

# Opposing Local Broadband Projects Is Anti-Competitive

Faulty FCC broadband mapping prompts incumbent broadband providers to challenge a New Hampshire county's community broadband efforts.

By Nicholas Coates / *Town of Bristol, New Hampshire*

**H**ere in rural Grafton County, New Hampshire, people enjoy all the amenities of a suburban community – close access to excellent hospitals, airports, museums and cultural events – while also enjoying the beautiful scenery and the laidback lifestyle of small-town life. Folks in the North Country love skiing, hiking, fishing and boating, but outdoor life often means slow, spotty and, in many places, non-existent internet service.

New Englanders are known for their Yankee ingenuity. But even their ability to rely on themselves and make do cannot make up for the lack of reliable, high-speed internet in rural communities during these changing, challenging times. Working and attending school from home aren't realistic in many communities because of poor internet service. Even health care providers with grants to deliver critical telehealth services, such as substance-use disorder treatment and routine medical care, have not been able to execute those grants because patients do not have broadband.

The pandemic brought all kinds of innovative approaches to stubborn challenges: Small towns in Grafton County saw opportunities for business development, innovative school programs, and upgrading the way the local government functioned. But political will didn't prevent the county from making these changes; poor internet service did.

## FACING INCUMBENT OPPOSITION

A lot of hard work, political capital and local and federal funding has been committed to improving Grafton County's connectivity, resulting in the launch of broadband service in the Town of Bristol in September 2021, where I serve as town administrator. The group that launched that initiative now works with communities throughout the county to expand broadband. This service is long overdue and much needed if the region is to remain healthy, safe and positioned to reap the benefits of the digital economy.

Unfortunately, local efforts have been challenged by the same internet service providers (ISPs) that refused to provide adequate service to local communities in the first place.

Grafton County recently applied for a National Telecommunications and Information Administration (NTIA) Broadband Infrastructure Program grant to build the middle-mile fiber network needed for high-speed internet service in more towns. The web would be open to qualified ISPs, which would compete for customers and likely result in cheaper, faster, better-quality service.

Legacy ISPs in the region that traditionally offered spotty or slow service objected to the county's grant application, claiming the county already had adequate broadband service. This grant funding, they claimed, would be used to duplicate existing services.

The objections are based on FCC data that most industry experts agree is flawed. The information uses census blocks, geographic regions the Census Bureau and other federal agencies use to calculate which areas broadband serves. Even if only one household has broadband access, the entire block is considered served. Data can be misleading, showing on paper that vast areas are covered by an ISP when in reality there is limited or no broadband on the ground.

Of the 4,000 census blocks in Grafton County, legacy ISPs contest 3,000, forcing county and local officials to gather data and examine the challenges. Through crowdsourcing, surveys and speed tests, the town found that most homes do not get the speeds that ISPs claim. Internet speeds are far below the FCC's definition of broadband service.

Unfortunately, the citizens of Grafton County have learned that ISPs made these objections in bad faith elsewhere, including in neighboring Maine, where a recent grant applicant found 90 percent of ISP challenges were quickly disproven. Threatened by a more competitive broadband market, ISPs are bogging down the federal grant process with paperwork. On the state level, they oppose legislation that would allow municipalities to issue bonds for broadband improvements. Blocking the financial means for towns to install adequate broadband means communities must wait for ISPs to offer the service they need or foot the bill themselves.

## DRIVING ECONOMIC DEVELOPMENT

Getting to the point where Bristol and other small towns can finance the upgrades needed to build better broadband is a steep climb in New Hampshire. With no income or sales tax, state funding for these kinds of projects is limited. Towns run even tighter ships, sourcing most of their revenue from property taxes. A multimillion-dollar investment in infrastructure without large federal grants is all but impossible.



Grafton County has a lot to offer companies – a highly educated workforce, affordable commercial property, and an outstanding work-life balance. High-speed internet will be a big draw.

Without adequate internet service, small towns find themselves in a Catch-22. Building up the tax base through economic development is the best way to improve schools and services without burdening residents with significant tax increases. But economic growth is nearly impossible today without the infrastructure to support it. No business would move to a town without electricity, nor would an enterprise consider a community without a reliable internet connection.

Grafton County has a lot to offer companies – a highly educated workforce, affordable commercial property, and an outstanding work-life balance – but it will continue to lose opportunities to communities elsewhere unless it can offer reliable, high-speed internet. The county is at an economic disadvantage. ISPs are furthering its burden with funding roadblocks to stamp out all competition, no matter how small.

I urge federal reform to level the playing field, end anti-competitive tactics, and lift the burden of proving internet speeds from grant applicants such as Grafton County. One solution is to make grants for building fiber over existing DSL free from challenges

because DSL does not deliver adequate broadband in rural areas today. Another potential fix is to change the definition of proper broadband to a minimum of 100/100 Mbps, ensuring customers get genuinely high-speed broadband.

These rules are currently up for debate before the NTIA. The Grafton County Broadband Committee calls upon the NTIA to eliminate monopoly telcos' protections and ensure competition for projects similar to those in Grafton County. Readers can help too – urge your Congressional delegation and the NTIA to fix the rules by changing the definition of broadband to a minimum of 100/100 Mbps and making grants that build fiber over DSL exempt from challenges.

These steps will ensure that rural communities get the high-speed broadband they need now. ❖

*Nicholas Coates  
is the town  
administrator  
of Bristol, New  
Hampshire, and  
Grafton County  
Broadband  
Committee chair.*

