

**CONSENT CALENDAR**

**April 21, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Science, Technology and Energy to  
which was referred SB 395,**

**AN ACT relative to the broadband matching grant  
initiative. Having considered the same, report the same  
with the following amendment, and the  
recommendation that the bill OUGHT TO PASS WITH  
AMENDMENT.**

**Rep. John Lewicke**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	Science, Technology and Energy
Bill Number:	SB 395
Title:	relative to the broadband matching grant initiative.
Date:	April 21, 2022
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2022-1639h

### STATEMENT OF INTENT

This bill is enabling legislation to allow cellular service providers to work with municipalities to expand service to areas that are presently unserved or under served. As amended, the bill creates a Wireless Deployment Initiative and Grant Fund. It will create no cost to the state. If federal funding is available or becomes available, the bill would provide the ability for wireless carriers to access funding on behalf of municipalities.

Vote 20-0.

Rep. John Lewicke  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## **CONSENT CALENDAR**

Science, Technology and Energy

**SB 395**, relative to the broadband matching grant initiative. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Lewicke for Science, Technology and Energy. This bill is enabling legislation to allow cellular service providers to work with municipalities to expand service to areas that are presently unserved or under served. As amended, the bill creates a Wireless Deployment Initiative and Grant Fund. It will create no cost to the state. If federal funding is available or becomes available, the bill would provide the ability for wireless carriers to access funding on behalf of municipalities. **Vote 20-0.**

Original: House Clerk

Cc: Committee Bill File

Amendment to SB 395

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT establishing the wireless development initiative and the wireless deployment grant  
4 fund.

5

6 Amend the bill by replacing all after the enacting clause with the following:

7

8 1 Findings. The general court hereby finds that the COVID-19 pandemic has shown Internet  
9 access is not a luxury in a connected society and mobile connectivity for all New Hampshire  
10 residents is crucial for public safety, to enable remote work, telehealth services, education access,  
11 and for other purposes. The pandemic has also shown gaps in wireless coverage in many areas of  
12 New Hampshire and a critical need to eliminate those gaps. The need to eliminate those gaps in  
13 coverage is critical for individuals, our communities, and economic development in the state of New  
14 Hampshire. A grant program using a competitive award process is essential to a wireless  
15 infrastructure deployment initiative throughout New Hampshire. This fund would invest in capital  
16 assets designed directly to support work, education, safety, and health care-related services.

17 2 New Subdivision; Wireless Deployment Initiative and Grant Fund. Amend RSA 12-O by  
18 inserting after section 64 the following new subdivision:

19 Wireless Deployment Initiative and Grant Fund

20 12-O:65 Wireless Deployment Grant Initiative Established.

21 I. There is hereby established within the department of business and economic affairs a  
22 wireless deployment grant initiative, the purpose of which shall be to award grants to wireless  
23 providers in order to improve wireless connectivity within municipalities and across the state.

24 II. Eligible projects shall provide wireless infrastructure in areas unserved by or lacking  
25 consistent mobile wireless coverage.

26 III. Eligible projects shall be evaluated as part of a competitive process.

27 IV. Selected projects shall meet the needs of consumers with the lowest possible cost and  
28 highest possible functionality.

29 V. Projects under construction at the time of application shall be ineligible.

30 VI. Projects that have been awarded funding, but not yet built shall be ineligible. This  
31 includes projects for which a provider is already obligated to deploy wireless service pursuant to  
32 regulatory or other legally enforceable commitment.

**Amendment to SB 395**

**- Page 2 -**

1 VII. Funding shall be awarded for no more than one project in any proposed coverage area.

2 12-O:66 Program Guidelines; Rulemaking.

3 I. The department of business and economic affairs shall adopt rules under RSA 541-A,  
4 relative to grant application and distribution procedures for wireless initiatives pursuant to 12-O:65.

