Memo

To: State broadband offices

From: Jake Varn, The Pew Charitable Trusts

Date: March 23, 2023

Subject: How 5 States Are Creating Broadband-Ready Communities

The following memo contains information on state broadband-ready community programs, profiling the programs in Colorado, Indiana, North Carolina, Tennessee, and Wisconsin, as of March 2023.

Comparing Broadband-Ready Community Programs

Overview

Prior to the passage of the latest federal investments in broadband, several states established broadband-ready communities (BRC) programs aimed at incentivizing private investment and, to a degree, building local capacity. Through these programs, states certify when communities at the city or county level have taken a set of actions to reduce barriers and build local support for broadband expansion and adoption, such as designating a single point of contact for broadband in the relevant governing body and streamlining their permitting processes to facilitate broadband expansion. As states create new structures for planning and deployment, the lessons and limitations of previous BRC programs can inform states' efforts to boost local involvement in increasing broadband access.

Wisconsin established the first program in 2015, and thus far, four additional states—Indiana, Georgia, Tennessee, and Colorado—have followed suit. Notably, Colorado is the latest state to create a BRC program, and the only one to do so following the passage of the American Rescue Plan Act (ARPA) and the Infrastructure Investment and Jobs Act. As a result, Colorado's BRC program deviates from the other four states in several unique ways and could represent an evolution of how this type of program can be adapted to complement the new federal funding. The below memo details several key aspects of these programs and how they relate to broadband access and adoption in each state.

Key takeaways

- BRC programs have primarily focused on reducing potential permitting delays, though some also include elements working on building local capacity. Importantly, there is not sufficiently available data to demonstrate if these permitting streamlining and capacity-

building efforts have directly led to projects being approved and completed more quickly or more efficiently.
- In isolation—absent funding or other incentives—BRC programs do not guarantee an increase in infrastructure deployment; however, states can incorporate these efforts within their broader grant programs (such as awarding BRCs additional points in grant programs' scoring metrics or leveraging complementary technical assistance and planning resources).
- Identifying a single point of contact for all participating communities is one of the simplest components of a BRC program but can have an outsized impact for states and providers, and importantly these points of contacts can be leveraged as a useful resource for community engagement during the Broadband Equity, Access, and Deployment (BEAD) and Digital Equity Act (DEA) planning processes.
- The structure of a state's BRC, including the requirements for participating communities, can affect the types of communities that will be interested or able to participate. For example, a requirement to waive or cap certain fees may preclude communities facing budgetary constraints or those that rely on a fee-based system to cover operational expenses. Or a particular set of the requirements in a state's program may make it inherently easier for a county to participate than a town or city.

What is a broadband-ready community program?

BRC programs aim to facilitate broadband expansion by the state designating which communities have taken a specific set of actions, ranging from assessing customer demand to reviewing administrative procedures.

This set of required actions largely reflects challenges frequently cited by internet service providers (ISPs) as barriers to their deployment efforts, such as excessive fees and lengthy permitting processes. Through the state's certification process, BRCs aim to show ISPs which communities have indicated a willingness to facilitate or lower the bureaucratic costs of broadband projects. For example, Indiana's program website states that certification can send "a signal to the telecommunication industry that a community has taken steps to reduce barriers to broadband infrastructure investment."

BRC programs have also been designed to build local capacity and institutional support for broadband expansion. The most common of these mechanisms is to require participating communities to designate a primary point of contact for broadband expansion. Colorado's BRC further requires participating communities to engage in a wide range of stakeholder outreach. Similarly, while not a requirement of Indiana's BRC, the state tracks which communities have established broadband task forces and maintains a database of contact information for each.

