

June 22, 2020, Board of Commissioners Work Session – Questions, Comments or Concerns

Commissioner Anson:

1. All of the contracts for the ISP providers on the towers should be functionally similar, with similar pricing for similar space on the towers. It sounds like this is not the case.
2. An ISP contracting for space on a tower should not be able to reserve space without actually using it. After some period of time, if the space is not being actually used, it should become usable by another ISP. No ISP should be allowed to contract space to lock others out of using the space on the tower.
3. The County should not get into policing of frequencies that are not protected by the FCC. The County can and should protect existing users on the towers from interference from new equipment, but should not be protecting frequencies that are not intended to be protected by the FCC. Is there a way to do this? Does this make sense?
4. The County should be encouraging competition and reduced pricing to all of the residents of the County. Licensing, franchise fees, and contracting to an ISP should encourage further expansion of internet service, especially to unserved or under-served areas. Where an ISP already provides service to an area, the ISP should be evaluated on the quality of its existing service AND whether the ISP has made any progress on expansion of its service to adjacent areas. If we don't require expansion to adjacent areas by existing ISP's, we will get expansion to only the most densely populated areas (the most profitable areas). There will eventually be areas with service, and many adjacent "holes" without good service. If there is no incentive for ISP's to expand into adjacent areas, it will be just like the existing cell phone tower coverage - "holes" near existing towers that don't have an antenna pointing in the direction of the "hole", but no other cell provider wants to put up a tower just to cover that "hole". A review of the cell phone tower coverage areas will reveal many such "holes" in coverage. How do we encourage/incentivize coverage for adjacent areas by existing ISP's and cell service providers? Should we charge existing providers more if they make no progress in expanding to adjacent areas without existing adequate service?
5. Have we invited Charter to participate in these discussions?

Thanks for the opportunity to comment.

Commissioner Wessell:

Three thoughts on Monday's meeting agenda:

1. The main issue is tower contracts with providers. **Question for attorney:** If we have an Internet Service Provider (ISP) that has demonstrated past standards of quality and service issues, are there any recommended actions necessary to avoid possible legal actions against the County if space is denied to that ISP?
 2. All of the broadband needs and issues were covered in our May 29 Special Session where we heard from ISPs and reviewed the detailed work and reports of the LIFT Committee. (All materials, research, maps, recommendations, ISP testimony <https://www.leelanau.cc/meetingdetails.asp?MAId=1930#handouts>). Commissioners could be encouraged to review these materials prior to Monday's meeting.
 3. Commissioners' input for the grant that we will be submitting in advance of writing the final grant language is requested.
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Commissioner Soutas-Little:

While I am pleased to see interest on the part of my commissioner colleagues in expanding high-speed Internet capabilities throughout Leelanau County my question is what is the purpose of this workshop? I am hopeful that my colleagues will send you their questions they still have after reading the documents provided for our first Internet discussion on May 29th and asking questions at that time of “the experts.”

In terms of reviewing the contracts, we are comparing apples with oranges reviewing contracts with the cellular providers and consumers compared to one approve ISP contract. Director Matt Ansoerge works with the attorneys for individuals interested in locating equipment on our County-owned towers and makes minor adjustments in accordance with their attorney requests. Our contracts are then reviewed by our County’s corporate counsel to ensure the County’s interests are represented and the contracts conform with law. Contracts are usually approved by the BOC pending corporate counsel review. The process works quite well overall.

My primary suggestion is that we are mindful that summer is the time when ISPs can locate their equipment on our towers, once contracts have been approved, providing much requested, improved Internet service by our residents. It is important that while doing our due diligence we do not waste time needlessly in moving this process forward, allowing ISPs to work within their window of opportunity.
