

**Proposed Election to Take Back the Right, Taken Away by Senate Bill 152, For the Town of Estes Park
To Be Directly or Indirectly Involved in Providing Competitive Telecommunication Services
Including Competitive Broadband Internet Services**

01-Nov-2014

The following information in Question and Answer Format is intended to answer key questions about the reasons for the proposed election to take back the right, taken away by Senate Bill 152, for the Town of Estes Park to be directly or indirectly Involved in providing competitive telecommunication services Including competitive broadband internet services.. The reader can scan the questions in the Table of Contents and then proceed directly to the answers of interest.

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Summary Questions:

1. What is broadband?

Broadband is a term for high-speed Internet service. Broadband allows users to access the Internet and Internet-related services at significantly higher speeds than what was historically available through telephone line and modem “dial-up” Internet access services. For purposes of defining adequate rural service, in 2010 the U.S. Federal Communications Commission (FCC) defined “Basic Broadband” as data transmission speeds of at least 4 Megabits per second (Mbps) download (from the Internet to the user’s computer) and 1 Megabit per second upload (from the user’s computer to the internet). This level of broadband is referred to as “4 by 1.” As will be apparent in the answer to question #2, 4 by 1 is not considered to be competitive broadband.

2. What is competitive broadband?

Competitive broadband would be internet service with speed, quality, cost, and backup redundancy equivalent to what is available in large cities in the US. For example, in Longmont, Colorado, homeowners will be offered 25 Mbps dedicated (not shared with others) symmetric (same speed download and upload) service for \$40 per month and 1 Gigabit per second (Gbps) (1 gigabit is equal to 1,000 megabits) dedicated symmetric service for \$50 per month. One example of current Estes Park area broadband service is “up to” 12 Mbps download, and “up to” 6 Mbps upload, shared (not dedicated, so if your neighbors are streaming movies, your access speeds can slow considerably) for \$50 per month. “Up to” means that the “up to” number is the fastest you can ever experience, but if your experience is slower (as most people experience most of the time) the “up to” service description is still true. The 12 by 6 plan in Estes Park is 80 to 160 times slower than Longmont’s for the same monthly charge.

3. What is the problem this election is intended to solve and why is it important?

What is the problem? Currently, Estes Park cannot be involved in providing broadband services because Colorado Senate Bill 05-152 (also known as SB-152) takes away the ability of local government to engage in the provision of telecommunication services like broadband, directly or indirectly (indirectly would be helping someone else provide the service), including partnerships with private entities. SB-152 includes a provision allowing Colorado local government to exempt themselves from the law’s provisions via a public vote. Because the Town of Estes Park and the Platte River Power Authority (PRPA) have a fiber optic cable from Loveland to the Estes Park Power Station (currently the sole broadband connection for this area after the flood of 2013), and from the Estes Park Power Station through the Estes Park fiber optic ring, the Town is currently involved in providing broadband services to this area. The Town currently leases some un-used fiber as “excess capacity,” an exemption under SB-152. A SB-152 prohibition of any level of Town involvement would interfere with the Town achieving the goal identified in the Town’s 2014 Strategic Plan: “we will encourage optimal use of the PRPA/Town fiber infrastructure.” The election to take back the right for the Town to have some involvement in providing broadband services would facilitate optimal use of the PRPA/Estes Park Town fiber optic infrastructure.

Why is this important? “Broadband (internet access) is the great infrastructure challenge of the early 21st century. Like electricity a century ago, broadband is a foundation for economic growth, job creation, global competitiveness and a better way of life. It is enabling entire new industries and unlocking vast new possibilities for existing ones. It is changing how we educate children, deliver health care, manage energy, ensure public safety, engage government, and access, organize and disseminate knowledge.” (from Federal Communications Commission, Connecting America: National Broadband Plan Executive Summary, 2010, page xi.)

4. Why does the Town need to be involved in Broadband?

The Town is currently involved at some level in providing broadband services because the Town has the current sole fiber optic connection between Loveland and Estes Park, and the Town has access to the Town fiber optic ring.

5. Who supports this election?

The Estes Park Economic Development Corporation identified the need to hold an election to take back the Town's right to directly or indirectly provide telecommunications services, advanced services, and cable television services. Many local businesses and individuals have indicated support in private conversations, but no one has been asked for a formal statement of support at this time.

6. How could the Town of Estes Park benefit from the election?

Ultimately, the election would remove significant barriers preventing Estes Park from having competitive broadband in speed, price, quality, and redundancy. With competitive broadband, the Town would be more attractive to businesses, visitors, and residents. The Town would be stronger economically, now and into the future. By taking back the Town's right to directly or indirectly provide telecommunications services, advanced services, and cable television services, the Town would be able to consider all approaches to accomplishing its long-term goal, set forth in its 2014 Strategic Plan, stating that "we will encourage optimal use of the PRPA/Town fiber infrastructure." The election would allow the town to begin to work with partners to address the need for competitive broadband that will influence Estes Valley's economic vitality over the coming decades.

7. For Estes Park, are there any costs or disadvantages of holding the election?

Other than the cost of the special election, the election does not commit the Town to any other costs, agreements, or activities. The goal of the election is solely to take back a Town right. The election is a high gain, low risk initiative.

8. Should the election be Trustee-initiated or citizen-initiated?

Because the Town's long-term goal, set forth in its 2014 Strategic Plan, stating that "we will encourage optimal use of the PRPA/Town fiber infrastructure" was established by the Trustees and the election is essential to accomplishing this goal, it is appropriate that the election be Trustee initiated.

9. What are the costs of a special election and how does it compare with coordinated election costs?

The Estes Park Town Clerk has estimated that a Special Election would cost 12 to 15 thousand dollars. A coordinated election, for example adding this ballot issue to a November election, would cost about twice as much as a Special Election or about \$30,000 for a coordinated election.

10. What is the recommended date for the special election and why?

The recommended earliest practical date would be Tuesday Feb 3, 2015. The earliest practical date is preferable because a delay in the timing of the special election would delay the eventual delivery of competitive broadband services and accompanying benefits to the Town of Estes Park.

11. After the election, will the Town start a new utility to provide internet service to residents?

Not necessarily. The US Economic Development Administrative Consulting Grant will identify a range of broadband delivery options with their PRO's and CON's for discussion and evaluation by our community and our

elected officials. A new broadband utility would only be a useful option if local providers were unable or unwilling to provide the level of broadband service the Town identifies as necessary to be competitive.

12. Will the election put the Town in competition with existing private businesses?

That is not the intent of the election. A key goal of the Estes Park Economic Development Corporation is to support and strengthen local businesses. To this end, it would be preferable for local broadband providers to be a part of the competitive broadband solution.

13. Where would competitive broadband service be delivered?

Competitive broadband service would be delivered to locations throughout the Estes Valley as soon as it is physically and economically practical. Initially this would probably be to areas within the Town of Estes Park based on available infrastructure. Use of the existing fiber optic ring would also allow third party broadband providers to extend competitive broadband services throughout various parts of the Estes Valley. The eventual service boundaries would probably be determined by practical considerations over time.

14. What have other communities in Colorado done about SB-152?

In summary, most of the state is involved in discussions and actions regarding SB-152, the law that prohibits the direct or indirect involvement of local governments in the provision of broadband services. Centennial, Longmont, Montrose, among others, have passed ballot initiatives, and other municipalities like Boulder and Fort Collins are considering election initiatives to take back the right for local governments to play some role in assisting their communities to meet their broadband needs. In addition, most locations in the state are examining broadband adequacy and its potential economic impact. Weld and Larimer Counties are examining their needs for better broadband. The Northwest Colorado Council of Governments (representing Eagle, Grand, Garfield, Jackson, Moffat, Pitkin, Rio Blanco, Routt and Summit counties) is investigating how local government should assist those communities in their quest for competitive broadband service. A group of Northeast Colorado counties (Morgan, Logan, Washington, Sedgwick, Yuma, and Phillips) have joined together to consider the need for better broadband service to remain competitive. A group of towns in southwest Colorado (Cortez, Durango, Bayfield, Pagosa Springs, Ignacio, Mancos, Dolores, and Dove Creek) have come together to ensure delivery of the appropriate level of broadband for their continued growth.

