

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 22-M-0313 - In the Matter of the Commission's Broadband Study and Mapping Pursuant to the Broadband Connectivity Act.

NOTICE OF PUBLIC STATEMENT HEARINGS
AND REQUEST FOR PUBLIC COMMENTS

(Issued March 17, 2025)

On April 16, 2021, the Governor and Legislature enacted the Comprehensive Broadband Connectivity Act of 2021 (the Act). The Act amended the Public Service Law by adding a new §224-c that directs the Public Service Commission (Commission) to map, on an annual basis, the availability, reliability, and cost of high-speed broadband service in the State to ensure that all New Yorkers have the necessary affordable access. The Act also requires the Commission to submit a report of its findings and recommendations to the Governor, the President Pro Tempore of the Senate, and the Speaker of the Assembly. The Commission is in the process of preparing its fourth annual report.

Public comment is invited concerning the availability, reliability, and affordability of residential and commercial broadband internet access services in the State of New York. Two virtual public statement hearings will be held. Public comment, and especially the personal experience of commenters, should address topics including, but not limited to:

- Locations where broadband internet service with at least 25 Megabits per second (Mbps) downstream and 1 Mbps upstream is not available, and what barriers are in place that limit its availability;

- Locations where the offered download speed(s) of internet service are greater than 25 Mbps but less than 100 Mbps downstream;
- Locations where there is only one broadband internet service provider; and
- Locations where broadband internet service is too costly for consumers or businesses.

Public comment is requested from individuals; internet service providers; labor organizations; public safety organizations; and healthcare, educational, agricultural, and other businesses and organizations.

Each public statement hearing will be preceded by a brief informational session at which Department of Public Service (Department) staff will outline the Department's information gathering process.

All New York State residents are strongly encouraged to participate in the Department's data gathering project by completing a broadband speed test and survey available at <https://mapmybroadband.dps.ny.gov>. This survey may be completed online at home, on cell phones, or at local libraries with internet access. New York State residents unable to take the survey online due to lack of connectivity should contact the Department's toll-free hotline at 1-855-NYBBMAP (1-855-692-2627) to request that a paper version of the survey be sent to their homes with a return envelope and pre-paid postage.

PLEASE TAKE NOTICE that two public statement hearings will be held virtually before the assigned Administrative Law Judges (ALJs), as follows:

1. **DATE:** **Wednesday, March 26, 2025**
 TIME: **1:00 p.m.**

Electronic Access: www.meetny-gov.webex.com
Event Number: 2831 929 6740
Password: **Mar26-1pm**

Phone-Only Access: 1-929-251-9612 (toll free)
Access Code: 2831 929 6740
Password: 62726017

2. **DATE: Wednesday, March 26, 2025**

TIME: 6:00 p.m.

Electronic Access: www.meetny-gov.webex.com
Event Number: 2820 186 8250
Password: **Mar26-6pm**

Phone-Only Access: 1-929-251-9612 (toll free)
Access Code: 2820 186 8250
Password: 62726067

Those wishing to comment on any aspect of this proceeding will have the opportunity to make a statement on the record at the virtual public statement hearings. **Any person wishing to provide a public statement must pre-register by 4:30 p.m. on Monday, March 24, 2025.**

To register and provide a statement electronically:

This option is for participants who would like to provide a statement and who will log in to the hearing electronically. Participants must pre-register by the date indicated above by visiting the Department of Public Service website at <https://dps.ny.gov/calendar>, clicking on the "View DPS Calendar Listings" button under the "Calendars" section, scrolling to and clicking on "Public Statement Hearing for Broadband Study and Mapping" for the particular hearing time, clicking the "Register" button, and providing all requested information. After registration is complete, registrants will

receive a confirmation email with instructions on how to join the hearing.

When logging in to participate in the virtual hearing on the appropriate date and time, participants will be asked to "select audio system." It is recommended that participants opt to have the system "call me" or "call using computer." The "call me" option will require that participants enter their phone numbers.

To register and provide a statement by phone:

This option is for participants who are not able to log in to the virtual public statement hearing electronically. Call-in participants wishing to make a statement at a virtual public statement hearing must register to do so by the date indicated above by calling **1-800-342-3330**, following the prompt to the appropriate hearing, and then providing the following information: first name and last name, address, and phone number.

On the day and time of the virtual public statement hearing, call-in registrants must dial **1-929-251-9612** and enter the access code and phone-in password listed above.

All participants will be muted upon entry into the virtual public statement hearing. The ALJs will call upon each person who has registered to make a statement and will continue each hearing until everyone who has registered to speak has been heard or other reasonable arrangements to submit comments into the record have been made. Reasonable time limits may be set for each speaker as necessary to afford all attendees an opportunity to be heard. It is recommended that lengthy comments be submitted in writing and summarized for oral presentation. A verbatim transcript of each public statement

hearing will be made for inclusion in the record of this proceeding.

To listen to the hearings without making a statement:

Any interested person may listen to the hearings by calling 1-929-251-9612 and entering the appropriate access code and phone-in password listed above.

Persons with disabilities requiring special accommodations should call the Department of Public Service's Human Resources Management Office at 1-518-473-9463 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are encouraged to call the Department at 1-800-342-3377 for free language assistance services regarding this Notice.

Other Ways to Comment:

For those who cannot attend or prefer not to speak at the public statement hearings, there are several other ways to provide your comments. Comments should refer to "Case 22-M-0313." **Although comments may be provided throughout the pendency of this proceeding, they are requested by April 11, 2025.**

Internet or Mail: Go to www.dps.ny.gov, click on "File Search" (located under the heading "Commission Files"), enter "22-M-0313" in the box labelled "Search by Case Number," and then click on "Post Comments" located at the top right of the page.

Alternatively, comments may be mailed to the Hon. Michelle L. Phillips, Secretary, New York State Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350; however, electronic filing is strongly encouraged. All comments submitted to the Secretary will be posted on the

Department's website by searching the case number, as described above, and clicking on the "Public Comments" tab. Comments become part of the record of the proceeding in which they are posted.

Toll-Free Opinion Line: Individuals may submit comments by calling the Commission's Opinion Line at 1-800-335-2120. This number is set up to take in-State calls 24-hours a day. These calls are not transcribed verbatim, but a summary is provided to the Commission.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary