



Albemarle  
Broadband  
Authority

# Broadband Status Report

## 3rd Quarter CY2022

September 28, 2022

The Albemarle Broadband Authority (ABBA) reviewed and is submitting the Broadband Status Report for the third quarter of calendar year 2022 (July 1, 2022 through September 30, 2022). The report is provided to the County of Albemarle, VA Board of Supervisors as information. This report provides summary level information on all activities completed and underway by ABBA. Here is this quarter's *From the Chair*:

*The Albemarle Broadband Authority (ABBA) held its fifth annual meeting this quarter and re-elected the previous officers to their positions. The occasion of the Annual Meeting was also an opportunity to re-examine our strategic plan. With the VATI 2022 award, we have under contract a program to ensure broadband services are available to most of the County. It will take three more years for this to bear fruit, but that end is in sight. In the meanwhile, some of the locations in the County that have internet and used to have broadband internet no longer have broadband because the definition of what constitutes broadband has changed.*

*When ABBA was constituted, the FCC defined broadband as 10 Mbps download speed and 1 Mbps upload (10/1). Shortly thereafter this was increased to 25/3. The COVID-19 pandemic demonstrated that this was inadequate, and the latest federal standard is now 100/100. This creates a challenge for vendors to bring their services up to the standard. A number of Albemarle locations which would have been considered as having broadband in 2017 no longer meet that standard. ABBA will continue to try to meet this need.*

*Work with CenturyLink on VATI 2021 continues to bring challenges, and the Department of Housing and Community Development has asked us to put in place a corrective action plan to address the problems. This will be a focus for our efforts in the near term. It is unknown how the transition from*



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*CenturyLink to Brightspeed of the assets and projects under way in Albemarle will complicate or improve the picture. We have received a request from CenturyLink to extend this project's duration and we will be acting on that as well.*

*Bucky Walsh  
ABBA Chair*

### **Virginia Telecommunication Initiative (VATI) 2023 Update**

During the last two quarters, the Authority discussed work that the Broadband Accessibility and Affordability Office engaged in to identify areas that were or may be underserved (above 25/3 but below 100/20). There were hopes to include areas of the development area where incumbent providers may be infrastructure or technology constrained.

Ultimately, an application was prepared in partnership with the Thomas Jefferson Planning District Commission and Firefly Fiber Broadband, which includes portions of the rural area that were previously left off because an incumbent provider was able to provide broadband speeds in a limited radius around its facilities.

This project will help fulfill the Authority's goal of achieving universal access throughout the County. For our portion of the project the application requests \$3.7 million of funding from DHCD on a total budget of \$8.8 million, and a match from Albemarle County's Broadband Accessibility and Affordability Office not to exceed \$440,000. The total application asks for \$13 million to expand broadband access in 4 other counties.

The work for this project will occur in concert with work plans for the VATI 2022 Firefly expansion. Notably, this project does not involve funding or involvement from the Authority, rather the funds come from American Rescue Plan Act Reserve Funds appropriated to the Office.

Funding for this VATI round consists entirely of the ~\$50 million appropriated by the state towards VATI; funding from the Infrastructure Investment and Jobs Act will not be available during this application cycle.



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VATI 2023 awards are expected to be announced in late-December; challenges to VATI 2023 applications are due on October 6<sup>th</sup>.

### **Virginia Telecommunication Initiative (VATI) 2022 Update**

The VATI 2022 project, led by TJPDC, has gone under-contract. An initial stakeholder meeting was held on September 7<sup>th</sup>, 2022, with representatives from the Office in attendance. Due to the complexity of this 13-county project, TJPDC is planning to meet quarterly with all stakeholders, and to provide monthly updates to each area describing work that has occurred in their project area.

During the call, Firefly CEO Gary Wood made clear that project schedules would be announced only in the near term in order to revisions to the project schedule resulting from construction delays. He also committed to provide updates to residents in specific project areas through frequent and timely mailings.

ABBA has continued to receive updates on plans and pre-work from Firefly CEO Gary Wood. The project relies on partnerships between Firefly and local electric utilities to allow its fiber network to be built largely on existing power infrastructure, with Dominion Power contributing a significant portion of the build in Albemarle through its Middle Mile Program.