Notably, state planning and capacity grant programs for local governments have included some components that are similar to those of BRC programs. For example, Maine's Get Ready Community Support program awards communities with up to $10,000 to support community engagement and planning activities, including data collection and conducting a digital asset inventory. Similarly, Illinois's Broadband Regional Engagement for Adoption + Digital Equity (READY) grant program provides awarded regions with a roadmap of actions to identify broadband equity barriers. States also have a history of running "site ready" or "shovel ready" designation programs for a variety of infrastructure assets to create statewide inventories and promote investment. Georgia, in addition to its BRC program, operates a Broadband Ready Site Designation program to indicate and promote which facilities or developments have the infrastructure in place to provide "at least 1 gigabit of broadband service" available for commercial or public use. Beyond broadband, Michigan administers a Strategic Site Readiness Program that "provides access to grants, loans, and other economic assistance" to public entities or site owners to conduct a variety of activities, including planning, pre-development work, and infrastructure improvements to improve sites for additional investment.

What is required for a broadband-ready community designation?

With these goals in mind—addressing provider feedback and increasing local capacity—states have generated specific requirements that a local government must meet before it can be designated as a "broadband-ready community." In the five states with active BRC programs, all were authorized through legislation and placed under the purview of the broadband office. The four pre-ARPA BRC programs required cities or counties to pass local ordinances outlining how BRC designation aligns with state priorities. These programs provide templates, checklists, or model language for local governments to use in passing their ordinances. BRC programs also distinguish between what localities are required to do and prohibited from doing as BRCs.

Examples of BRC Program Requirements and Prohibitions

Program Requirements	Program Prohibitions
1. Appoint a single point of contact for broadband projects 2. Establish timely procedures and practices for accepting or denying broadband project applications 3. Provide reasonable time for local government review, permit processing, and assessments of broadband projects	1. Charging specific application fees or costs on construction beyond a specified cap 2. Imposing a "seasonal moratorium" on the issuance of permits 3. Requiring the designation of a single contractor for all construction

State Broadband-Ready Community Programs

State	Website	Application Portal	Relevant State Code	Local model ordinance/policy
Colorado	Colorado Broadband Office	Link	Executive Order D 2022 023	Model Resolution

				Broadband Ready Community Checklist
Georgia	Georgia Broadband Program	Link	O.C.G.A §50-40-40 and O.C.G.A §50-40-41	Model Ordinance
Indiana	Broadband Ready Communities Program	Link	IC § 5-28-28.5	Model Ordinance/Resolution
Tennessee	Broadband Ready Communities	Link	Tenn. Code § 4-3-709	Model Ordinance
Wisconsin	Broadband Forward!	Link	Wis. Stat. § 196.504	Model Ordinance

Aspects of BRC programs

Level of certification

The "barrier to entry" that the state requires of a local government to participate and be designated as a BRC can vary. Many BRCs, particularly those focused on permitting issues, require the community to pass the equivalent of the state's model ordinance, agreeing to specified requirements and prohibitions, or otherwise demonstrate compliance with the program's principles. A BRC may also require the locality to complete a "checklist" of specific activities and apply for certification from the state (e.g., Colorado).

Single point of contact

In each BRC, local governments must establish a single point of contact for broadband-related matters. Examples of the local officials that are frequently designated include the:

      - Planning development director
      - Commissioner
      - Chief innovation officer
      - Economic development corporation executive director
      - County clerk
      - City Council president

The designation of a single point of contact in each participating community can be a reassurance to potential providers that a specific official or employee will be able to respond to questions and help guide a project through the jurisdiction's process. Additionally, this requirement can enable state policymakers to proactively engage with city and county governments in the state's planning process and relevant grant programs. Providing a public list

of each city's and county's point of contact can further increase coordination among stakeholders.

Permitting
BRC programs often require participating cities and counties to "streamline" their permitting process. These provisions typically require local governments to agree to provide for reviews, permits, and other assessments in a "reasonable" amount of time (the use of an electronic submissions systems might also be encouraged or required). BRCs with permitting provisions also frequently limit the cost of application and permit fees local governments can charge during construction, e.g., a $100 cap on fees unless specifically justifiable.

Additionally, the BRC programs in Indiana, Tennessee, and Wisconsin prohibit the imposition of a "seasonal moratorium on the issuance of permits" for a given project. Additional construction concerns are listed, including limiting provider discrimination by providing access to public rights of way and infrastructure necessary for broadband expansion projects.

