



## Department of Public Service

### Public Service Commission

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Commissioners

October 25, 2021

Dear Elected Official:

The Comprehensive Broadband Connectivity Act, enacted in May of this year, amended the Public Service Law to add a new section 224-c. Among other things, the Act requires the Public Service Commission (PSC or the Commission) to study the availability, reliability, and cost of high-speed internet and broadband services in New York state, and produce and publish on its website, a detailed internet access map of the state, indicating access to internet service by location. In addition, the Act requires the Commission to submit a report of its findings and recommendations from the study to the governor, and Senate and Assembly leaders in May 2022, and update the report annually thereafter.

We write to you today to inform you of our activities in this important work project, and to request your help in the project's success.

The Department of Public Service (the Department or DPS), the Commission's staff arm, has hired ECC Technologies (ECC), a New York State based company with expertise in technology and communications consulting services, to gather the necessary data to develop the detailed internet access map and to produce the report of findings and recommendations related the availability, reliability, and cost of high-speed internet and broadband services in New York state. ECC will use data collected from internet service providers, data gathered from its own field activities, and data collected from consumers to form the basis for the broadband map and report.

The Department and ECC will employ an online broadband service survey as the main element of the consumer data gathering effort. Consumers completing the survey will provide valuable information back to DPS and ECC on the status of broadband services availability and use at their homes and businesses. The survey is easy to follow and takes less than 10 minutes to complete. The survey webpage also includes an optional broadband speed test, whereby consumers can test their current broadband connection for upload and download speed. The weblink for the online survey can be found at: [www.empirestatebroadband.com](http://www.empirestatebroadband.com).

We are asking for your help in disseminating this weblink to your constituency via posting on your municipal website, direct emails to your constituency, comments and notices at public

meetings, and whatever other means you use for community outreach. We are confident that your assistance and promotion of this online survey will help generate significant consumer participation in your area. Accompanying this letter are flyers containing the weblink and scannable QR code to help facilitate your outreach efforts.

ECC has field staff traveling to many areas of the state, documenting their observations of communications infrastructure. ECC staff will have company identification credentials, including management contact information, on their person at all times, and shall provide such identification and/or contact information upon request or as needed to effectuate their field work activities on behalf of the Department. ECC staff may provide a general explanation of their work on behalf of DPS, however, ECC staff are not authorized to disclose confidential or propriety information. ECC staff are not authorized to enter private property, or other areas not clearly identified or deemed to be public access or public rights-of-way, in the conduct of their work for the Department.

In addition, the report of our findings and recommendations will include instances where local governments have notified the Commission of alleged non-compliance with franchise agreements that have a direct impact on internet access. Instances of alleged non-compliance of a video provider with the network build requirements contained in its franchise agreements (i.e., buildout of primary service area or line extensions) should be filed with the Secretary, with a copy to Debra LaBelle, Director of the Office of Telecommunications at the Department.

Questions or concerns about the online survey or ECC field activities can be directed to ECC company management, or to the undersigned Department representative. Thank you in advance for your assistance in promoting the broadband online survey and the state's broadband mapping project.



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