BAAO will continue to monitor the progress of this project and will provide guidance to residents interested in this project on how to register with Firefly to receive updates.

### **Virginia Telecommunication Initiative (VATI) 2021 Update**

Though seven project areas in the VATI 2021 project have launched, this effort has continued to be marred with delays and difficulties completing installations in a timely manner.

On September 21<sup>st</sup>, 2022, BAAO received and shared with the Authority a request (Appendix B) by CenturyLink for an extension of this



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project from the current agreed date of December 5<sup>th</sup>, 2022 to March 31, 2023. The Authority considered this request at its September meeting and agreed to request the extension from DHCD's Broadband Office.

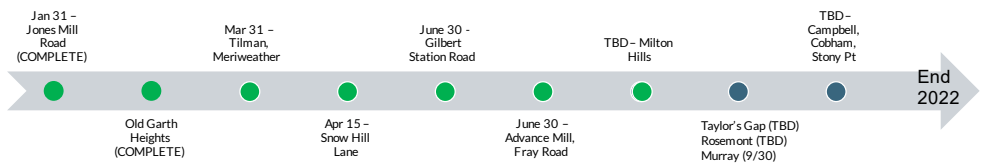
Community Webinars  
Fridays at Noon

- 12/3/2021
- 1/7/2022
- 2/4/2022
- 3/4/2022
- 4/1/2022
- 5/6/2022
- 6/3/2022
- 7/1/2022
- 8/5/2022
- 9/2/2022
- 10/7/2022
- 11/4/2022

### ABBA CenturyLink VATI 2021 Work Schedule



### Calendar Year 2022 Subscriber Install Order Dates



- - COMPLETE
- - LAUNCHED

**All open dates are estimates and subject to change based on equipment availability and other factors**

Additionally, on September 26<sup>th</sup>, 2022, the Office received and shared with the Authority a Letter of Finding (Appendix C) from the Director of the DHCD Broadband Office Tamara Holmes, Ph.D. describing lapses in the execution of this project. The letter specifically cites communications failures by CenturyLink that led to installations that were done against residents' desires, confusion over installation expectations, and repeated missed or cancelled installations and service appointments without prior notification to the resident and a disregard by CenturyLink and its contractors for homeowner's property, including two damaged driveways, exposed fiber splices, and damage to private water and septic lines.

The bulk of these findings came because of a site visit conducted in coordination with the Office, DHCD, and representatives from Lumen on September 8<sup>th</sup>, 2022, along with information tracked and reported by the Office.



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CenturyLink and Quantum Fiber customers in our area have also begun to receive notifications of the pending transfer of these entities from Lumen Technologies to Brightspeed. The Office has been in contact with representatives of the new entity and current Lumen staff that will convey to the new entity. The transition is not expected to have a material negative impact on the completion of this project; indeed, Brightspeed representatives have made assurances that they plan to improve customer service and project execution.

Over the coming days, the Office will work with current-Lumen and future-Brightspeed staff to respond to the Letter of Finding with a corrective action plan and additional data as DHCD has requested. Details for this corrective action plan will be discussed and approved at the Authority's October meeting prior to submission to DHCD.

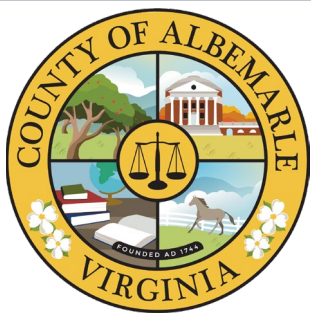
The Office continues to host webinars and is preparing to provide guidance and answers to interested residents at the October 7<sup>th</sup> webinar, as well as a press release announcing the request for extension and communicating the request to impacted residents via e-mail.

The Authority awaits an updated timeline for project area completion from Lumen.

### **ABBA Public Meetings**

Pursuant to the County's Continuity of Government Ordinance, as amended, and Virginia Code Section 15.2-1413, ABBA meetings during this reporting quarter continued to be held by electronic communication means on either the Zoom platform or Teams platform.

The public had real time audio-visual access to the July and August ABBA public meetings over Zoom and real time audio access over telephone, pursuant to lawful notice. The public had in-person and real time audio-visual access to the September ABBA public meeting at the County Office Building and over Zoom and real time audio access over telephone.



