennifer Saubermann, Kelly Kleanthous, and Cornell Robinson.

The following individuals attended the meeting: Lindsay DeRoche, Department of Telecommunications and Cable; and Bill Ennen, Executive Office of Housing and Economic Development.

Mr. Larkin observed the presence of a quorum of the MBI Board of Directors and called the meeting to order at 3:01 p.m.

**Agenda Item I      Approval of Minutes**

Dr. Clark noted a typographical error on page 3 of the minutes for the open session of the May 11, 2020, meeting of the MBI Board of Directors. Mr. Baldino indicated that the error would be corrected in the final version of the minutes.

Following a period of brief discussion and upon a motion duly made and seconded, it was VOTED:

**The Board of Directors of the Massachusetts Broadband Institute hereby adopts the Draft Minutes of open session of the Sixty Fourth Meeting of the Board of Directors held on May 11, 2020, via video conference, as the formal Minutes thereof.**

Following a period of brief discussion and upon a motion duly made and seconded, it was VOTED:

**The Board of Directors of the Massachusetts Broadband Institute hereby adopts the Draft Minutes of the executive session portion of the Sixty Fourth Meeting of the Board of Directors held on May 11, 2020, via video conference, as the formal Minutes thereof.**

**Agenda Item II Report of the MBI Board of Directors Chairperson**

The Report of the Chairperson was deferred.

**Agenda Item III Flexible Grant Program – Charter Communications – Town of New Braintree (motion item)**

The order of agenda items was modified by unanimous consent. Mr. Baldino and Ms. Kirk presented a recommendation to award a grant to Charter Communications to provide broadband service to the Town of New Braintree. Ms. Kirk noted that New Braintree is the final Last Mile Town that needs a path forward to a broadband solution. Mr. Baldino reviewed the key elements of the proposed grant award and noted that the terms align with prior private provider grant awards to Charter. Mr. Larkin clarified that the New Braintree Selectboard approved the 96% coverage proposal from Charter as well as funding needed to cover the Town’s portion of the project costs. Ms. Kirk commended Mr. Larkin for his diligent efforts to bring Charter to the table with a cost effective proposal for New Braintree.

Following a period of brief discussion, and upon a motion duly made and seconded, it was unanimously and without abstention VOTED:

**The Board of Directors of the Massachusetts Broadband Institute (the “MBI”) does hereby recommend that the Executive Committee of the Board of Directors of the Massachusetts Technology Park Corporation (“MassTech”) authorize the MassTech Executive Director to execute a grant agreement with Charter for an award under the Flexible Grant Program Notice of Funding Availability for Innovative Approaches to Provide Broadband Service to Unserved Towns in Western Massachusetts (NOFA No. 2018-MBI-01) and to expend funds in accordance with the following conditions and parameters:**

- 1. A grant award to Charter that shall not exceed \$1,576,000 for a privately owned and operated broadband network that shall**

**provide access to broadband service to the Town of New Braintree (“Town”) and shall consist of two components:**

- **Up to \$720,000 which represents the full amount of the MBI allocation from the Massachusetts Broadband Incentive Fund for a last mile broadband solution for the Town; and**
  - **Up to \$856,000 in additional state bond funds to be provided by the Executive Office of Housing and Economic Development (“Supplemental Funding”)**
- 2. The expenditure of grant funds pursuant to this award shall be contingent upon satisfaction of the following conditions:**
- **Execution of an agreement between the Commonwealth (currently anticipated to be represented by EOHEd) and the Town relative to the obligation of the Town to repay forty percent of the Supplemental Funding amount to the Commonwealth; and**
  - **Execution of a cable television license agreement by Charter and the Town.**

**Agenda Item IV      Massachusetts Broadband Institute Fiscal Year 2021  
Operating Plan and Budget (motion item)**

Prior to commencing the presentation of the MBI Fiscal Year 2021 Operating Plan and Budget, Mr. Baldino and Mr. Larkin expressed their gratitude to the MBI Board of Directors for their continued guidance and support in reaching the important milestone of having a solution for each of the 44 Last Mile Towns. Mr. Baldino presented the proposed Fiscal Year 2021 Operating Plan. He provided a brief overview of the Last Mile program structure and reviewed the status of Last Mile Towns at the end of Fiscal Year 2020. Mr. Baldino noted that 12 of the Last Mile Towns have fully operational broadband networks and 11 Last Mile Towns have partially lit broadband networks. He indicated that this is slightly under projections for the fiscal year due to a variety of factors, including residual make-ready issues, fixed wireless implementation issues, and the Covid-19 pandemic.

