



NEW YORK STATE LEGISLATURE

June 25, 2020

Governor Andrew Cuomo
New York State Capitol Building
Executive Chamber
Albany, NY 12224

Dear Governor Cuomo:

We the undersigned would like to draw your attention to a problem that is restricting the accessibility of reliable broadband across Northern New York.

The 2019-2020 state budget included language that enacts a right-of way-tax, or use and occupancy fee, that is applied to fiber optic telecom companies for projects within a state right-of-way. Collectively, we've heard from several municipalities on this matter. Many of whom have indicated **this language handcuffs them** from moving forward with their respective projects to deliver broadband to residents. This is in addition to concerns by the Development Authority of the North Country (DANC), as this fee would slap a \$1.6 million tax on their already existing fiber, thus chewing up 25 percent of the annual projected revenue that is generated by the network.

Over the past several months, our state and nation has waged a battle against COVID-19. The North Country stepped up and flattened the curve. During this uncertain time, many were forced to adapt on the fly. Businesses and schools turned to working and learning remotely. While this reliance on wireless broadband may come with ease for some, others struggled with accessibility. This adversely impacted countless facets of life for so many across the state. It's this type of circumstance that fortifies how essential accessible broadband is.

Nickel and diming local governments, who are already stretching their budgets to meet the needs of their residents, simply cannot afford yet another tax for running fiberoptic lines. In today's day and age, broadband is just as essential as electricity. Often times, there are no alternative routes for fiberoptic lines, which is why many municipalities rely on the ability to run lines along state-owned roadways.

This fee does nothing more than disincentivize the expansion of rural broadband and is nothing more than a roadblock for broadband expansion.

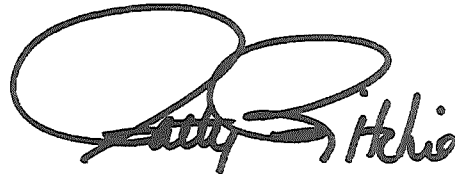
By imposing this fee, there will be a substantial hit to the ability to provide broadband to underserved areas of the state, which conflicts with the message of your "Broadband for All Program."

We respectfully request that you reconsider and waive this right-of-way tax on fiber optic lines along a state right-of-way. **Albany should be doing everything possible to build a climate for accessible broadband, not discouraging it.** If you'd like to discuss this further, please reach out to us anytime.

Sincerely,



Mark C. Walczyk
Assemblyman
Front Yard of America



Patty Ritchie
State Senator



Joseph Griffo
State Senator



Betty Little
State Senator

Will a. Barclay

Will Barclay
Member of Assembly

Billy Jones

Billy Jones
Member of Assembly

Ken Blankenbush

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Robert J. Smullen

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Dan Stec
Member of Assembly

cc: Marie Therese Dominguez, Commissioner, NYS DOT
Mr. Carl Farone, Interim Director, Development Authority of the North Country