

1 3/27/2024 - Commission's Broadband Study - 22-M-0313

2 STATE OF NEW YORK

3 PUBLIC SERVICE COMMISSION

4 CASE 22-M-0313 - In the Matter of the Commission's
5 Broadband Study and Mapping Pursuant to the
6 Broadband Connectivity Act.

7 PUBLIC STATEMENT HEARING

8 DATE: March 27, 2024 at 6:00 p.m.

9 VENUE: WebEx

10 BEFORE: ALJ JAMES COSTELLO

11 ALJ LEAH AMYOT

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15 Reported by Howard Hubbard
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2 (The hearing commenced at 6:00 p.m.)

3 A.L.J. AMYOT: I call Case Number 22-
4 M-0313 in the Matter of the Commission's Broadband
5 Study and Mapping pursuant to the Broadband
6 Connectivity Act. Good afternoon everyone and
7 welcome. We're here today for a public statement
8 hearing that was noticed on March 5th, 2024. The --
9 this public statement hearing concerns the Public
10 Service Commission's study and mapping of broadband
11 service which means high speed internet service.

12 In a minute we'll have a presentation
13 from Department of Public Service staff about this
14 study and what we are looking to learn from the
15 public. The public statement hearings held today are
16 intended for public input into the study. My name is
17 Leah Amyot. I am an administrative law judge for the
18 Department of Public Service. With me today is James
19 Costello also an administrative law judge from the
20 Department of Public Service. We are responsible for
21 presiding over the hearings in this case.

22 This matter is currently before the
23 Public Service Commission and the study is being
24 conducted by Department of Public Service staff.
25 Before we get into the details of the study, I want

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2 to explain the other ways you can comment in this
3 matter other than by speaking at this hearing.

4 If you did not register to speak at
5 one of the hearings today, but you would like your
6 views included in the record, there are a variety of
7 other ways to comment that were listed in the public
8 notice for these hearings. For those of you with
9 computer access we are showing a slide with other
10 ways to comment and all of the details are in the
11 March 5th public notice for today's event.

12 You may submit comments on the
13 department's website, by e-mail, by regular mail or
14 by phone. And staff will explain in a minute how you
15 can participate by completing our broadband
16 assessment study and our speed test. Regardless of
17 how the comments are submitted, they will be given
18 equal consideration. Comments may be submitted and
19 will be considered throughout the pendency of this
20 proceeding. However, because this study needs to be
21 done in a timely way, we really need your input by
22 April 10th.

23 Justin Maloney from the Department of
24 Public Service staff has a brief presentation
25 explaining this study and the kinds of information

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2 we're hoping to get from the public. Justin, are you
3 ready?

4 MR. MALONEY: I am. Thank you, your
5 Honor. In April 2021 the legislature passed the
6 comprehensive Broadband Connectivity Act of 2021.
7 The bill directed the Public Service Commission to
8 study on an annual basis the availability,
9 reliability and cost of high speed broadband service
10 in New York State. The Department of Public
11 Service's Office of Telecommunications has dedicated
12 a team responsible for conducting the study and
13 annual updates that are required by the act among
14 which includes a first of its kind interactive map
15 with details, address level descriptions of New
16 York's broadband infrastructure. We are committed to
17 making this tool something that can be used by
18 everyone and we need your input to understand what's
19 happening in your communities.

20 Mapping broadband infrastructure is no
21 small task that's why we used a three-pronged
22 approach. We're using internet service provider data
23 to help us assess gaps statewide. We're conducting
24 field verification of high speed infrastructure where
25 necessary, and we're hearing straight from the

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2 consumer via our broadband assessment survey the
3 feedback tab on our broadband map web page and
4 through our series of public statement hearings.

5 We want to hear about your internet
6 accessibility barriers. Among other topics, we're
7 interested in hearing from those of you who are
8 dealing with the following: You lack internet
9 service entirely, internet is unaffordable to you,
10 you lack I.S.P. competition in your area, and you
11 don't feel like you're getting the speed that you
12 paid for.

13 You can visit the New York State's
14 Public Service Commission broadband map at
15 mapmybroadband.dps.ny.gov. In addition to typing
16 your address and learning more about the service in
17 your area, you can also submit feedback directly to
18 D.P.S. staff and we encourage you to take our
19 broadband consumer survey. We hope everyone on this
20 call will take this survey by no later than April
21 10th, 2024.