5 II. The rules shall, at a minimum, include the following:

6 (a) Establishment of a competitive grant process based on objective criteria, prioritizing  
7 areas unserved by or lacking consistent mobile wireless coverage.

8 (b) Establishment of a challenge process, with reasonable timelines, through which  
9 information may be provided to the state to ensure that funds are used to build projects in areas  
10 unserved by or lacking consistent mobile wireless coverage.

11 (c) A method to ensure an applicant's trade secrets, financial information, and  
12 proprietary information submitted as part of an application are exempt from disclosure under RSA  
13 91-A.

14 (d) Establishment of a process that promotes wireless connectivity statewide.

15 (e) Establishment of a program or mechanisms to encourage adoption of wireless  
16 services.

17 III. Eligible costs for the program shall include, but are not limited to:

18 (a) Costs of construction and government permitting, installation, and operation of  
19 wireless network infrastructure, including but not limited to buildings, towers, digital devices,  
20 equipment, and fiber-optic lines.

21 (b) Upgrades to existing wireless network infrastructure.

22 (c) All other costs directly attributable to the construction project. In cases where a cost  
23 is shared with another ongoing project, shared costs shall be prorated.

24 (d) Planning costs related to network design and program eligibility.

25 (e) Awards pursuant to this subdivision shall be contingent on the issuance of necessary  
26 government permits.

27 IV. The department of business and economic affairs shall not, as a condition of an award of  
28 grant money, impose any requirement, rate regulation, or other term or condition of service that  
29 differs from the applicant's terms or conditions of service in its other service areas.

30 12-O:67 Wireless Deployment Grant Fund.

31 I. There is hereby established in the state treasury the wireless deployment grant fund. The  
32 fund shall be kept separate and distinct from all other funds and shall be nonlapsing and continually  
33 appropriated to the commissioner of the department of business and economic affairs for the  
34 purposes of this subdivision. In addition to state appropriations, the department may accept gifts,  
35 grants, and donations for deposit into the fund.

36 II. Federal funds received by the state for the purposes of expanding or improving Internet  
37 access or wireless connectivity may be credited to the wireless deployment grant fund.

**Amendment to SB 395**

**- Page 3 -**

1       12-O:68 Federal Law Supersedes. If any provision of this subdivision conflicts with any  
2 provision of funding guidance under federal law, the federal funding guidance shall supersede.

3       3 New Subparagraph; Application of Receipts; Wireless Deployment Grant Fund. Amend RSA  
4 6:12, I(b) by inserting after subparagraph (382) the following new subparagraph:

5                   (383) Moneys credited to the wireless deployment grant fund established in RSA 12-  
6 O:67.

7       4 Effective Date. This act shall take effect 60 days after its passage.

**Amendment to SB 395**

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**2022-1639h**

**AMENDED ANALYSIS**

**This bill establishes a wireless deployment grant initiative and fund in the department of business and economic affairs.**

**HOUSE COMMITTEE ON SCIENCE, TECHNOLOGY AND ENERGY**

**EXECUTIVE SESSION on SB 395**

**BILL TITLE:** relative to the broadband matching grant initiative.

**DATE:** April 19, 2022

**LOB ROOM:** 306-308

**MOTIONS: OUGHT TO PASS WITH AMENDMENT**

Moved by Rep. Lewicke                      Seconded by Rep. Merner                      AM Vote: 0-20

Amendment # 2022-1624h

**MOTIONS: OUGHT TO PASS WITH AMENDMENT**

Moved by Rep. Lewicke                      Seconded by Rep. Merner                      AM Vote: 20-0

Amendment # 2022-1639h

Moved by Rep. Lewicke                      Seconded by Rep. Merner                      Vote: 20-0

