

March 1, 2007

City of Bloomington Digital Underground Advisory Committee

Date of Record: March 1, 2007

Prepared by: Andy DeLuce, ITS/SPEA Fellow
 Rick Dietz, ITS Director

Roll Call

Committee Members Present

Greg Travis, Citizen
Eric Ost, Telecommunications Council
Brian Kleber, Small business development council
Mark McMath, CIO, Bloomington Hospital

City of Bloomington Staff Present

Rick Dietz – Director of ITS
Andy DeLuce – ITS Intern/SPEA Fellow

Visitors

Dr. Mike Sullivan, BEHC/SIHIE
Heather Herman – Student Observer
Sarah Franklin – Student Observer
Corey Braslow – Student Observer
Katie Jensen – Student Observer
John Conley – Smithville
Karen Portal – MCCSC

Materials Provided

- Agenda
- Draft Policy Documents
- Minutes

I. Review of last meeting's minutes

- a. Brian Kleber [BK] Page three the first C and D are repeated.

II. Staff Reports

- a. Rick Dietz [RD] The soonest possible reading of the price schedule is late March, early April.
- b. Our next BDU advisory meeting is April 5th at 4PM in the McCloskey Room.

III. Member Reports

- a. None

IV. General Policies Discussion

- a. [RD] Follow-up from our last meeting and recent email exchanges on the topic of BDU policies. There is a draft and general description describing several potential policy changes & many housekeeping item changes.

- b. The first section is the “general principles” of the BDU. The memo articulates the changes pretty much line by line with a couple exceptions. The main idea is to shape the policies with “public interest” in mind. The proposed policies do restrict some uses but they also open up some areas for future use. A and B are the new parts in the first section.
1. [EO] I think it is an improvement. Given the history of this project I think we should set the bar lower because we want to maximize use of the infrastructure.
- c. [RD] One of the early ideas about the BDU was to have each application for use be considered individually. It was felt that each case was unique and all of the factors should be taken into account, hence an individualized evaluation process. Each contract would then have negotiated terms based on the case. Ultimately it would be a political decision based on the public interest expressed through the policy. Section 1.2 is just an articulation of that. A public good followed by other conditions which haven’t changed much in this document.
- d. [RD] 1.5 still maintains that the BDU is a dark fiber network.
1. [GT] 1.5 supposed to indicate that we have a dark fiber network?
 2. [RD] I will have to clarify that. With the exception of the city itself we have no intention to provide telecom services to the users of the BDU.
 3. [GT] It isn’t clear to me that lit fiber implies providing telecom services. We could provide a lit fiber infrastructure and still not be a telecom provider correct?
 4. [RD] Yes that is correct.
 5. [GT] By telecom services I mean end routing and that kind of stuff. I am talking about providing a layer 2 network and not getting into layer 3. Just because we light the fiber doesn’t mean we would become an ISP.
 6. John Conley [JC] How would the city light it up? Would they put electronics on the end of the fiber?
 7. [GT] They would.
 8. [JC] Is there a possibility for the city to put those electronics out there for customers and light up the fiber?
 9. [RD] Currently the city has no intention to do that. This is a new idea Greg is talking about.
 10. [EO] This is something we discussed a long time ago and I think it is a topic we should explore.
 11. [GT] My concern is that we have a limited resource. Once we hand out the strands we have it is finished. I believe that most users won’t need all that capacity. It might make more sense to look at a subdivision of fiber. There are several ways to do that...you can go down to the lambda level, light level or the electrical level.
 12. [JC] The City would put that kind of electronics out there?
 13. [GT] The kind of equipment I’m talking about are relatively cheap. We are talking about and optical port and a switch coming out to copper. A couple thousand dollars per customer.
 14. [RD] This is new to me and it is not the intent of the city to do this at this time. It is within the realm of technical possibility. But I think we are leapfrogging ahead a little.
 15. [EO] Since we are an advisory board I think we would be negligent not to explore this as an option. Greg’s point about the scarcity of the resource is valid. Will the City commit to filling additional conduits with fiber once the resource is exhausted? If not then I think we must explore this as an option.

The political sensitivity of the issue is what people dance around. We need a more pragmatic approach.