22 If you're unable to take the survey
23 online due to lack of connectivity, you can call our
24 toll free broadband assessment line at 1-855-NYBBMap.
25 That's 1-855-692-2627. We want to make every

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2 participating New Yorker aware about the wind down of
3 the F.C.C.'s Affordable Connectivity Program also
4 known as the A.C.P. The program provided discounts
5 for an internet service and it's sun setting in April
6 2024. You can visit www.fcc.gov/acp or call 877-384-
7 [2575](tel:877-384-2575) for more information about the wind down. Thank
8 you.

9 A.L.J. AMYOT: Thank you, Justin. Now
10 I'll explain the process that we are going to follow
11 today. The purpose of our hearing is to provide you
12 with an opportunity to tell the commission your
13 thoughts on the issues in this proceeding. The
14 statements you make today will become part of the
15 case record. We have a court reporter joining us who
16 will prepare a transcript of the hearing which will
17 be included in the official record of this proceeding
18 so that your comments can be considered by members of
19 the commission.

20 When it is ready, the transcript will
21 be available for view on the Department of Public
22 Service website. This hearing is not an evidentiary
23 hearing. There is no cross examination and there is
24 no opportunity for a question and answer session, but
25 we do want to hear your comments and this is a forum

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2 for that purpose.

3 Now no one has registered to make any
4 statements, but we would like to open the floor to
5 people who registered to be here but have not made a
6 statement yet. If there's anybody who would like to
7 make a statement, anybody who's participating by
8 phone but would like to speak or anybody who's
9 participating electronically, you can raise -- if
10 you're participating electronically there is an icon
11 on your screen that looks like a little hand, usually
12 around the lower right of the screen.

13 Click on that -- click on that and Mr.
14 White from our Consumer Service's Office, who's
15 actually running this meeting, will find you in the
16 participants' list, call your name and unmute you.
17 So when he calls your name please go ahead and make a
18 statement. Anybody else who's participating by
19 phone, but would like to speak, please press Star 3
20 now on your telephone. Mr. White will find all the
21 people requesting to speak on his screen.

22 We don't have your names if you're
23 calling in by phone and his screen will show only
24 dial-in caller number X. So there may be several
25 requests at once and we want to make sure that

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2 everyone waits until you hear a beep or are notified
3 that your line has been unmuted before you speak.

4 Mr. White, do you see any requests from any call in
5 users or electronic participants?

6 MR. WHITE: I do not, your Honor, not
7 at this time.

8 A.L.J. AMYOT: Okay. Well, anybody
9 who's here can make a comment if you'd like.

10 Otherwise, we will go silent and we're going to leave
11 this hearing open to give anyone who is arriving late
12 a chance to speak. Again, please let us know, raise
13 your hand or press Star 3 on your phone if you would
14 like to make a comment. Thank you.

15 (Off the record 6:10 p.m.)

16 (On the record 6:15 p.m.)

17 A.L.J. AMYOT: And now 6:15 we have
18 not had any comments and the number of attendees is
19 remaining steady. I want to remind everyone that you
20 are free to make a comment using the raise hand icon
21 on your screen if you're on electronically you'll see
22 it -- the instructions on the slide that's up. Or
23 press Star 3 if you're calling in and we will call on
24 you and allow you to make a comment.

25 Because no one's showing any

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2 inclination of making comments, I'm going to hold the
3 hearing open for another 15 minutes to give anyone
4 else a chance to join and make comments who would
5 like to. And then we will close down. So we can go
6 off the record now.

7 (Off the record 6:16 p.m.)

8 (On the record 6:24 p.m.)

9 A.L.J. AMYOT: Mr. White, could you
10 unmute the caller or the person with the raised hand?

11 MR. WHITE: Yes, please state your
12 name for the record. Thank you. Thank you, your
13 Honor.

14 MR. ROSS: My name is James Ross.

15 A.L.J. AMYOT: Hello, Mr. Ross. Would
16 you like to go forward with your comment please?

17 MR. ROSS: Yeah, I'm currently serving
18 on my town board and I have constituents in the Town
19 of Galway, New York that have -- don't have internet
20 access. How do I go about getting access provided to
21 them and getting it installed on their road?

22 A.L.J. AMYOT: So this -- this hearing
23 is not the forum for answering questions or asking
24 questions. But we do have a website that you can go
25 and ask that question. And also, Justin, could you

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2 put on or, Sangeetha, I'm sorry, could you put on the
3 screen the slide that says about our map that has the
4 website?