Mr. Baldino discussed the Last Mile focus areas for Fiscal Year 2021. He emphasized the continuation of “hands on” oversight and engagement on the fixed wireless projects, managing grant agreements that cover 15 Last Mile Towns, continuing to engage with stakeholders to prioritize and coordinate utilities’ make ready efforts, and continuing to manage the WiFi Hotspot Program that has supported the installation of high capacity, community hotspots in 26 towns. He reviewed the Fiscal Year 2021 metrics that forecast that 36 Last Mile Towns will have networks that are fully or partially operational and serving residents and businesses by the end of the next fiscal year.

Mr. Baldino discussed the status of the MassBroadband 123 middle mile network and the Fiscal Year 2021 focus areas. He mentioned the desire to build on the

momentum gained in forging a productive relationship with network operator, KCST USA. As an example, he noted that MBI has partnered with KCST on the EDU+ pilot program that has offered reduced pricing for bandwidth services in the educator sector and has yielded positive early results. Mr. Baldino also reviewed the steps that MBI plans to undertake to address the future disposition of the middle mile network based on the August 2023 termination date for the current network operator agreement with KCST.

Mr. Baldino and Ms. Erlandson then provided an overview of the Fiscal Year 2021 budget. Mr. Baldino reviewed operating cost trends and noted that staffing levels will remain steady and professional fees will decline due to reduced expenditures for outside legal counsel. He also reminded the Board that MBI is now responsible for paying all third party vendor costs to operate the middle mile network. Projected MBI financial assistance expenditures and funding sources were also discussed. Ms. Kirk discussed the need for the Commonwealth to provide funding to support the middle mile network based on its value as a public asset that is serving community anchor institutions, including important public safety functions, such as E911.

Ms. Erlandson indicated that she is working with the Executive Office of Housing and Economic Development to forecast authorizations that will be needed through Fiscal Year 2024. A discussion ensued regarding the disposition of middle mile network revenue, middle funding and the upcoming need for capital expenditures to maintain the middle mile network. The Board voiced a great deal of support for the MBI team.

Following a period of brief discussion, and upon a motion duly made and seconded, it was unanimously and without abstention VOTED:

**The Board of Directors of the Massachusetts Broadband Institute (the “Institute”) does hereby approve the Fiscal Year 2021 Budget and Operating Plan for the Institute (the “Plan”), as presented, and does hereby recommend that the Executive Committee of the Board of Directors of the Massachusetts Technology Park Corporation (“MassTech”) take final action to approve the Plan as part of MassTech’s Fiscal Year 2021 consolidated budget. The Plan is approved in full satisfaction of the requirements of subsection (g) of section 6B of Chapter 40J of the Massachusetts General Laws. The Board, subject to final review and approval of the Plan by the Executive Committee of the MassTech Board of Directors, hereby authorizes the Chair to submit the Plan for final approval to the Secretary of Housing and Economic Development and the Secretary of Administration and Finance as required by said subsection (g).**

There being no other business to discuss and upon a motion duly made and seconded, it was unanimously and without abstention voted to adjourn the meeting at 4:02 p.m.

A TRUE COPY  
ATTEST: (Secretary)

DATE:

Materials and Exhibits Used at this Meeting:

1. Draft Minutes – Open Session of the May 11, 2020 MBI Board of Directors Meeting
2. Draft Minutes – Executive Session of the May 11, 2020 MBI Board of Directors Meeting
3. Approval Item/Presentation- Flexible Grant Program – Grant Award – Charter Communications – Town of New Braintree
4. Approval Item/Presentation- Massachusetts Broadband Institute Fiscal Year 2021 Operating Plan and Budget