While permitting reform has long been supported by internet service providers and the broader telecommunications industry, a balanced approach in this area is also recommended from organizations supporting municipal broadband efforts, including Next Century Cities and the National League of Cities. BRC fee and application limits are designed to lower construction costs; however, they may have only a marginal impact on a provider's overall business case for servicing any particular community. Importantly, a mandatory cap on permitting fees, particularly one without any exception for justifiable costs, may also have a direct impact on a locality's budget and therefore its willingness to participate in the program.

Integration with state grant programs
How a state BRC program integrates with the state's grant program may be an important factor in a community's interest in participating and in attracting ISPs to service the region. For example, Tennessee's Broadband Accessibility Grant Program scores ISP grant applications higher if the project area is within a broadband-ready community, awarding 10 points out of a possible 215 (or 4.7%). Similarly, Georgia awards eight points out of a possible 110 (or 7.3%) in its grant program and states it will give priority to applications in unserved areas of a certified BRC.

Local capacity
BRC programs can also serve as mechanisms to increase local capacity and/or provide a certification that the community has undertaken important planning activities. Georgia's BRC, in addition to requiring the adoption of a model ordinance, requires participating communities to have included broadband in their local comprehensive plans.

The Colorado BRC "Broadband Ready Certified Community" focuses primarily on planning a stakeholder engagement, requiring applicants to follow a checklist (with documentation) that

includes identifying community leaders, gathering feedback from anchor institutions, conducting an asset inventory, and evaluating potential ISP partnership models, among other steps.

Criticisms and Concerns

The structure of a state's BRC may directly affect a community's willingness or capacity to participate in the program. For example, larger urban or suburban communities may not be able to abide by the same timeline commitments that smaller rural communities can facilitate. Alternatively, the time and resources required to conduct comprehensive planning may not be feasible for a smaller community without additional support. State officials have also expressed concern that promoting BRC programs and awareness among local leaders is a persistent challenge and can hamper participation.

BRC programs are designed to lower the barriers of entry for a provider to construct in a community that has previously lacked service. Provisions that aim to do this by specifically targeting permitting can inadvertently shift the intrinsic risks associated with a construction project from the provider back to the public. Local governments have previously bristled at "arbitrary" shot clocks on permitting, arguing that it limits local control and risks running afoul of environmental and historic preservation requirements. Further, caps on permitting fees and related costs may disproportionately present a financial challenge for less well-resourced communities.

Conclusion

As states continue to address barriers to broadband access and affordability, a handful have developed broadband-ready community programs for the cities and counties of their states to follow. Generally, these programs are designed to create efficiencies in broadband deployment, provide a signal to developers and ISPs that a community is willing to work with them toward broadband expansion projects, and foster local leadership and collaboration in all broadband development efforts.

These programs and policies showcase how states can address the BEAD program's requirements and recommendations related to streamlining permitting and local coordination. As the $42 billion BEAD program begins to roll out, state leaders and stakeholders could look toward components of broadband-ready community programs as tools for promoting effective local broadband practices.

Additional resource: Next Century Cities: Broadband Ready Toolkit *provides a baseline model for cities, towns, and counties to follow.*

Appendices: State BRC Profiles

Below are profiles of BRC programs in five states: Colorado, Georgia, Indiana, Tennessee, and Wisconsin.

Appendix A: Colorado

Program description: Established in 2022 and formally launched in 2023, Colorado is home to the most recent broadband-ready community program. The state's program is operated by the Colorado Broadband Office. As of January 2023, no cities or counties are currently designated as broadband-ready communities. Colorado has provided a detailed checklist for communities interested in meeting the program's requirements. One point of contrast with Colorado's requirements from other state BRC programs is that they focus more explicitly on local involvement in broadband deployment. Rather than focusing solely on removing regulatory barriers or streamlining application processes, Colorado's plan emphasizes local stakeholder engagement for its BRC program, creating a "set of tangible tasks that will help local communities and their partners successfully plan and execute broadband projects."

Key aspects: The program requires participants to "identify a local champion" and to "engage the local community." The checklist details that this work includes creating a team dedicated to broadband expansion, with enough stakeholders to meet with local community leaders and anchor institutions as well as neighboring areas to gain insights and expand program support at the regional level.