Questions about Colorado Senate Bill 152 (SB-152)

15. What does Colorado Senate Bill-152 do?

Colorado Senate Bill 05-152 (also known as SB-152) was adopted in 2005 to limit the ability of local government to engage in the provision of telecommunication services, directly or indirectly, including partnerships with private entities. This bill is codified in the Colorado Revised Statutes in §§ 29-27-101 to 304, C.R.S. Current legislative reform efforts aimed at amending SB-152 have been preempted by other telecommunications-related priorities in the Legislature. SB-152 includes a provision allowing Colorado local government to exempt themselves from the law's provisions via a public vote.

16. Who thought SB-152 was necessary and why?

SB-152 was reportedly nicknamed the "Qwest Bill" due to Qwest's (now Century Link's) role in promoting the legislation. Reportedly, the Telecommunications Lobby promoted the legislation to prevent local government involvement in providing telecommunication services.

Questions about the “Right” Affected by Colorado Senate Bill 152

17. What is the “Right” the election is asking to take back?

The election would take back the Town of Estes Park’s right to directly or indirectly use its fiber optic infrastructure to provide telecommunications services, advanced services, and cable television services.

18. What would be accomplished by having this right taken back?

Estes Park would have the right to locally determine how best to provide competitive broadband services to businesses, visitors, and residents. It would also facilitate optimal use of the PRPA/Town of Estes Park fiber optic infrastructure. Other towns that have taken back this right have been able to arrange for better, faster, less expensive Internet service.

Questions about the Current Status of Broadband Service in Estes Park

19. How is "competitive broadband" defined in terms of speed, cost, quality, and redundancy?

Competitive broadband is speed, quality, cost, and redundancy equivalent to that available in large cities in the US. For example, in Longmont, Colorado, homeowners will be offered 25 Mbps dedicated (not shared with others), symmetric (same speed download and upload) service for \$40 per month and 1 Gigabit per second (Gbps) (one gigabit is equal to 1,000 megabits) dedicated, symmetric service for \$50 per month. One example of current Estes Park area broadband service is “up to” 12 Mbps download, and “up to” 6 Mbps upload, shared (not dedicated so if your neighbors are streaming movies, your access speeds can slow considerably) for \$50 per month. This example Estes Park broadband plan is 80 to 160 times slower than the Longmont plan for the same monthly charge.

20. Does Estes Park have at least two broadband connections to the outside world in case of a disaster?

Currently, Estes Park has only one physical broadband connection to the outside world. This sole connection is the fiber optic cable from the Estes Park Power Plant to Loveland routed above ground along with the Western Area Power Administration (WAPA) Power Lines. This single line could be lost in the event of a fire, flood, or earthquake. In fact, several years ago, this fiber optic connection to Loveland was severed due to a lightning strike along the power line route. While there was a second fiber optic connection to the outside world in the past, that fiber optic line was destroyed by the flood of September 2013. Until a second fiber optic connection is established, Estes Park is vulnerable to total loss of its broadband connection to the outside world.

21. If competitive broadband is delivered to Town, how would it be different than what we have now?

Compared to communities that have undertaken broadband improvement programs, the services in Estes Park are relatively high priced, slower, and do not exhibit the desired level of consistent performance and reliability (redundancy). A wide variety of broadband service levels are currently available in the Estes Valley, from 1 Mbps or less with telephone line DSL to more than 100 Mbps. Competitively affordable service levels are not available for many small businesses in Estes Park and for significant parts of the Estes Valley. For comparison, Longmont homeowners will be offered 25 Mbps dedicated (not shared with others), symmetric (same speed download and upload) service for \$40 per month and 1 Gigabit per second (Gbps) (one gigabit is equal to 1,000 megabits) dedicated, symmetric service for \$50 per month. One example plan in Estes Park offers “up to” 12 Mbps download and “up to” 6 Mbps upload for \$50 per month. So, for the same price as Longmont, the example Estes Park plan has broadband speeds 80 to 160 times slower than Longmont’s.