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ABBA welcomed public comment at its meetings and invited and still invites the public to send questions, comments, and suggestions through email at [broadband@albemarle.org](mailto:broadband@albemarle.org). All public meetings held this quarter were recorded and are available for viewing through links on the County's website.

Among the topics discussed by the Authority during its meetings, but not otherwise covered in this document:

- Discussions about returning to in-person meetings
- A reporting error that required a correction in the ABBA Financial Report
- Preparations for engaging in future Federal funding opportunities
- Discussions regarding an update to ABBA's Strategic Plan

In addition to these topics, the Authority held its annual meeting on August 25<sup>th</sup> 2022. At the meeting, updates to the rules were approved to align the Authority's shift to hybrid meetings and to clarify guidelines around remote participation of members. The Authority also re-elected its existing slate of officers, with Mr. Bucky Walsh continuing to serve as Chair, Mr. Waldo Jaquith continuing to serve as Vice Chair, Mr. Trevor Henry continuing to serve as Treasurer and Mr. Bill Fritz continuing as Secretary.

### **BAAO Updates**

The BAAO has continued to lead administration of broadband expansion projects, including recently attending the first Stakeholder meeting for the VATI 22 project with Firefly and a site visit with Lumen and DHCD for the VATI 2021 project. The Office continues to track and escalate individual and larger scale outages impacting residents in the community.

The recently launched ACP Bridge project has been accepting applications from eligible residents while it awaits providers to complete their legal review and enroll in the program. Discussions with one provider and the County Attorney's office have resulted in an updated memorandum of understanding that has been circulated to all service providers operating in our area.



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The Office has also launched the Internet Essentials Partnership Program with Comcast Xfinity internet, which provides 50/5 broadband service to eligible households at no cost to the household. Currently this program has over 40 households enrolled through a partnership with Albemarle County Public Schools. Additional enrollments will be done with partner organizations and through an on-line application.

It is estimated that there are over 8,000 households in the County that may be eligible for either of these programs. Over the coming months the Office hopes to bolster enrollment in all these programs, especially the Affordable Connectivity Program.

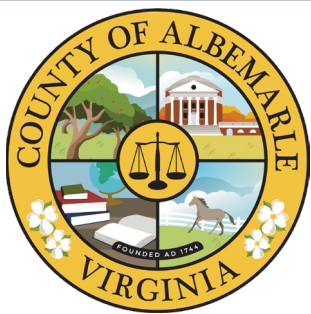
In August and September, the Office also held the first meetings intended to eventually form a coalition of regional partners with the goal of addressing digital equity issues across our region. The initial plan is to work with local partners to develop a Regional Digital Equity Plan that will identify inequities in broadband access and begin formulating plans for addressing these challenges.

Lastly, on September 22, representatives from Shentel reached out to our office to discuss the termination of its BEAM fixed wireless network, which had been serving as many as 300 residents in Albemarle County. This network was established under a collaboration between Shentel, Albemarle County and Albemarle County Public Schools and utilized CARES act funding during the pandemic.

Shentel has honored the agreement that established this partnership and has been a valuable resource for residents that would otherwise lack any broadband service. This decision comes as part of a possible transfer of spectrum assets to a national competitor. Our office will work with local providers to attempt to transition all affected residents to another service prior to the network closure.

### **Plans for Next Quarter**

ABBA will closely monitor the continuing work of VATI 2022. Coordination of communications with TJPDC, Firefly and partner



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municipalities will be an important aspect of future work. While neither BAAO nor ABBA are the primary administrators of this project, it is expected to be a major discussion point for the Authority throughout the project's 3-year term.

ABBA and BAAO will be closely involved in preparation of the corrective action plan for the VATI 2021 project and will await and plan for the request to DHCD for an extension of that project into next year.

Additionally, ABBA and BAAO will continue to consider future funding opportunities to advance the County's mission of ensuring residents of all means have access to adequate and affordable broadband.