Program applicants are also encouraged to evaluate partnership models with public and private entities and develop a holistic "local or regional broadband planning process." Throughout the planning process, communities are encouraged to assess the pros and cons of municipal broadband networks, private internet service providers, and public-private partnerships in expanding broadband access in their communities. This work must also include evaluating the available funding mechanisms, including federal, state, and private investment opportunities, as well as collaborating with public and private stakeholders to identify needed regulatory reforms to expedite network buildout.

Appendix B: Georgia

Program description: Georgia created its broadband-ready community program in 2018, prior to the creation of a state broadband grant program. The state's Department of Community Affairs oversees the program, with the Georgia Technology Authority authorized and directed to "establish and implement" it. Any public subdivision (city or county) can apply for BRC status through Georgia's application portal. The Georgia broadband grant program gives priority to applications in unserved areas of certified BRCs and awards eight points out of a possible 110 (or 7.3%) in their scoring system.

Key aspects: The program requires the applying community to "demonstrate compliance with the adoption of a Comprehensive Plan inclusive of the promotion of the deployment broadband services," and to adopt a broadband model ordinance. The ordinance includes:

- Appointing a single point of contact for broadband projects.
- Permitting provisions, including a response window of 10 days to permit applications, a $100 cap on application fees (unless justifiable on specific costs), and a six-month shelf life on approved permits.

Summary of participating communities: Since 2018, 49 cities or counties have been certified as broadband-ready communities by the state. Of these 49, 15 were municipalities (2% of all 624 municipalities in the state), while 34 were counties (21% of the 159 counties in Georgia). Georgia counties participating in the BRC program have *higher* broadband subscription rates, median household incomes, and a lower percentage of the population meeting the Department of Housing and Urban Development's (HUD's) low-income threshold compared with non-BRC counties. Notably, a higher percentage of metro and metro-adjacent counties are participating than nonmetro/rural areas of the state.

Georgia Broadband-Ready Communities
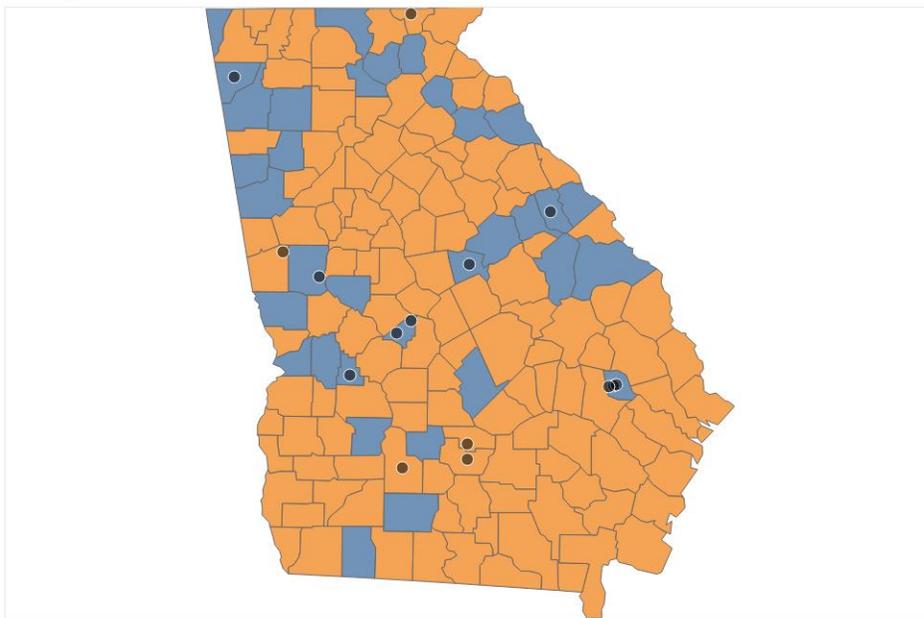
Broadband-Ready Communities
■ Yes   ■ No

Note: Circles denote City/Town

Table B.1. Broadband-Ready Community Descriptions (Counties Only)