22. What is the problem with the broadband service we have now?

It has become increasingly clear that, compared to Estes Park's competitors, the Town's current level of broadband service is inadequate and not competitive. If Estes Park's broadband service is not competitive, businesses that depend upon competitive broadband service may be lured away by our Town's competitors. The Broadband Committee has heard complaints about the current level of broadband service from the Town's lodging and core tourism businesses. With non-competitive broadband service, our guests and even our telecommuting residents may also be lured away to competitor Towns. Compared with our competitors, the broadband service in Estes Park is generally slower, more expensive, less consistent, and currently lacks essential physical redundancy in the event of a natural disaster.

23. How does Estes Park's current broadband service compare to a reference standard in terms of speed and price?

Generally, compared to other locations in our geographic area, Estes Park's broadband service is slower, more expensive, less consistent, and currently lacks essential physical redundancy in the event of a natural disaster.

24. What level of competitive broadband is needed and how much would it cost?

The answer to this question will be the focus of consultant's report supported by the Federal EDA Grant. The infrastructure and service delivery solution(s) identified will need to anticipate projections of the future evolution of Estes Park's broadband needs.

25. To what geographic area would broadband service be provided?

Competitive broadband service would be delivered to locations throughout the Estes Valley as soon as it is physically and economically practical. Initially this would probably be to areas within the Town of Estes Park based on available infrastructure. Use of the existing fiber optic ring would also allow third party broadband providers to extend competitive broadband services throughout various parts of the Estes Valley. The eventual service boundaries would probably be determined by practical considerations over time.

26. What will it take to get competitive broadband service in Estes Park?

The answer to this question will be the focus of consultant's report supported by the Federal EDA Grant. Reportedly, 1 Gigabit per second symmetric service may be available currently for some locations in Estes Park, but it is reportedly prohibitively expensive compared to the cost for comparable service in some other locations in our region like Longmont.

Questions about the Estes Park Economic Development Corporation (EDC)

27. Why did the EDC get involved with the broadband issue?

One part of the EDC's mission is to broaden and strengthen Estes Park's current economy in ways that complement and sustain the current vision statement of the Town of Estes Park. The Town's economic vitality has been and will continue to be dependent upon a modern and efficient infrastructure, and broadband is the great infrastructure challenge of the early 21st century. The local importance of broadband has been recognized in the Town's 2014 Strategic Plan states that "we will encourage optimal use of the PRPA/Town fiber infrastructure." Because the Town's fiber optic infrastructure will play a key role in providing competitive broadband, the EDC's involvement with the broadband issue is a logical extension of the EDC's mission.

28. Why did the Estes Park EDC resolve to urge the Town to submit this ballot question to the voters?

On August 21, 2014, the Estes Park Economic Development Corporation resolved to urge the Town of Estes Park to refer to the qualified electors of Estes Park a ballot question regarding whether, without increasing taxes, the qualified electors of the Town of Estes Park may take back their Town's right to directly or indirectly provide telecommunications services, advanced services, and cable television services.

This resolution was based on the following five conclusions:

- 1) Telecommunications infrastructure that is competitive in speed, cost, and reliability is essential for local businesses and citizens to successfully compete in today's globally competitive environment;
- 2) The Town of Estes Park, through its participation in Platte River Power Authority (PRPA), has access to an existing fiber optic ring in Estes Park that could help enable competitive services within our Town and immediate region;
- 3) In 2005, Senate Bill 05-152 took away the Town of Estes Park's right to directly or indirectly provide telecommunications services, advanced services, and cable television services without a vote of the people;
- 4) The Board of the Estes Park Economic Development Corporation (Estes Park EDC) believes that taking back this right will allow the Town to leverage all community-owned infrastructure for the benefit of its citizens and businesses;
- 5) Failing to refer such a question to the voters will substantially impair our region's ability to obtain and provide high-quality telecommunications services.

29. Who is on the EDC Competitive Broadband Committee?

Larry Lawson is the Chair. The other members are: David Batey, Eric Calkins, Mark Elrod, Alan Fraundorf, Ken Gay, Frank Lancaster, Gerald Mayo, Michael Moon, Jon Nicholas, Jim Pickering, Tom Plake, Greg Rosener, Dan Spray, and Jim Webb

Questions about the SB-152 Election

30. What is the goal of the election?

To take back the Town of Estes Park's right to directly or indirectly provide telecommunications services, advanced services, and cable television services.

