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**TESTIMONY OF BRENT BISCHOFF, CEO
BEACON BROADBAND
HOUSE COMMITTEE ON ECONOMIC RECOVERY AND PROSPERITY
HB 2654
FEBRUARY 4, 2021**

Chair Lively, Vice-Chairs Kropf, Cate and members of the Committee:

For the record, I am Brent Bischoff, CEO of Beacon Broadband. Beacon Broadband is a wholly owned subsidiary of Coos-Curry Electric Cooperative. Coos-Curry Electric Cooperative was formed 83 years ago with the mission to bring electricity to a then unserved and underserved region on the south coast of Oregon. The Cooperative brought light where no one else would go. Today, through Beacon Broadband, we are working to bring a new kind of light where no one else will go as we extend the high-speed fiber broadband experience into communities like Sitkum and Agness and up the Winchuck River Valley and into the homes and farms and businesses scattered through our region. Beacon Broadband intends to close the digital divide in the places we love to live, work, and play.

I urge the committee to work towards the speedy passage of legislation (HB 2654) to help deploy broadband for thousands of rural Oregonians who live on the wrong side of the digital divide. We appreciate the work of Rep. Pam Marsh and our own legislator, Rep. David Brock Smith for their leadership with this legislation.

Coos-Curry Electric Cooperative has recognized the need for improved broadband along the south coast of Oregon. Through Beacon Broadband, the cooperative has committed nearly \$60 million to build a fiber to the premises network to every address in the Coos-Curry service territory and some neighboring areas. The task before us is daunting and it poses many challenges.

One of those challenges is easements. Broadband providers - such as electric co-ops - have faced class-action lawsuits in other states because the state easement law did not contemplate the use of easements for broadband services. This threat of litigation for using these easements for anything other than electricity delivery serves as a barrier for expanding broadband services to the last mile. As we contemplate modifying the easements required for us to complete our project so that they explicitly include commercial broadband services, we find we would face nearly \$1 million just in recording fees and that it would require nearly 2,000 staff days to prepare the easement documents and collect the required signatures. That is just the cost and time burden that would be imposed on our project. We have no idea how our already over-worked county clerks would be able to accommodate the workload this would impose on them.

HB 2654 helps solve these problems without costing Oregon taxpayers a single penny. We have the will to bring the high-speed fiber broadband experience where no one else will go but that is being tested by this easement burden. Unless we can find a solution, we may be forced to delay or cancel our proposed \$60 million investment in rural broadband development.

HB 2654 strikes a careful balance between expanding broadband access and protecting the rights of landowners. This type of proposal has passed in several other states and is one of the most significant and cost-effective steps the Oregon Legislature can take to expand broadband in our state. We urge you to support this important legislation. Thank you for the opportunity to testify.