	Percent difference in BRC counties
Percent with a home broadband subscription	+ 3.3%
Percent with access to a fixed 25/3 Mbps connection	+ 2.0%
FCC 2% home broadband cost benchmark	$79.48 (+ $1.98)
Median household income	$47,687.00 (+ $1,187.00)

Table B.2. Broadband-Ready Communities (Counties Only) by Metro/Rural Counties

Metro	21.6%
Metro-adjacent	29.3%
Nonmetro/rural	3.7%

Table B.3. Broadband-Ready Community Descriptions (Counties Only) by Metro/Rural Counties

	Percent difference in BRC counties		
	Metro	**Metro-adjacent**	**Nonmetro/rural**
Percent with a home broadband subscription	- 0.5%	+ 2.9%	- 21.7%
Percent with access to a fixed 25/3 Mbps connection	- 3.3%	+ 2.1%	- 61.6%
FCC 2% home broadband cost benchmark	$87.06 (- $0.63)	$76.71 (+ $6.57)	$54.86 (- $8.77)
Median household income	$52,236 (- $377.00)	$46,139 (+ $4,113.50)	$32,914 (- $5,259.50)

Appendix C: Indiana

Program description: Indiana established the Broadband Ready Communities Development Center and broader BRC program in 2015, allowing any local government (county, city, or town) to apply through an online form. The BRC program also tracks which local governments have established a broadband task force. In 2020, the program was moved to the Office of Broadband Opportunities.

Key aspects: Indiana offers participating communities a model ordinance. For those who do not use it, the state requires that they demonstrate that the following policies are adopted:
- A single point of contact must be appointed.
- All permit applications are required to be approved or denied within 10 business days.
- Any inspections should be "completed in a timely and expeditious manner."
- Electronic submissions must be allowed.

Participating communities must also not:
- Require the designation of a final contractor to complete a project.

- Impose a fee to review an application or issue a permit.
- Impose a seasonal moratorium on issuing permits.
- Discriminate among communications service providers, including in granting access to public assets (rights of way, poles, bridge crossings, etc.).

Summary of participating communities: To date, 76 cities, towns, and counties have been certified through Indiana's BRC program. This includes 27 cities (roughly 4% of the state's 695 municipalities) and 49 counties (53% of Indiana's 92 counties). Counties with BRC programs were found to have lower home broadband subscription rates, lower median incomes, and a higher percentage of the population meeting HUD's low-income threshold (families whose incomes do not exceed 80% of the median family income) compared with non-BRC counties. Additionally, a higher percentage of metro-adjacent and nonmetro/rural counties were found to have BRC programs than metro areas of Indiana.
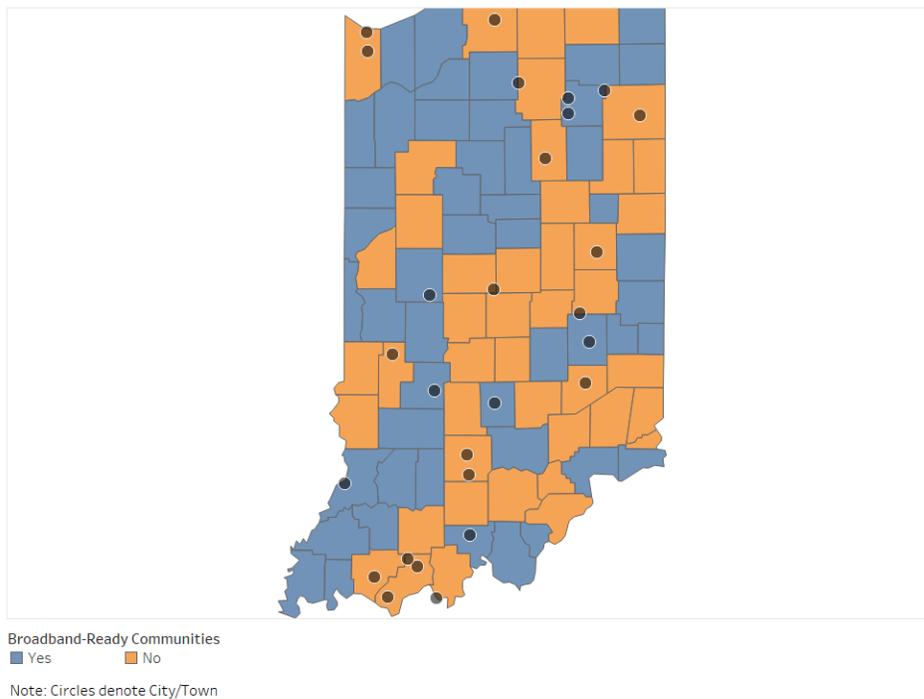
Indiana Broadband-Ready Communities