31. How much will the election cost (Special election vs coordinated election)?

The Estes Park Town Clerk has estimated that a Special Election would cost 12 to 15 thousand dollars. A coordinated election, for example adding this ballot issue to a November election would cost about twice as much as a Special Election, or about \$30,000 for a coordinated election.

32. How will the public become educated on the issue?

If the Town agrees to refer this issue to the qualified electors, there are plans in place to establish an Election Issue Committee that would advocate for taking back the Town's right to directly or indirectly provide telecommunications services, advanced services, and cable television services. The Election Issue Committee would initiate activities to fully inform the public on this issue.

33. What is the proposed date for the special election?

The recommended earliest practical date would be Tuesday Feb 3, 2015. The earliest practical date is preferable because a delay in the timing of the special election would delay the eventual delivery of competitive broadband services and their accompanying benefits to the Town of Estes Park.

34. Who will vote on the initiative? (Town, Estes Valley, County)?

The qualified electors of the Town of Estes Park would vote on the initiative.

35. Why not determine voter interest in the election before the Town commits to an election?

The alternatives to an election to determine voter preference, for example surveys, are not very reliable. The very strong (unanimous with 2 abstentions) EDC member support for the EDC resolution on the issue of the SB-152 election reflects the strong support of the local business community for this initiative. The election purpose is also aligned with the Town of Estes Park's long-term goal, set forth in its 2014 Strategic Plan, stating that "we will encourage optimal use of the PRPA/Town fiber infrastructure." Based on the strong public support demonstrated in election results in other Colorado Towns, it is expected that the public will also be supportive as they come to understand the issue.

36. Why not wait for the result from the broadband consultant before having the election?

Although the Town currently takes the position that the Town is complying with SB-152 in any of its current use/lease of fiber optic capabilities, the Town's ability to implement any of the possible EDA Grant consultant options may require a definitive statement that the Town's activities are not restricted by the limitations of SB-152. Because having competitive broadband service in Estes Park is essential to the Town's current and future economic viability and vitality, any delays to the delivery of competitive broadband services to the Town should be minimized.

Questions about Possible Effects of the SB-152 Election

37. If the Town has the election and takes back the right to be directly or indirectly involved in providing telecommunication services, would the Town be committed to or would it appear the Town was committed to going into the business of providing broadband?

No. The SB-152 election is solely about taking back the right for local self-determination of the role of the Town in providing competitive broadband services. The election question does not specify how services will be delivered. The alternatives for delivering competitive broadband services will be developed and evaluated by the Federal EDA Grant consultant. In Colorado Towns with a direct or indirect role in delivering broadband services, a variety of methods for delivering services have been utilized.

38. If the referendum passes, would the Town confer with interested parties before taking actions such as creating a public utility? Who would have to approve that action?

Yes. The Town would confer with interested parties before taking actions such as creating a public utility. The approval procedure appropriate for any action would depend upon the specific action chosen.

39. Other than the cost of the election, are there any other costs or risks to the Town of having an election on Colorado Senate Bill-152?

No. There are no additional costs or risks to the Town based on the experience of other local Colorado governments that have had an SB-152 election.

40. Why should the Town have an election to take back a right when it is not certain whether or how the right would be used?

Because of the Town of Estes Park's current and, most likely, future direct or indirect involvement in broadband services given its "right to use" of the Town's fiber optic ring, the election to take back the right to determine the Town's involvement would be needed regardless of the consultant's recommendations on possible service delivery options.

41. I have heard stories about municipalities getting into financial trouble when they have tried to offer broadband services. How did this happen and how can this be avoided?

Municipalities have encountered two types of problems when they have attempted to implement a public utility model for delivering broadband services. These two problems have not been the result of inherent problems with the public utility model, but were problems with how the public utility model was implemented. An example of one type of problem arose when a local government tried to build out infrastructure far in advance of demand. They overlooked the need for sales to replenish capital being spent and eventually ran out of cash to operate the system. An example of the second type of problem occurred when a local government over-estimated the percent of people in an area that would sign up for the broadband service, estimating 75 to 80% acceptance when 30 to 35% is more typical initially. Again, capital expenditures outpaced sales income and cash left to run the system was inadequate. The way to avoid these problems is to 1) have realistic estimates of service acceptance and 2) planning to extend infrastructure initially into locations with higher expected sales so that sales and expenditures are more closely matched and capital depletion is avoided. If the Town does not choose the public utility model for delivering broadband services, neither of these concerns will be relevant.

