

Office of Broadband Development and Connectivity
State of Louisiana
Division of Administration

JOHN BEL EDWARDS
GOVERNOR



JAY DARDENNE
COMMISSIONER OF ADMINISTRATION

February 2, 2022

Rep. Clay Schexnayder
Speaker
House of Representatives
P.O. Box 94062
Baton Rouge, LA 70804

Rep. Schexnayder,

The Office of Broadband Development and Connectivity hereby submits the following Summary Report required by La. R.S. 49:968(D)(1)(b) and announces its intention to proceed with rule-making by finalizing the September 20, 2021, Notice of Intent, captioned as “*Granting Unserved Municipalities Broadband Opportunities (GUMBO) (LAC 4:XXI.Chapters 1-7)*.” This Notice of Intent was duly promulgated and published on page 1387 of the *Louisiana Register*.

This rule-making was affected by updated guidance released by the U.S. Department of the Treasury on September 27, 2021. The Treasury Department is the federal department responsible for administering the Capital Projects Fund, through which the GUMBO grant program is funded. While this updated guidance was broad in nature with minor impacts to the overall structure of GUMBO, some adjustments to the Rule were made necessary. Notable revisions to the proposed Rule include enhancements to minimum allowable service and scalable speeds, an increase in the number of points awarded to Hudson and Veterans Certified businesses, and mandatory participation in consumer subsidy programs.

A copy of the initial proposed Notice of Intent, the corresponding Potpourri Hearing Notice containing proposed substantive changes, and the current Emergency Rule are attached to this report.

Public notice of these substantive changes was published in the October 20, 2021, edition of the *Louisiana Register*. Pursuant to La. R.S. 49:968(H)(2), the Office of Broadband Development and Connectivity conducted a hearing on November 24, 2021, to receive comments on the proposed changes. No comments, oral or written, were received.

The Office has made substantive changes to Sections 307.A.1.g, 311.B.1, 311.B.2, 311.B.4, 315.B.1, 701.F, 703.B, and established Section 709. The changes are summarized below:

- Section 307.A.1.g establishes an attestation that the applicant has not recently violated federal or state labor and employment law.
- Section 311.B.1 requires the deployment of speeds of at least 100:20 Mbps.
- Section 311.B.2 requires the scalability of broadband infrastructure to speeds of at least 100:100 Mbps.
- Section 311.B.4 increases point awards for the Hudson and Veterans Initiative scoring categories.
- Section 315.B.1 encourages applicants to submit workforce plans prioritizing the hiring of local graduates of broadband-related programming from LCTCS institutions.
- Section 701.F requires awardees to participate in federal consumer subsidy programs.
- Section 703.B establishes additional reporting metrics.
- Section 709 establishes federal oversight, civil rights compliance, and the applicability of other federal law.

Subject to legislative oversight by the House Committee on Commerce, the Senate Committee on Commerce, Consumer Protection, and International Affairs, or the Joint Legislative Committee on Technology and Cybersecurity, the Office intends to submit a Rule to the Office of the State Register for publication. Please contact Veneeth Iyengar, Executive Director, at (225) 219-7594 if the Office may be of assistance to you concerning this Rule.

Sincerely,

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