Broadband-Ready Communities
■ Yes   ■ No

Note: Circles denote City/Town

Table C.1. Broadband-Ready Community Descriptions (Counties Only)

	Percent difference in BRC counties
Percent with a home broadband subscription	- 1.8%
Percent with access to a fixed 25/3 Mbps connection	- 0.6%
FCC 2% home broadband cost benchmark	$91.98 (- **$3.56**)
Median household income	$48,037.00 (- **$2,133.00**)

Table C.2. Broadband-Ready Communities (Counties Only) by Metro/Rural Counties

Metro	38.6%
Metro-adjacent	61.0%
Nonmetro/rural	85.7%

Table C.3. Broadband-Ready Community Descriptions (Counties Only) by Metro/Rural Counties

	Percent difference in BRC counties		
	Metro	**Metro-adjacent**	**Nonmetro/rural**
Percent with a home broadband subscription	- 0.9%	- 1.0%	- 4.7%
Percent with access to a fixed 25/3 Mbps connection	- 0.5%	+ 0.5%	+ 20.5%
FCC 2% home broadband cost benchmark	$96.44 (+ $0.56)	$90.35 (- $1.69)	$87.00 (- $17.75)
Median household income	$57,866 (- $336.00)	$54,207 (- $1,012.00)	$52,199 (- $10,647.50)

Appendix D: Tennessee

Program description: Tennessee instituted its BRC program in 2017, placing it under the state's Department of Economic and Community Development. By statute, the Tennessee Broadband Accessibility Grant Program, launched in 2018, prioritizes awarding funds to locations in communities participating in the BRC program. The program's scoring metric awards 10 points to BRC participants out of a possible 215 points (4.7%).

Key aspects: The Tennessee BRC program requires the political subdivision to apply for designation, with evidence that it adopted "an efficient and streamlined ordinance or policy for reviewing applications and issuing permits." The state's sample ordinance includes:
- Appointing a single point of contact.

- Establishing a process for review and decision on project applications within 30 business days.
- Allowing for electronic submission, "where possible."

On prohibitions, applying communities will not be accepted if they:
- Require applicants to designate a final contractor to complete the project.
- Impose an "unreasonable" fee for the review and issuance of a permit, with "unreasonable" defined as a fee exceeding $100.
- Issue permits only on a seasonal basis.
- Discriminate between providers, including preferential treatment for access to public rights of way, infrastructure and poles, and other physical assets.

Summary of participating communities: Currently, 74 cities or counties have been established as broadband-ready communities by the state. This includes nine cities (2% of Tennessee's [428 municipalities](#)) and 65 counties (68% of the state's 95 counties). In Tennessee, counties with BRC programs have lower home broadband subscription rates, lower median household income levels, and slightly lower percentages of the population meeting HUD's low-income threshold compared with non-BRC counties. Additionally, the BRC program is being used by a higher rate of metro to metro-adjacent areas than in nonmetro/rural counties.