**CONSENT CALENDAR: YES**

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep Fred Plett, Clerk





2022 SESSION

Science, Technology and Energy

Bill #: 395 Motion: \_\_\_\_\_ AM #: 2022-1639th Exec Session Date: 1/19/22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Vose, Michael Chairman	✓		
Thomas, Douglas W. Vice Chairman	✓		
Harrington, Michael D.	✓		
Notter, Jeanine M.	✓		
Merner, Troy E.	✓		
Plett, Fred R. Clerk	✓		
Berezhny, Lex	✓		
Bernardy, JD	✓		
Cambrils, Jose E.			✓
Ploszaj, Tom	✓		
White, Nick D.	✓		
Somssich, Peter F.	✓		
Cali-Pitts, Jacqueline A.	✓		
Mann, John E.	✓		
Oxenham, Lee Walker			✓
Lewicke, John	✓		
Vincent, Kenneth S. <i>Kathy</i>	✓		
McGhee, Kat	✓		
McWilliams, Rebecca J.	✓		
Chretien, Jacqueline H.	✓		
Pimentel, Roderick L. <i>La Flamma</i>	✓		



2022 SESSION

Science, Technology and Energy

Bill #:	Motion:	AM #:	Exec Session Date:
Parshall, Lucius			✓
<b>TOTAL VOTE:</b>			2 0 2



2022 SESSION

Science, Technology and Energy

Bill #: SB 395 Motion: OTPA AM #: \_\_\_\_\_ Exec Session Date: 4/19/22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Vose, Michael Chairman	✓		
Thomas, Douglas W. Vice Chairman	✓		
Harrington, Michael D.	✓		
Notter, Jeanine M.	✓		
Merner, Troy E.	✓		
Plett, Fred R. Clerk	✓		
Berezhny, Lex	✓		
Bernardy, JD	✓		
Cambrils, Jose E.	<del>✓</del>		✓
Ploszaj, Tom	✓		
White, Nick D.	✓		
Somssich, Peter F.	✓		
Cali-Pitts, Jacqueline A.	✓		
Mann, John E.	✓		
Oxenham, Lee Walker			✓
Lewicke, John	✓		
Vincent, Kenneth S. <i>Kelly, Fran</i>	✓		
McGhee, Kat	✓		
McWilliams, Rebecca J.	✓		
Chretien, Jacqueline H.	✓		
Pimentel, Roderick L. <i>La &amp; Laine</i>	✓		



2022 SESSION

Science, Technology and Energy

Bill #: <u>SB 345</u>	Motion: <u>OTB</u>	AM #: _____	Exec Session Date: <u>1/19/22</u>
Parshall, Lucius			
TOTAL VOTE:			

✓

20 0 2



2022 SESSION

Science, Technology and Energy

Bill #: SB 395 Motion: ~~OTF~~ AM #: 2022-1024.5 <sup>OTF</sup> Exec Session Date: 4/19/22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Vose, Michael Chairman		✓	
Thomas, Douglas W. Vice Chairman		✓	
Harrington, Michael D.		✓	
Notter, Jeanine M.		✓	
Merner, Troy E.		✓	
Plett, Fred R. Clerk		✓	
Berezhny, Lex		✓	
Bernardy, JD		✓	
Cambrils, Jose E.			✓
Ploszaj, Tom		✓	
White, Nick D.		✓	
Somssich, Peter F.		✓	
Cali-Pitts, Jacqueline A.		✓	
Mann, John E.		✓	
Oxenham, Lee Walker			✓
Lewicke, John		✓	
Vincent, Kenneth S. <i>Wudy, Eamon</i>		✓	
McGhee, Kat		✓	
McWilliams, Rebecca J.		✓	
Chretien, Jacqueline H.		✓	
Pimentel, Roderick L. <i>La Plante, Louis</i>		✓	