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### Appendix A – ABBA Summary Budget Report

					Update: 09/21/2022
4-4300-91097-491097-950030-9999 (EXPENSE CODE) + ARPA 5301 Fund					
BROADBAND INCENTIVES>ALBEMARLE BROADBAND AUTHORITY + ARPA Funding					
	Fund Balance	Commitment/ Projected Expenses	Paid Expenses	Remaining Project Funds	
Current FY23 Balance (includes \$4.5mil in ARPA Appropriation, \$4.37mil of that for VATI 2022)	\$5,461,300.00				
VATI 2020 Project at 8 locations Commitment (PO 2021-7747 CenturyLink)		\$291,300.00	\$291,300.00	\$0.00	
Administrative Fee for DHCD VATI 2020 Award   1% of \$291,300		\$2,913.00	\$2,913.00	\$0.00	
Administrative Fee for DHCD VATI 2021 Award   1% of \$2,276,110		\$22,761.10	\$22,761.10	\$0.00	
Administrative Fee for ARPA Appropriation   1% of \$4,500,000		\$45,000.00	\$45,000.00	\$0.00	
VATI 2021 Project Commitment		\$640,000.00	\$0.00		
VATI 2022 Project Commitment		\$4,368,000.00	\$0.00		
	<b>\$91,325.90</b>	<b>\$5,369,974.10</b>	<b>\$361,974.10</b>	<b>\$91,325.90</b>	



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### Appendix B – VATI 2021 Request for Extension

**From:** [Brewer, Steven K](#)  
**To:** [Michael Culp](#)  
**Cc:** [Jason Infantes](#); [Shenwood, Pamela](#); [Lee, Heather](#)  
**Subject:** VATI 2021 Extension of Time Request  
**Date:** Wednesday, September 21, 2022 2:40:03 PM

**CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.**

Mike,

Central Telephone Company of Virginia seeks to alert the ABBA of the need for an extension of time to complete construction of its VATI 2021 broadband grant project.

Delivery of materials critical to the completion of the project have been delayed throughout the process and include fiber, terminals, and pedestals. Central Telephone Company of Virginia has been actively seeking materials, tracking orders closely, and escalating the ship dates to the best of our ability. Underground private water facilities along with unforeseen amounts of underground rock have also slowed this project. Additionally, labor shortages are affecting our project timelines. With many providers placing fiber around the country, at the same time, and the resulting high demand for skilled labor, our contractors are having a difficult time keeping qualified crews in place. These issues have extended the completion timelines for the construction of several project phases, and, in combination with the above-mentioned supply-chain issues, unfortunately make it impossible to meet the December 5, 2022, project completion date.

Although Central Telephone Company of Virginia will be unable to complete the entire project by December 5, 2022, there are several phases of the project that will be completed by that date. We estimate that that approximately 1,168 homes and businesses of the 1,675 total will be passed by the December 5, 2022, deadline. After reviewing each of the project phases internally and discussing the completion dates with our contractors, Central Telephone Company of Virginia seeks to request an extension of time to complete the VATI 2021 Albemarle project from December 5, 2022, to March 31, 2023.

Please let us know if you have any questions or wish to discuss further. Thank you for your consideration.

**Steve Brewer**  
Director Government Affairs  
150 Fayetteville St. Ste 970, Raleigh, NC 27601  
tel: 919-873-5824 | cell: 919-898-5700  
[steven.k.brewer@lumen.com](mailto:steven.k.brewer@lumen.com)

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### Appendix C – VATI 2021 Letter of Finding



Glenn Youngkin  
Governor

Caren Merrick  
Secretary of  
Commerce and Trade

COMMONWEALTH of VIRGINIA

DEPARTMENT OF  
HOUSING AND COMMUNITY DEVELOPMENT

Bryan W. Horn  
Director

September 23, 2022

Bucky Walsh  
Chair  
Albemarle Broadband Authority  
401 McIntire Road  
Charlottesville, VA 22902

RE: Virginia Telecommunication Initiative  
VATI#2021-013 Albemarle Broadband Authority  
CenturyLink VATI 2021 Project  
Letter of Findings

Dear Mr. Walsh;

On September 8, 2022, Tammy Breski, VATI Program Manager, and Carl Caudill, Telecommunications and Broadband Project Manager, with the Virginia Department of Housing and Community Development (DHCD), conducted a site visit of the above-referenced project. The site visit consisted of a detailed physical review of the project area and discussions with Albemarle Broadband Authority and CenturyLink, their internet service provider (ISP) partner about the project area. The objective of this site visit was to evaluate the status of this project. Enclosed is a summary of DHCD's findings.