Tennessee Broadband-Ready Communities
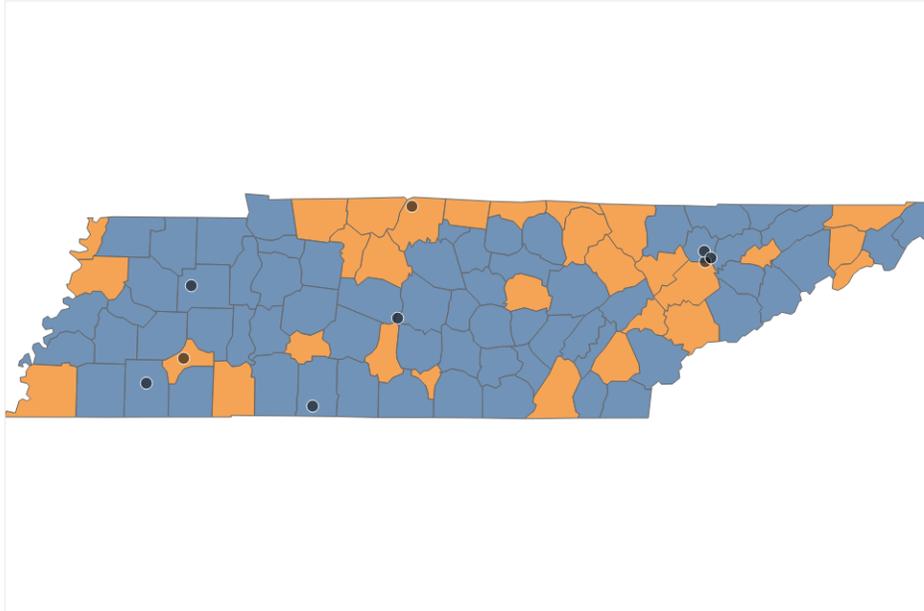
Broadband-Ready Communities
■ Yes   ■ No
Note: Circles denote City/Town

Table D.1. Broadband-Ready Community Descriptions (Counties Only)

	Percent difference in BRC counties
Percent with a home broadband subscription	- 4.2%
Percent with access to a fixed 25/3 Mbps connection	- 11.3%
FCC 2% home broadband cost benchmark	$75.93 (- **$4.37**)
Median household income	$45,557.00 (- **$2,623.50**)

Table D.2. Broadband-Ready Communities (Counties Only) by Metro/Rural Counties

Metro	54.8%
Metro-adjacent	89.7%
Nonmetro/rural	50.0%

Table D.3. Broadband-Ready Community Descriptions (Counties Only) by Metro/Rural Counties

	Percent difference in BRC counties		
	Metro	**Metro-adjacent**	**Nonmetro/rural**
Percent with a home broadband subscription	- 5.1%	+ 1.5%	+ 0.8%
Percent with access to a fixed 25/3 Mbps connection	- 7.3%	+ 1.5%	- 19.6%
FCC 2% home broadband cost benchmark	$83.43 (- $5.46)	$75.27 (+ $9.08)	$67.32 (- $4.56)
Median household income	$50,059 (- $3,277.00)	$45,160 (+ $5,450.00)	$40,389 (- $2,736.00)

Appendix E: Wisconsin

Program description: Wisconsin's broadband community program, Broadband Forward!, was established in 2015. The Wisconsin Broadband Office, located in the state's Public Service Commission, runs the program, and localities must submit initial applications through the state's online application portal.

Wisconsin has also established a Telecommuter Forward! program, which is a variation on the Broadband Forward! program. Telecommuter Forward! is a voluntary program for cities and counties to signal their support of telecommuting options for residents. Similarly, the initiative requires localities to set up a single point of contact for the program. This individual coordinates with broadband providers and economic development stakeholders to promote broadband packages and telecommuter-friendly co-working spaces.

Key aspects: The office offers localities a model ordinance to demonstrate that they have "taken steps to reduce obstacles to broadband infrastructure investment," though localities may submit evidence that an alternate ordinance or policy should be considered as an equivalent effort. The model ordinance includes:
- Appointing a single point of contact.
- Determining if an application is complete within 10 days of receipt; unless otherwise notified, the application will be considered complete after 10 days.
- Approving or denying any completed application within 60 days.
- Ensuring any fees for permitting review and other related activities are reasonable. Any fee above $100 is considered unreasonable.
- Allowing for electronic submission.

Participating communities must also not:
- Require the designation of a final contractor to complete the project.
- Impose "a moratorium of any kind" on the issuance of permits or on construction.

- Discriminate between providers on access to public assets (rights of way, poles, bridge crossings, etc.).
- Require the permit applicant to provide any service or make any payment (excluding reasonable fees) to the government entity.