HOUSE COMMITTEE ON SCIENCE, TECHNOLOGY AND ENERGY

PUBLIC HEARING ON SB 395

**BILL TITLE:** (New Title) establishing the wireless development initiative and the wireless deployment grant fund.

**DATE:** April 11, 2022

**LOB ROOM:** 306-308                      **Time Public Hearing Called to Order:** 1:15 p.m.

**Time Adjourned:** 2:10 p.m.

**Committee Members:** Reps. Vose, Thomas, Harrington, Notter, Merner, Berezhny, Bernardy, Cambrils, Ploszaj, Somssich, Cali-Pitts, Mann, Oxenham, Lewicke, Vincent, McGhee, McWilliams, Chretien, Pimentel and Parshall

**Bill Sponsors:**

Sen. Kahn

Sen. Whitley

Sen. Prentiss

Sen. Hennessey

Rep. Buco

Sen. Bradley

Sen. Watters

Sen. Rosenwald

Rep. Maneval

Rep. Porter

Sen. Sherman

Sen. Cavanaugh

Sen. Perkins Kwoka

Rep. Weber

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

**Senator Jay Kahn** – This bill is motivated by the fact that you can drive anywhere in NH and find dead spots. Cell service may touch many communities but spotty service. Whether federal money, state funds down the road, or partnerships. It is enabling legislation, not providing funding yet. This bill establishes a fund in broadband fund which was established in HB 2 last year. Working with providers. Rather than establishing multiple purposes, this is simply a wireless deployment initiative. One small town can receive 911 calls but can't respond. Broadband fund – Business & Economic Affairs taking the lead, waiting for result from this bill. Vose – no amendment language today, will come, maybe by end of day. Sets up a wireless matching grant initiative. Thomas – By setting up this fund, does this mean one time grant for government, would providers match provide enough customers to make it a going concern? Answer – pursue with providers. Some areas unserved with not much revenue, others like Derry have holes to fill. Harrington – Line 3 “ a municipality is an area lacking cell phone service – Could municipality apply for the grant? Yes. It needs to recognize unserved and served inconsistently. Harrington – what is criteria – only one location unserved? A lot needs to be sorted out with rulemaking process, setting what criteria will be for award. Cali-Pitts – We provided legislation whereby municipalities could bond for broadband – not enough customers to make it worthwhile. Who would be responsible for infrastructure and maintenance? Answer – with providers. Service is not to a point of delivery. Town will participate. Rep. Parshall – Marlborough – elected to do broadband. This is different – not to a specific user, not limited to one municipality. Town control through zoning, permitting process. Cali-Pitts – service to customer, correct? Answer – Yes. Vose - Amendment – in Dept. of Business And Economic Development there will be a wireless Fund. Lewicki – People should not be on cell phones while driving, will this encourage bad behavior? Answer – not to have hands on cell phone, but Bluetooth technology allows hands free. McGhee – We had a bill earlier this session on relieving carriers of last resort on premise of alternate services, this bill makes clear still not entirely true? Answer – previous bill also included broadband. This will help cellular. It will help universal service. McGhee – younger generation doesn't have landlines, don't connect unless for computer connectivity. Importance of wireless indicated. Yes. Vose – NH will receive somewhere around \$150 million Federal finds for Broadband? Could wireless also try? Answer = don't know. Rules are in process of

being written. Parshall – Concern is that young people using wireless services, we need to ensure 911 service is available throughout state. Would this be a priority in bill? Answer – rule development will determine. Merner – Coos county – You can't hard wire – hilly, roomy. Hope money can come to wireless. Pimental – concern – rulemaking who is going to make rulemaking. Some towns can't do without grant money. How do we keep towns asking for money when they don't need it? Answer – process will need to be developed.