#### **PROJECT BACKGROUND AND ACTIVITIES**

The VATI Agreement between DHCD and Albemarle Broadband Authority states that the Broadband Authority will provide broadband access to 1,675 serviceable units in partnership with CenturyLink through the construction of approximately 80.5 miles of fiber within Albemarle County. The agreement governing this award between DHCD and Albemarle Broadband Authority for \$2,276,110.00 was executed on July 12, 2021. Additionally, the co-applicant CenturyLink and Albemarle Broadband Authority committed \$1,547,180.00 in matching funds toward the project. The contract deadline is scheduled for December 5, 2022.

#### **FINDINGS, CONCERNS AND UNRESOLVED ISSUES**

The site visit identified two main issues that hinder the efficiency of this project and neglects the quality standards that meet customer needs.



Virginia Department of Housing and Community Development | Partners for Better Communities  
Main Street Centre | 600 East Main Street, Suite 300 Richmond, VA 23219  
www.dhcd.virginia.gov | Phone (804) 371-7000 | Fax (804) 371-7090 | Virginia Relay 7-1-1



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1. Lack of full and transparent communication by Albemarle Broadband Authority to residents in the project area

Complaints regarding CenturyLink, communicated by individuals and triaged by Albemarle Broadband Authority, include installation to residents' home without the homeowner's knowledge, resulting in placement of equipment in undesired locations. Another complaint regarding CenturyLink is the expectation of installation not fully communicated to the customer(s), which is under the impression they will have service on day of installation. In addition to these findings, Albemarle Broadband Authority reported missed or cancelled installation and service appointments by CenturyLink without prior notification of the cancellation or rescheduling.

2. Residential installation without regard to homeowner's property

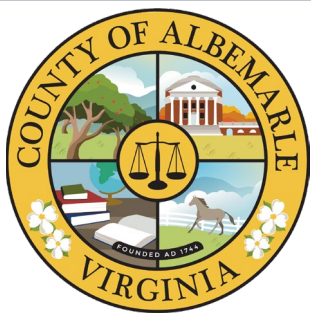
The site visit discovered at least two driveways that fiber was run underneath were damaged, allegedly as a result of the relative shallow depth of the fiber trenching installation process. DHCD also witnessed an installation in which the fiber was too long for the service address, rendering the spliced fiber unprotected on the ground surface. Lack of communication with homeowners has resulted in alleged damage to private water and septic lines.

### CORRECTIVE ACTIONS

DHCD requests that Albemarle Broadband Authority submit a corrective action plan to address the current gaps in communication resulting in perceived poor installation practices and develop an acceptable communication solution for this project. This corrective action plan must provide detailed steps on how the Broadband Authority and CenturyLink plan to resolve the above mentioned issues.

In addition to the submission of a corrective action plan to outline the issues above, recommended corrective actions are as follows:

- 1) Within 30 days of receipt of the letter, Albemarle Broadband Authority shall provide a list of those customers who are considered to have been affected by the issues outlined in the finding above. Additionally, Albemarle Broadband Authority shall provide a justification of the backlog of each, as well as the action plan, developed by CenturyLink and approved by Albemarle Broadband Authority, outlining corrective actions by each location identified Albemarle Broadband Authority. The plan shall include time frames for the proposed corrective action.
- 2) Within 30 days, outline the existing process and improvements made regarding the installation and associated communications processes. Once the updated process has been presented and approved by Albemarle Broadband Authority, CenturyLink will have 30 days to implement the process, the efficacy of which will be monitored through the existing monthly reporting framework.



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### CONCLUSION

We appreciate the cooperation and assistance provided to the DHCD staff during the course of this site visit. If you would like to discuss this report, please contact your Telecommunications and Broadband Project Manager, Mr. Carl Caudill, by e-mail at [carl.caudill@dhcd.virginia.gov](mailto:carl.caudill@dhcd.virginia.gov) or by phone at 804-659-5696.

Sincerely,

Tamarah Holmes, Ph.D.  
Director, Office of Broadband

C: Carl Caudill, DHCD  
Tammy Breski, DHCD  
Michael Culp, ABBA



Virginia Department of Housing and Community Development | Partners for Better Communities  
Main Street Centre | 600 East Main Street, Suite 300 Richmond, VA 23219  
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*End of report*