

Town of Pinetops

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September 13, 2016

Governor Pat McCrory
State of North Carolina
North Carolina Office of the Governor
116 West Jones Street
Raleigh, NC 27603-8001

Dear Governor McCrory:

You have spoken about the importance of our state's rural areas gaining access to modern broadband infrastructure. And *Connecting North Carolina*, the state's 2016 broadband plan, recognizes a deep urban/rural broadband divide in our state, with 89% of the homes that lack access to modern broadband service residing in rural areas. So I am writing to ask for your support for repeal of a 2011 state law (S.L. 2011-84 (commonly known as H129)) that prevents North Carolina communities from providing high-speed Gigabit Internet and other communications services to our rural communities.

My community, Pinetops, is the poster child for how this law is a detriment to the broadband and economic future of our rural areas. The law is not "protecting taxpayers," but is instead shutting off an important option to bring 21st century broadband infrastructure and competitive choice to our rural communities. **Because of S.L. 2011-84, Pinetops is likely to have its Gigabit Internet service turned off shortly.** That does not represent sound social or economic policy.

Although the census reports that 31% of the population of my town is below the poverty line, Pinetops is a Gigabit City (something not even Raleigh can claim). The city of Wilson deployed its Greenlight fiber optic, broadband network throughout our community soon after the Federal Communications Commission (FCC) preempted H129 in 2015, finding that the law created numerous barriers to the deployment of advanced broadband networks and to competitive choice.

The economic future of my rural community improved immediately when we gained access to Wilson's broadband service. Compared to what we had been receiving from the incumbent, access to Greenlight services was like being catapulted from the early 1990s into the 21st century. Our small businesses and residents have saved hundreds of dollars and significantly

increased their productivity because of the reliable and super fast Greenlight speeds. Our town commissioners also began planning a new economic development strategy, because as a Gigabit fiber community we became newly competitive in the region for attracting creative class and knowledge workers from Greenville and Rocky Mount and the new jobs created by the Rocky Mount CSX distribution hub.


Now Pinetops has learned that, because the state of North Carolina challenged the FCC in court and won, Wilson likely will be forced to turn off our Gigabit Internet. This is because H129 limits the city of Wilson's service area to Wilson County even though Wilson provides basic utility services in our community like electrical and gas service. **In effect, the state of North Carolina is turning off our Gigabit entry to the 21st century global knowledge economy.**

We can see now that the state's urban areas are going to attract private sector Gigabit providers like Google Fiber. Those urban areas have the density and income levels. Our rural areas, in contrast, are being left behind. So the primary effect of H129 now is to prevent capable municipal broadband providers from serving our rural communities.

I am including our Town resolution which spells out why we need to put all options on the table for creating the most connected state in the nation and restore to municipal governments the authority to provide Internet and other communications services as they see fit.

I hope we can count on your support to call for the repeal of H129 and I look forward to hearing from you regarding this request.

Sincerely,


Steve Burress
Mayor

attachment: Town of Pinetops Resolution Calling for the Continuance of Wilson Greenlight Gigabit Services & for the Repeal of S.L. 2011-84