**Owen Smith**, AT&T. Supports wireless grant fund. A letter from CTIA submitted – for wireless providers – for bill. Wireless record year during Covid 2020. 65% or more wireless only. Here in NH about half. We appreciate intent, worked with him on the amendment, make original bill more defined. A separate wireless fund. We have become dependent with Covid. Wireless had 25-30% growth overnight. Federal funds unclear whether can use for wireless. 5G can meet speeds, 4G / LTE can't. Invested \$120 Million on network over last 2 years, well over 50 Cell sites. Still towns that need better cell coverage. Nelson is one. Parshall – Concern place like Nelson no return on investment, but 911 important. Concern places like Nelson to continually be underserved. Intent of bill is good? Could bill be tweaked to help this? Answer- Bill written that way. Grant would provide all capital costs - \$400,000. Ongoing operating expenses, blend into all pf the other sites. Cali-Pitts. This bill – who would actually apply to this fund? Answer – provider. It is being amended. Wireless different – you need to own spectrum, so provider must apply. Broadband, provider could work with municipality. Berezny – Is FirstNet intended to cover all of NH? Mandate with FirstNet build up network for First Responders – ATT network, FirstNet separate, some shared. FirstNet broadband. No mandate to cover 100% \_ We cover 95% - all line of sight. Harrington – Prefer per wording in bill rather than rules. Way bill written says municipality and . or provider can apply, but amendment will make it clearly the provider. Vose – Amendment will be clear. Parshall – Do I understand economically feasible for 4G LTE instead of 5G to make it economically feasible? 4G will eventually be shut down.

Blue sheet, 7 support, zero opposed, none neutral.





# House Remote Testify

## Science, Technology and Energy Committee Testify List for Bill SB395 on 2022-04-11

Support: 10 Oppose: 1 Neutral: 0 Total to Testify: 0

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Cavanaugh, Senator Kevin	Manchester, NH kevin.cavanaugh@leg.state.nh.us	An Elected Official	Myself	Support	No	No	3/30/2022 8:18 AM
Watters, Senator David	Dover, NH david.watters@leg.state.nh.us	An Elected Official	Myself	Support	No	No	3/30/2022 2:38 PM
Perkins Kwoka, Senator Rebecca	Portsmouth, NH Rebecca.PerkinsKwoka@leg.state.nh.us	An Elected Official	Myself	Support	No	No	3/30/2022 3:08 PM
Hennessey, Erin	Senate District 1, NH peter.oneill@leg.state.nh.us	An Elected Official	Myself	Support	No	No	4/5/2022 10:32 AM
Bradley, Jeb	SD3, NH jeb.bradley@leg.state.nh.us	An Elected Official	SD3	Support	No	No	4/6/2022 9:40 AM
Rosenwald, Cindy	Nashua, NH cindy.rosenwald@leg.state.nh.us	An Elected Official	SD 13	Support	No	No	4/8/2022 12:22 PM
Smith, Julie	Nashua, NH cantdog@comcast.net	A Member of the Public	Myself	Oppose	No	No	4/11/2022 5:20 AM
Lucas, Janet	Campton, NH janluca1953@gmail.com	A Member of the Public	Myself	Support	No	No	4/11/2022 6:58 AM
Maggiore, Jim	North Hampton, NH jim.maggiore@leg.state.nh.us	An Elected Official	Myself	Support	No	No	4/11/2022 9:13 AM
Rosenberger, Teresa	Manchester, NH trosenberger@bssn.com	A Lobbyist	U S Cellular	Support	No	No	4/11/2022 10:46 AM
Sherman, Senator	SD 24, NH jennifer.horgan@leg.state.nh.us	An Elected Official	SD24	Support	No	No	4/11/2022 4:18 PM



April 11, 2022

The Honorable Michael Vose  
Chair, House Science, Technology and Energy Committee  
75 Olde Bridge Lane  
Epping, NH 03042-1922

The Honorable Douglas Thomas  
Vice Chair, House Science, Technology and Energy Committee  
143 Mammoth Road  
Londonderry, NH 03053-3626

**RE: Support for a Wireless Deployment Grant Initiative**

Dear Chair Vose and Vice Chair Thomas,

On behalf of CTIA®, the trade association for the wireless communications industry, I write in support of the creation of a Wireless Deployment Grant Initiative and its respective fund. CTIA and our members applaud the State’s leadership in recognizing the importance of broadband, the important need to close the digital divide in New Hampshire and the role that wireless plays.