Summary of participating communities: Since 2015, 82 cities and counties have been certified as Broadband Forward! communities by Wisconsin. Sixty-six cities (4% of all municipalities in Wisconsin) and 16 counties (22% of the state's 72 counties) have received this designation. Based on the counties listed as Broadband Forward! communities, these counties generally have lower home broadband subscription rates, higher median income levels, and a higher percentage of low-income populations than those counties without Broadband Forward! status. Additionally, a higher percentage of nonmetro/rural counties are listed as Broadband Forward! communities than metro and metro-adjacent counties.
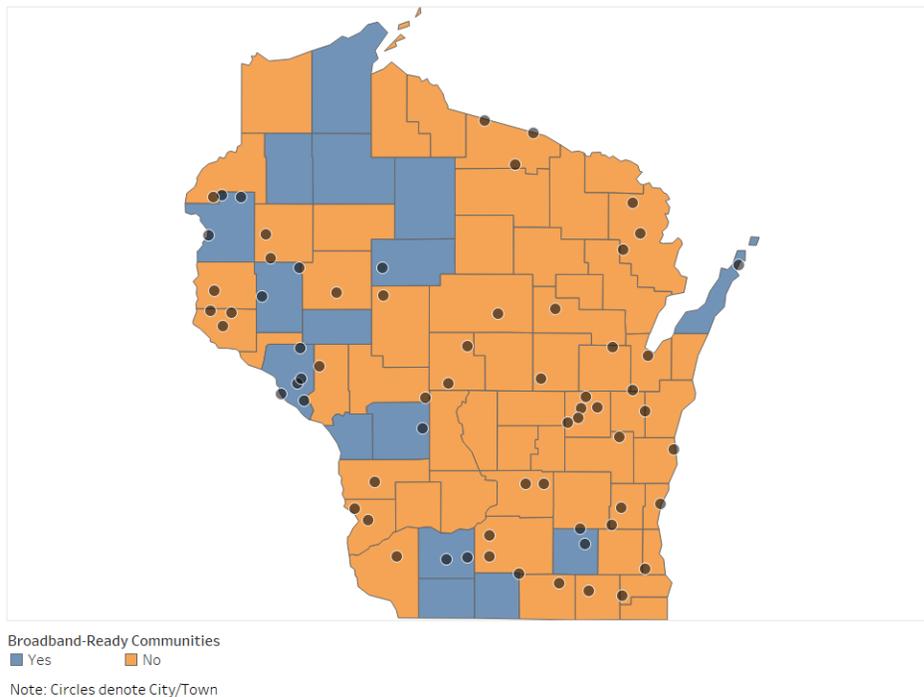
Wisconsin Broadband-Ready Communities

Broadband-Ready Communities
■ Yes   ■ No

Note: Circles denote City/Town

Table E.1. Broadband-Ready Community Descriptions (Counties Only)

	Percent difference in BRC counties
Percent with a home broadband subscription	- 0.05%
Percent with access to a fixed 25/3 Mbps connection	- 5.0%
FCC 2% home broadband cost benchmark	$100.75 (+ $3.07)
Median household income	$60,451.00 (+ $1,844.00)

Table E.2. Broadband-Ready Communities (Counties Only) by Metro/Rural Counties

Metro	15.4%
Metro-adjacent	25.7%
Nonmetro/rural	27.3%

Table E.3. Broadband-Ready Community Descriptions (Counties Only) by Metro/Rural Counties

	Percent difference in BRC counties		
	Metro	Metro-adjacent	Nonmetro/rural
Percent with a home broadband subscription	- 1.8%	+ 2.2%	- 1.2%
Percent with access to a fixed 25/3 Mbps connection	- 3.8%	- 6.0%	- 3.4%
FCC 2% home broadband cost benchmark	$107.27 (- $2.17)	$100.99 (+ $9.51)	$86.19 (+ $2.14)
Median household income	$64,360.00 (- $1,301.50)	$60,595.00 (+ $5,706.50)	$51,711.00 (+ $1,281.00)