5 So you can see the -- if you could see
6 our -- on the -- can you see that slide, Mr. Ross?

7 MR. ROSS: Hold on. I'm getting back
8 to --.

9 A.L.J. AMYOT: Slide that says about
10 our map that has the website that --.

11 MR. WHITE: Your -- your Honor -- your
12 Honor, Mr. Ross is calling in from a telephone.

13 A.L.J. AMYOT: Okay.

14 MR. WHITE: Maybe you could send it to
15 him?

16 MR. ROSS: I'm on You Tube as well.

17 A.L.J. AMYOT: Okay.

18 MR. WHITE: Okay. Thank you.

19 A.L.J. AMYOT: Okay. So then if you
20 see there's at the top of that slide it said Visit
21 New York's P.S.C. broadband map at
22 <https://mapmybroadband.dot.aps.newyork.gov>. You can
23 go on that website is there an opportunity there to
24 submit questions. And we also have an e-mail that
25 you can send questions to. If you would like me to

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2 give you that e-mail I can.

3 MR. ROSS: Sure.

4 A.L.J. AMYOT: So the e-mail is
5 broadbandmapping -- that's just one word, B-R-O-A-D-
6 B-A-N-D-M-A-P-P-I-N-G @dps.newyork.gov. That will be
7 able to answer your questions there.

8 MR. ROSS: Well, I was able to get on
9 the map pretty easily and I could locate the houses
10 that do not have service, and the map says they don't
11 have service. So I'm just wondering how -- how to
12 proceed from here.

13 A.L.J. AMYOT: Justin, is there an
14 opportunity for him to ask that question on the
15 website?

16 MR. MALONEY: Yes, your Honor. Thank
17 you. Mr. Ross, there is actually a hyperlink I
18 believe at the top right corner of the map where you
19 can take the survey. And there is also a -- a slide
20 tab towards the right center side of that webpage.
21 It says provide your map feedback. Now that will
22 also go to the broadbandmapping@dps.ny.gov. You can
23 state the concerns that you have for your region.
24 You can state any concerns and specific addresses
25 that do not have service there as well. Thank you.

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2 MR. ROSS: Okay. Thank you.

3 A.L.J. AMYOT: Thank you, Mr. Ross.

4 MR. WHITE: Are you good with name,
5 the spelling of the name, Mr. Howard?

6 THE COURT REPORTER: If it's R-O-S-S?

7 MR. WHITE: R-O-S-S? Is that correct,
8 sir?

9 MR. ROSS: Yes, it is.

10 MR. WHITE: Okay. Thank you. Thank
11 you.

12 A.L.J. AMYOT: Mr. Ross, if you don't
13 have any additional comments, could you hit Star 3 on
14 your phone so that your hand is no longer raised? Is
15 there anybody else who would like to make a comment
16 at this time? If you'd like to please use the raise
17 hand function or hit Star 3 on your phone.

18 Okay. If nobody else has any
19 comments, we're coming on to 6:30 now. So we're
20 going to wrap on the hearing. Mr. Hubbard, we're
21 back on the record, right?

22 THE COURT REPORTER: Yes, we're on the
23 record.

24 A.L.J. AMYOT: Okay. I'd like to
25 remind members of the public that they may submit

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2 public comments through this proceeding by the other
3 means described earlier and in the notice of public
4 statement hearing issued on March 5th, 2024. But as
5 we explained earlier, we really need to hear from you
6 by April 10th to include your input into the study.

7 I thank Mr. Ross for his
8 participation. I -- and I thank our court reporter
9 and Sangeetha Kailas and Joseph White from our
10 consumer services office for administering this
11 session. The hearing is concluded so we'll go off
12 the record now.

13 (The hearing concluded at 6:30 p.m.)

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3 I, HOWARD HUBBARD, do hereby certify that the foregoing
4 was reported by me, in the cause, at the time and place,
5 as stated in the caption hereto, at Page 1 hereof; that
6 the foregoing typewritten transcription consisting of
7 pages 1 through 13, is a true record of all proceedings
8 had at the hearing.

9 IN WITNESS WHEREOF, I have hereunto
10 subscribed my name, this the 2nd day of April, 2024.

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12 HOWARD HUBBARD, Reporter

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