- e. [RD] Section 2 has the term CIO changed to BDU operator. That change is reflected in the rest of the document.
- f. [RD] Section 3 changes the governance slightly. The main point is to potentially broaden the focus of this entity (BDUAC) to advise on telecom initiatives beyond just the BDU. We have never had a telecom plan that looked beyond the scope of our fiber assets. Right now we have about 40 free strands and 2 additional conduits. Before we do anything with the remaining conduits we should consider a broader based plan with an articulation of goals. Leasing the assets isn't a goal, it's a means really. A master telecom plan is something we should consider.
- g. Changes from section 3 to this board would include a name change and possibly additional members. We might also relax the requirements on sectors the members represent as well. There lots of folks who have been regular attendees & contributors at these meetings that would make strong contributing members.
 - 1. [GT] So this committee would become the standing advisory committee for the board of public works?
 - 2. [RD] it is already.
 - 3. [GT] The board of public works oversees what?
 - 4. [RD] The board oversees City asset, relevant constructs and anything impacting city rights of ways. They do not oversee CBU.
 - 5. [EO] How does CBU interrelate to public works in terms of contracts?
 - 6. [RD] It is interlocal arrangements between the City and utilities. They do have to coordinate a lot on projects.
- h. [RD] 3.6 was modified to involve the ITS dept more directly. Laterals would be managed by engineering with oversight by ITS. Actual lateral installation work would be contracted out.
- i. [RD] 4.2 makes a number of changes including allowing the BDU operator to make the determination of fiber to make available. That is currently in the hands of the Board of Public Works. This is more streamlined management.
- j. [RD] Section 4.2 also lays out the eligibility for use. The main change was the removal of the shalls.
 - 1. The first item in Section A is the statement of the "public interest" as the overarching criteria for making fiber assets available. The new language will allow the more leeway in determining if a proposal serves the best interests of the community. There are a few scenarios that we have discussed in the past that would be ruled out by this and in those cases they would need to sublease the fiber or go to another provider.
 - 2. [RD] Part B and C are pretty much the same as in the previous policy.
 - 3. Section D allows fiber provision in the Certified Tech Park.
 - 1. Brian Kleber [BK] We don't have a way to regulate development in the Tech Park. Current UDO doesn't allow it. This is a good incentive to have. But we will have some other developments downtown so do we need to expand this language?
 - 4. [RD] Section E permits the city to make strands available as an economic development incentive.
 - 5. [RD] Section F states that the city can't make fiber available to anyone not described in the policy without the express approval of the city council. In the previous version many things were mixed together in one subsection.
 - 6. Mark McMath [MM] Are there any comments from the visitors present?

[No comments]

- k. [RD] The next section with proposed changes is 4.5 which adds a public interest criteria as a requirement.
- l. [RD] Section 5.3 allows the board of public works to authorize contracts for laterals. These would be recurring charges and fees for services like manhole access, splicing etc. Since we are looking at doing this all through contracted projects it just make sense. The board of public works would only authorize the contract with the city. The BDU operator would be the one who selects the contractor.
 - 1. [GT] Doesn't the council have ultimate control over who gets hooked on?
 - 2. [RD] The Council must approve a price for a price to be charged. After the adoption of the price schedule the Council would not need to approve each price individually. The existing BDU users (MCCSC etc.) wouldn't have to go to Council because they meet all the criteria in the price schedule.
 - 3. [EO] CBU has a similar set of guidelines. Who is the ultimate authority if I want to get hooked on to city utilities?
 - 4. [RD] Utilities is a separate corporate entity than the city. We have an interlocal agreement for exchange of services so it is a different process.
 - 5. [EO] So maybe the board of public works is a better example
 - 6. [RD] The board of public works is involved in all of this. Any of these contracts would essentially be executed through the board.
- m. [RD] The very last item is a change in terms of the buildout of the BDU. The only thing I have added was "strategic" opportunities so that we are not required to include every new construction project.
 - 1. [EO] What about requiring build out if new construction is done in the city?
 - 2. [RD] That is already in the UDO. New developments are required to place conduit.
 - 3. [GT] What about in 5.1 where we have the Shalls? I think the lawyers might have trouble with that. I think the lawyers would want to use may.
 - 4. [RD] With that very last item about the installation expansion we covered the whole thing? Any overall thoughts? The memo provides a summary of where the BDU is at. I am going to integrate info about the entities using the BDU also.
 - 5. [MM] Pricing isn't included anymore?
 - 6. [RD] It is a separate document from the policies.
- n. [EO] We have a quorum. I motion to approve the draft.
 - 1. [BK] Seconded
 - 2. [Unanimous vote in favor of acceptance]
- o. [RD] Before we move on from the policies I would like to follow up on the master telecom plan we mentioned earlier with the BDU as 1 component. We need to address the value of the fiber assets we have and the value of the conduit. Since we have only 40 strands remaining it does make some sense to figure out where we are trying to go with this project before we open up the conduit. The conduit is actually a bigger asset than the fiber we have.
 - 1. [MM] What would be the scope of the broader plan?
 - 2. [RD] Telecommunications city wide. We are looking at creating a master plan to go beyond the BDU. First we need to articulate what our end goals are though. Otherwise we are making uninformed decisions about what to do with the remaining conduit we have.

