



2024 Legislative Issue Form

To propose a CCI legislative issue, please complete this form.

Feel free to use more than one page and include any supplemental materials.

1.) **Contact Information** (of person bringing forth issue):

- a. **Name:** Matt Salka
- b. **Title:** Commissioner
- c. **County:** La Plata County
- d. **Phone Number:** 970-382-6217
- e. **E-Mail Address:** matt.salka@co.laplata.co.us

2.) **Issue/Problem to be addressed** (What is the problem this legislation is seeking to solve?)

Prevent the consumption of a large portion of once-in-a-lifetime federal/state broadband funding. Annual fees imposed for use of Colorado Department of Transportation (CDOT) road right-of-way (ROW) will prevent broadband development in the hardest to serve areas of Colorado where middle mile infrastructure will rely on CDOT ROW. Annual recurring fees will make rural broadband projects unsustainable, forcing providers to shut off service.

3.) **Background on this Issue/Problem** (How did this come to be? Why are you seeking a legislative remedy?)

Executive Order D 2022 009 (restated in June in EO D 2022 023) and Senate Bill 22-083, Accelerating Broadband Deployment in Colorado. This Executive Order and Senate Bill directed CDOT develop a simplified fee structure to facilitate access to CDOT rights of way for the deployment of broadband. These fees, if implemented without removal, could impede the realization of our middle mile network, adversely affecting the economic growth, redundancy, educational opportunities, and quality of life for residents in our Region and State.

4.) **Proposed Solution/Legislative Remedy to this issue.**

Removal of annual fees for broadband installation and use of State ROW.

5.) **Have you explored a non-legislative solution to this problem? Yes.**

Provided comments to CDOT Transportation Commissioners meetings requesting removal. Bi-Weekly and monthly meetings with CDOT staff in our Southwest Broadband group.

In addition, five regions in Western Colorado have been working in sync to form a fiber optic backbone in the shape of a giant ring connecting our counties. This work involves Region 9/Southwest Colorado Council of Governments; Region 10; Associated Governments of Northwest Colorado; San Louis Valley Broadband Coordination Office; and Southern Colorado Economic Development District. We all sent a letter to Governor Polis in December 2022 or January 2023 asking for his help in finding solutions for the addition of fiber lines in CDOT ROW.

6.) **Statutory Citation to be modified AND proposed/revised language (The Colorado Revised Statute is available for free at [this link](#), by selecting "Colorado Revised Statutes").**

Executive Order D 2022 009 (restated in June in EO D 2022 023) and Senate Bill 22-083, Accelerating Broadband Deployment in Colorado. This Executive Order and Senate Bill directed CDOT develop a simplified fee structure to facilitate access to CDOT rights of way for the deployment of broadband.

7.) **Relationship of this issue to County Commissioner's roles and/or authorities.**

County Commissioner are responsible for smart fiscal management and this is once-in-a-lifetime funds that will help provide high speed, reliable, and affordable broadband to their residents and ensure redundancy in our region is addressed. Accessible broadband results in increased public safety for our county residents, educational excellence and improved emergency and healthcare services.

8.) **Has this proposal been approved by the Board of County Commissioners? Yes (6/27/2023)**

Please submit this completed form to Brittney Becerra at bbecerra@ccionline.org

By Friday, July 7.



- 9.) **List any potential Proponents/Opponents & their perspective; indicate any groups/individuals with whom you have already discussed this issue.** Proponents: Representative Barbara McLachlan. Region 9, Region 10, Southern Ute Indian Tribe, CCTA Jeff Weist, Action 22 Sara Blackhurst. Opponents: CDOT?
- 10.) **Have you visited with your legislator(s) about this proposal? What was their reaction? Are members of your delegation likely to sponsor, support, or oppose this proposal?** Representative Barbara McLachlan – Sponsor. Support.
- 11.) **Anticipated Fiscal Impact (to counties, state, other stakeholders, etc.).** Currently CDOT pays for all right-of-way (ROW) maintenance regardless of what utilities are or are not located in the ROW. The State may need to invest in monitoring and enforcing compliance with access agreements and regulations. However, this can be handled in up-front costs. Granting access to the ROW may require the State to coordinate with telecommunication companies to ensure that existing infrastructure, such as roads, drainage systems, or utility lines, are not damaged during installation or maintenance activities as part of the engineering costs that are paid by the telecommunication company.
- 12.) **Please list the local subject matter experts CCI staff can follow-up with for more information on this proposal.** Corey Bryndal Region 10. Shak Powers Region 9. Matt Salka La Plata County. CCTA Jeff Weist. Action 22 Sara Blackhurst
- 13.) **If your county is submitting multiple issue forms, please rank each issue. (1/1)**

Please submit this completed form to Brittney Becerra at bbecerra@ccionline.org
By Friday, July 7.