**The Importance of Wireless**

Americans’ reliance on wireless service cannot be overstated and, as New Hampshire looks to close the digital divide, the State should ensure that wireless broadband networks are part of the overall solution. Americans continue to use wireless broadband networks to consume data at tremendous rates. In 2020, wireless data traffic had another record year, topping 42 trillion megabytes—a 207% increase since 2016. From 2010 to 2020, Americans drove a 108-fold increase in data traffic on mobile broadband networks.<sup>1</sup>

Americans, particularly low-income Americans, are increasingly opting for wireless solutions for their communications needs. According to the National Center for Health Statistics, in the last six months of 2020, 65.8% of adults and 75.5% of children lived in households with wireless-only voice service.<sup>2</sup> Studies show that many low-income Americans have chosen mobile broadband as their single broadband solution; in fact, wireless is currently the only broadband connection for over a quarter of low-income households.<sup>3</sup>

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<sup>1</sup> See CTIA, *2021 Annual Survey Highlights*, at 8 (July 27, 2021), (“2021 CTIA Annual Survey Highlights”), <https://api.ctia.org/wp-content/uploads/2021/07/2021-Annual-Survey-Highlights.pdf>; last accessed 4/6/2022.

<sup>2</sup> See National Center for Health Statistics, *Wireless Substitution: Early Release of Estimates From the National Health Interview Survey, July-December 2020*, at 3 (Aug. 2021), <https://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless202108-508.pdf>; last accessed 4/6/2022.

<sup>3</sup> See Meredith Attwell Baker, *The Wireless Industry’s Key Role in Closing the Digital Divide*, CTIA Blog (May 7, 2021), <https://www.ctia.org/news/the-wireless-industrys-key-role-in-closing-the-digital-divide#top>; last accessed 4/6/2022.



As recent events have shown, connectivity is paramount and the wireless industry fights every day for its consumers by working to upgrade and enhance wireless networks. Since 2016, wireless providers have invested nearly **\$140 billion** in network infrastructure. Over the life of the wireless industry, capital investment now totals over **\$601 billion** to improve speeds, coverage, and quality.<sup>4</sup> In New Hampshire specifically, the wireless industry contributes over **\$1 billion** to the State's GDP annually.<sup>5</sup> This is particularly noteworthy since nearly half (1/2) of all New Hampshire households are wireless-only for voice service.<sup>6</sup>

SB 395 appropriately recognizes the important role of wireless technology by establishing the Wireless Deployment Grant Initiative and creating a dedicated fund for eligible projects in areas that lack mobile wireless coverage. The Department of Business and Economic Affairs is then tasked with promulgating rules relative to the grant application process and distribution of funds.

In closing, the pandemic has further made it clear the importance of broadband to consumers in our increasingly connected society; and, consumers have shown a clear preference for mobile connectivity. SB 395 represents a solution addressing what New Hampshire residents actually want.<sup>7</sup> SB 395 appropriately recognizes the broader role that wireless plays in the broadband ecosystem.

For these reasons, CTIA applauds the Committee's efforts for the creation of a Wireless Deployment Grant Initiative and its respective fund.

Sincerely,

Bethanne Cooley  
Assistant Vice President  
State Legislative Affairs

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<sup>4</sup> See CTIA, "2021 Annual Survey Highlights," <https://api.ctia.org/wp-content/uploads/2021/07/2021-Annual-Survey-Highlights.pdf>, last accessed 4/6/2022.

<sup>5</sup> See: Wireless Impact in New Hampshire, [https://www.ctia.org/4g-assets/WirelessImpact\\_NH.pdf](https://www.ctia.org/4g-assets/WirelessImpact_NH.pdf), last accessed 4/8/2022.

<sup>6</sup> CDC/NCHS Wireless Substitution State-Level Report (2019).