3. [GT] won't that be clearer as we focus in on what the BDU brings as an asset?
4. [RD] Yes. We can learn a lot from having these policies reset and having the pricing schedule in place.

V. E-Health Collaborative Update

- a. Mike Sullivan[MS] The collaborative is making great headway on one of the major initiatives which is to select a system to use for health info exchange. We have been evaluating systems and next week we will get a look at the finalists. So soon we will get a look at the system which will be used in the information exchange.
- b. [MS] The FCC pilot program I mentioned in the last meeting has had some progress also. In the last meeting I was unsure if anyone else in the state was interested in the program. It turns out that there is a second group out of Indianapolis also interested. The State Dept of Health is coordinating a response. The pilot program has generated a lot of interest across the country and it will be an intense competition for funding. The FCC has said that they want the applications to be statewide or at least a large part of the state. Right now we are trying to work with the group in Indy and get on the same page. We can definitely get a coordinated response together but I'm not sure about a single response. The pilot is important because it is focused on rural healthcare. We are looking at providing broadband access to as many rural providers as possible. The pilot is different from the normal program because it allows urban healthcare providers to apply. The application allows both. It can be rural and urban but it must include rural.
 1. [MM] It can't have just urban?
 2. [MS] No. We are looking at developing an application which improves connections between rural providers but also to urban specialists because of the shared care. In the process we hope to support better connectivity between the providers for example throughout Bloomington. That is the tie in to the BDU and our interest in being able to leverage some of these dark fiber assets?
 3. [MM] Have you gotten to looking at an overlay of the alignment of our medical trading region and their plan?
 4. [MS] There are 35 critical access hospitals in Indiana. The group in Indy has visited all 35 and surveyed them about their current status and interest in upgrading. One of the goals of their application is to connect all 35 critical access hospitals. They understand that we have affiliations with several hospitals in the southern part of the state. In addition they want to describe the applications which will run on the network. The people working on this in Indy are involved in telemedicine applications involving real time video conferencing. Just connecting 35 video conference rooms might not be considered "widely involving" rural health care providers. It is telemedicine in the sense that an urban specialist is providing care from a remote location. The scope of that is very limited so from a business case perspective it is hard to even get matching funds. We have been looking at providing a much more comprehensive application which enables exchange of any kind of information and is used everywhere as opposed to 1 room in each hospital. The point is that while you may look at providing a connection from an urban hospital to a critical access hospital

initially, the network should fan out on both ends. On the urban end in Bloomington we would have a health network that involves almost all of the healthcare providers in town. We feel we have a strong justification for our network. On the rural end there are several clusters of clinics and mental health facilities that have grant money to become connected and already have relationships with us. We are looking at connecting those clusters of rural providers together. The same FCC grant provides for connectivity to internet 2 and a national network. There are a lot of pieces to this. The FCC program is sort of schizophrenic in a way and focuses on rural healthcare providers and it also includes internet 2. It is almost focused on the very rural and the very urban extremes. In any case the window for applying has been lengthened from 30 days to 60. We expect the window to open up any day now.

5. [RD] Are there any questions for Dr. Sullivan?
 6. [GT] What redundancy requirements do you see? Has that been discussed? I am talking about the distance stuff.....somebody in Daviess is talking to a doctor in Indy and it goes dead.
 7. [MS] Right now Bloomington Hospital has some applications hosted here that are being used in Orange county and there is a problem providing for redundancy. The applications we have been looking at providing locally are much less dependent on being as reliable as real time video conferencing must be.
 8. [GT] One of the real values of the BDU is the redundancy aspect. That is a real selling point and I think that for the technology park and others, redundancy is actually very important. IU spends millions of dollars each year to maintain 2 separate internet connections. The redundancy is critical.
 9. [MM] Are we pulling out enough stops to represent Bloomington? To help you represent the community at the state level?
 10. [MS] The problem is that if you look at how the FCC program is going to work none of the money goes to developers it goes to the carriers. There will be 60 million this year and 60 million next year. We need to try to get a share of that money. There is a bill that is in the senate appropriating 15% matching funds for this. This will be a major boon for economic development and for the telecom vendors. It would be nice to mobilize support for that. The bill was introduced by senator Ford and on the house side Peggy Welch has sponsored it.
 11. [MM] So the first priority is to get the matching funds.
 12. [MS] The group in Indianapolis is may or may not be easy to work with. We may need some teamwork to convince them.
 13. [RD] We should brainstorm who we want letters of support from across the entire community for the grant. Not only here but from everyone who is impacted by this.
- c. [Meeting adjourned]