Questions about the Estes Park Fiber Optic Ring

42. The fiber optic ring was installed 10-15 years ago. Why are we just now considering how to use it?

The initial purpose of installing the ring was for Platte River Power Authority's operation of its Transmission and Substation Electric System. The system was overbuilt to consider use by others. With increasing understanding of the importance of competitive broadband services to our Town's economic viability and vitality, the utilization of the Town's fiber optic ring has received renewed attention.

Questions about Colorado Department of Transportation (CDOT) Fiber along Routes 36 and 34

43. What effect will CDOT running fiber optic cable up routes 36 and 34 have on this issue?

As a potential source of needed redundant physical connection(s) to the outside world, access to CDOT fiber along route 36 and/or route 34 would represent a great advantage to Estes Park if an Inter-Governmental Agreement between Estes Park and/or PRPA could be developed with CDOT. Such an agreement would not eliminate the need for the SB-152 election as the Town would still have some role in providing broadband services, and utilization of the CDOT assets for the benefit of the Estes Valley might well require exemption from the restrictions of SB-152.

Questions about the Economic Development Corporation \$300,000 Grant

44. Where did the \$300k come from?

The grant was provided by the Economic Development Administration within the US Department of Commerce

45. What will the \$300k grant be used for?

The purpose of the award was to help “the Town of Estes Park conduct a regional economic diversification and industry job cluster retention and recovery strategy in the wake of the Federally declared flood disaster and other natural disasters that continue to impact the economy of the area.” The grant has three economic resiliency components: 1) Developing and implementing a strategy for economic diversification, 2) Capacity building by developing and supporting the expertise of existing individuals and organizations, and 3) Developing a state-of-the art Valley-wide broadband internet service that will allow our businesses, citizens, and guests to participate in and compete in the global marketplace.

46. What part of the \$300k will be for broadband?

Approximately \$80,000 will be used for a study of broadband delivery alternatives, and approximately \$50,000 will be used to develop a technology business incubator/accelerator/co-working space.

47. How will the consultant be selected?

There is a standard Federal Government competitive selection process that must be followed by the Town and the Estes Park EDC.

48. Who will manage the consultant?

The Estes Park EDC will be primarily responsible for working with the consultant and the Town of Estes Park will help manage fiscal compliance with the Federal grant requirements.

49. When does the grant start and when will there be results?

The grant timing is unknown at this point since the details of the award have not yet been received.

Questions about the Experience of Other Colorado Communities

50. What have other communities in Colorado done about SB-152?

In summary, most of the state is involved in discussions and actions regarding SB-152, the law that prohibits the direct or indirect involvement of local governments in the provision of broadband services. Centennial, Longmont, Montrose, among others, have passed ballot initiatives, and other municipalities like Boulder and Fort Collins are considering election initiatives to take back the right for local governments to play some role in assisting their communities to meet their broadband needs. In addition, most locations in the state are examining broadband adequacy and its potential economic impact. Weld and Larimer Counties are examining their needs for better broadband. The Northwest Colorado Council of Governments (representing Eagle, Grand, Garfield, Jackson, Moffat, Pitkin, Rio Blanco, Routt and Summit counties) is investigating how local government should assist those communities in their quest for competitive broadband service. A group of Northeast Colorado counties (Morgan, Logan, Washington, Sedgwick, Yuma, and Phillips) have joined together to consider the need for better broadband services to remain competitive. A group of towns in southwest Colorado (Cortez,

Durango, Bayfield, Pagosa Springs, Ignacio, Mancos, Dolores, and Dove Creek) have come together to ensure delivery of the appropriate level of broadband for their continued growth.