<sup>7</sup> See <https://www.5gfor603.org/>, 89% of New Hampshire voters say access to reliable, high-speed connectivity during the pandemic is very important. 62% of New Hampshire households used a wireless network or mobile device to work from home during the pandemic. More than half of New Hampshire households used wireless connectivity to learn from home or attend classes remotely. The Harris Poll conducted the survey online on behalf of CTIA, within the state of New Hampshire from November 10-21, 2020, among n=1000 US residents 18+ who are registered to vote and live in New Hampshire. Figures for age by sex, education, income, race/ethnicity, household size, marital status, and region were weighted where necessary to bring them into line with their actual proportions in the population.

**Archived:** Tuesday, May 24, 2022 10:40:35 AM  
**From:** Beth Cooley  
**Sent:** Monday, April 11, 2022 11:49:11 AM  
**To:** ~House Science Technology and Energy  
**Cc:** Fred Plett  
**Subject:** CTIA Support SB 395  
**Importance:** Normal

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Dear Chair Vose and Vice Chair Thomas,

On behalf of CTIA®, the trade association for the wireless communications industry, I write in support of the creation of a Wireless Deployment Grant Initiative and its respective fund. CTIA and our members applaud the State's leadership in recognizing the importance of broadband, the important need to close the digital divide in New Hampshire and the role that wireless plays.

Per the attached, thank you for your consideration of CTIA's comments.

Sincerely,



**Bethanne Cooley**

Assistant Vice President, State Legislative Affairs  
1400 16<sup>th</sup> Street, NW, STE 600  
Washington, DC 20036  
202-736-3200

***It is CTIA's policy to comply fully with the antitrust laws. To ensure compliance, CTIA's employees and the representatives of CTIA member companies should follow this Checklist of antitrust "Do's" and "Don'ts" when participating in CTIA-sponsored activities:*** [https://secure.ctia.org/book/pdf\\_view.cfm?FA=JCVfRCJRUCAgCg==&AU=lyVFTCEK](https://secure.ctia.org/book/pdf_view.cfm?FA=JCVfRCJRUCAgCg==&AU=lyVFTCEK)

SB 395 - AS AMENDED BY THE SENATE

02/03/2022 0330s

2022 SESSION

22-3074

04/10

SENATE BILL **395**

AN ACT relative to the broadband matching grant initiative.

SPONSORS: Sen. Kahn, Dist 10; Sen. Bradley, Dist 3; Sen. Sherman, Dist 24; Sen. Whitley, Dist 15; Sen. Watters, Dist 4; Sen. Cavanaugh, Dist 16; Sen. Prentiss, Dist 5; Sen. Rosenwald, Dist 13; Sen. Perkins Kwoka, Dist 21; Sen. Hennessey, Dist 1; Rep. Maneval, Ches. 9; Rep. Weber, Ches. 1; Rep. Bucu, Carr. 2; Rep. Porter, Hills. 1

COMMITTEE: Election Law and Municipal Affairs

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AMENDED ANALYSIS

This bill allows municipalities and cell phone service providers to apply for broadband matching grant funds to upgrade local cell phone service.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT relative to the broadband matching grant initiative.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           1 New Paragraph; Department of Business and Economic Affairs; Broadband Matching Grant  
2 Initiative. Amend RSA 12-O:61 by inserting after paragraph III the following new paragraph:

3           IV. A municipality that is located in an area that is determined to lack adequate cell phone  
4 service shall be eligible to apply for a grant under this section to provide such service through a  
5 communications provider that is capable of serving the area in which the municipality is located. A  
6 cell phone service provider that serves an area lacking adequate cell phone service shall, upon  
7 approval of governing body of the municipality to be served, also be eligible to apply for a grant  
8 under this section. For the purposes of this paragraph, "adequate cell phone service" shall mean cell  
9 phone service that meets federal standards for speed, latency, reliability, and consistency in quality  
10 of service.

11           2 Effective Date. This act shall take effect 60 days after its passage.