



## **Please Vote YES on SB17-42**

### **Repeal Law Slowing Rural Broadband Deployment**

**Sponsors: Sens. Guzman & Donovan**

In order to compete in today's economy, communities across the state are dependent on broad bandwidth Internet access ("broadband") for basic business development and operation. The availability of broadband also enhances the quality of life and desirability of a community by providing residents access to online education and distance learning opportunities, telemedicine, online government services and vast entertainment content (movies, music, etc.). In fact, broadband has become so critical to our citizens that many now refer to it as a basic infrastructure need - placing it on even footing with roads, water systems and power grids.

Unfortunately, rural communities across Colorado are still without adequate broadband service and this "broadband divide" is growing every day. The reasons vary, but more often than not these communities are too sparsely populated, too remote or in regions where the topography (mountains, valleys, etc.) makes expanding service difficult and expensive. These communities are "upside down" from a business model standpoint, and telecom providers are unable or unwilling to connect these areas without assistance.

With no other options, many rural communities around the state are seeking to acquire or construct their own "middle mile" broadband infrastructure in order to attract private Internet providers to their regions. Unfortunately, a law passed in 2005 (SB05-152) prohibits local governments from using public dollars (including state agency grants) to acquire or construct "middle mile" infrastructure without first passing a local ballot question. This prohibition was enacted to prevent competition between governments and private providers, but the reality is local governments are not seeking to compete with telecom companies – they are trying to attract them.

Local governments around the state are working collaboratively to improve service to their communities through partnerships with telecom providers, state government agencies, and economic development organizations. Repealing SB05-152 will expedite this important work, eliminate the need to spend scarce local dollars on elections and help bring the broadband service that our rural communities need to be competitive.

**CCI and CML strongly urge your support of SB17-42**

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The Post Editorials

# Lift the curb on local broadband

Nearly 40 cities and counties around Colorado voted last Tuesday to reclaim local authority over broadband, which a 2005 law took away absent a public referendum.

The results in almost all of the elections were not even close, with some of the margins reaching 80 percent or even 90 percent.

The public clearly understands the value of allowing local government in certain circumstances to invest or partner in broadband infrastructure (usually fiber optic cable lines or cell towers).

Notably, most of the cities and counties that approved the measures were in rural parts of the state that too often have been left off the Internet superhighway. They don't necessarily have plans for investment, but they do want the freedom to take action or to cooperate with private providers to enhance the economic vitality of their region.

However, misguided legislation from a decade ago prohibited cities and counties from spending money on improving broadband service without a public vote. Senate Bill 152 in 2005 was supported by the industry to ensure private Internet providers wouldn't have to compete with government-funded data networks, according to The Denver Post's John Aguilar.

In general, we don't like the idea

of government competing with private businesses that are already serving the market, either. Scarce public resources should be concentrated on programs and services that government really is uniquely qualified to provide.

But there are communities in Colorado, as critics point out, where customers' only choices for Internet service are slow and expensive — if they have any choice at all.

And that is particularly true of rural Colorado.

Until this year, Internet providers poured money into local communities to try to defeat ballot initiatives that allowed local action on broadband. But this time they stood back, maybe realizing that voter approval is much easier to obtain than was thought when SB 152 passed. Indeed, the referendums have become so automatic that they are clearly a waste of time and money. The legislature should simply lift the requirement.

Most municipalities don't have the money or systems in place to create their own networks anyway. Most don't want to replace the private sector but to partner with it, said attorney Ken Fellman.

Citizens should be able to rely on the judgment of their local elected officials to make the call on whether public money should go into broadband services.