51. Looking back, what, if anything, would the other communities do differently in their approach to this issue?

Generally, they would do nothing different. Usually, the approach taken has had two steps: 1) Take back the right for local government to have some role in the provision of broadband services, then 2) Determine the most appropriate role for local government given local realities. It is noteworthy that several different models of local government broadband involvement have been or are being adopted. Overall, the Colorado communities that have undertaken the effort to take back the right of local government to be involved in the direct or indirect provision of broadband services seem quite pleased with the outcomes of their elections.

52. Do the County Commissioners have a position on SB-152?

Larimer County is currently conducting an Asset Assessment of its infrastructure assets and of the services provided by the County. Broadband service involvement is among the new activities under consideration.

53. Does the Colorado Municipal League (CML) have a position on SB-152?

While the CML has reportedly been asked to consider taking a position favoring overturning SB-152, the CML reportedly believes that influencing the SB-152 legislation will be very difficult. There is no evidence of any official CML action taken at this time. Searches of the CML website produced no results for SB-152.

54. What has Longmont's experience with SB-152 been?

In 2011, Longmont conducted a successful referendum that exempted it from the restrictions of SB-152. The Town of Longmont subsequently voted to allow more than \$40 million in revenue bonding by the Town's electric utility so that "fiber to the home" could be widely provided over the next few years. This will allow the Town to deliver telecommunications services, "advanced services", and cable television services either directly or indirectly through partners. The Town is currently envisioning providing internet and telephone services as a public utility and partnering with private suppliers to obtain television services. Construction of the fiber optic infrastructure is currently underway.

Questions about Estes Park's Local Internet Service Providers (ISP's)

55. What level of service is currently provided or is planned to be provided by local businesses?

A wide variety of broadband service levels are available in the Estes Valley, from 1 Mbps or less with telephone line DSL to more than 100 Mbps. Compared to communities that have undertaken broadband improvement programs, the services in Estes Park are relatively high priced, slower, and do not exhibit the desired level of consistent performance and reliability (redundancy). Service levels with competitive quality and affordable prices are not available for many small businesses in Estes Park and for significant parts of the Estes Valley.

56. Would taking back the right taken away by SB-152 adversely affect any local businesses?

No. All local businesses would be directly or indirectly helped by having access to competitive broadband services. It would be consistent with the EDC's mission of supporting and strengthening local businesses for the local internet service providers to be a part of delivering competitive broadband services.

57. What do the local providers think about an election to take back the right taken away by SB-152?

All of the local internet service providers (ISPs) are anxious to benefit from better, less expensive, more reliable broadband services into and out of Estes Park. The local ISP's are currently reserving judgment on the issues surrounding methods for the delivery of local services until specific proposals are under consideration. Some local providers have been members of the Broadband Committee from its beginning, and the other local providers have been engaged in discussion of SB-152 issues by the Committee.

Questions about the Platte River Power Authority (PRPA)

58. Does PRPA have a position on SB-152 issue?

PRPA is aware of the interest and concerns of its four partner towns (Estes Park, Fort Collins, Longmont, Loveland) regarding broadband service. PRPA currently has limited involvement in broadband delivery primarily through its "right to use" and maintenance of the fiber optic cable that brings broadband services to Estes Park from Loveland, and its involvement with the Estes Park fiber optic ring. Currently, PRPA does not provide broadband services, and they only lease un-used fiber. The current PRPA business model and resources do not include providing broadband services. PRPA is engaged in discussions with the Colorado Department of Transportation (CDOT) regarding the construction of additional fiber optic cable along highways 34 and 36. No commitment for PRPA to expand its services is known at the present.

59. Could PRPA be involved in providing broadband services?

PRPA involvement could have a significantly positive effect on the quality, price, and reliability of broadband services to its member towns and to Larimer County. PRPA has not researched the measures it would take for Platte River to become exempt from SB-152 and provide broadband services. At this time PRPA only leases dark fiber at rates which do not offer any one provider a competitive advantage over another.

60. If PRPA could be involved in providing broadband services, would the Estes Park election still be needed?

Even if PRPA were involved, the Town of Estes Park would still have some direct or indirect role in providing service to the Town's household and business users because of Estes Park's involvement in the Town's fiber optic ring. As a result, the Estes Park election on SB-152 would still be needed.