



**Department of  
Public Service**

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Commissioners

Three Empire State Plaza, Albany, NY 12223-1350,  
[www.dps.ny.gov](http://www.dps.ny.gov)

February 4, 2022

Dear Community Leader/Elected Official:

The Public Service Commission invites public comment regarding the Broadband Assessment Program to study the availability, affordability, and adoption of residential and commercial broadband internet access across New York State. The purpose of the study is to help determine what steps are needed to ensure that all of New York's consumers have access to the internet, as needed.

Topics for public comment include but are not limited to: broadband internet service locations that offer a speed of at least 25 megabits per second (Mbps) downstream while 1 Mbps upstream is not available; locations that provide an internet download speed of more than 25 Mbps but are less than 100 Mbps upstream; barriers to access of services such as high costs; locations where there is only one broadband internet service provider, and reasons why some consumers prefer to use wireless mobile service instead of the wired broadband service.

To ensure full public participation, the Commission will hold a series of virtual public statement hearings from February 23 to March 3, 2022, to solicit input and comments from your community. The enclosed public statement hearing announcement provides detailed information on how to participate in the public statement hearing and how to submit comments about the Broadband Assessment program. You may digitally add your comments by going to [www.dps.ny.gov](http://www.dps.ny.gov), click on "Search," and enter the associated matter number (21-02182) in the "Search by Case Number" field. For information about the study and survey, please go to [www.empirestatebroadband.com](http://www.empirestatebroadband.com).

I would appreciate your assistance with informing your constituents about the public statement hearings and encouraging them to provide comments. The Commission intends to facilitate and encourage active and meaningful participation throughout all its proceedings. We hope you will consider joining us.

Regards,

Bruce Alch, Director  
Office of Consumer Services

Cc: Rory Lancman, Special Counsel

STATE OF NEW YORK  
DEPARTMENT OF PUBLIC SERVICE

MATTER NO. 21-02182 - In the Matter of the Commission's  
Broadband Study and Mapping Pursuant to  
the Broadband Connectivity Act.

NOTICE OF PUBLIC STATEMENT HEARINGS  
AND INVITING PUBLIC COMMENTS

(Issued January 26, 2022)

Public comment is invited concerning the availability, affordability, and adoption of residential and commercial broadband internet access services in the State of New York. Eight virtual public statement hearings will be held to obtain input from the public on these topics. 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 Mbps (megabits per second) 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;
- Locations where broadband internet service is too costly for some consumers or businesses, and the size of the cost barriers;
- Reasons (including but not limited to cost or lack of interest in the service) why individuals or businesses do not subscribe to broadband internet service where it is available;

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- Reasons why individuals or businesses use cellular service to access the internet rather than subscribe to wired or wireless broadband alternatives.

Public comment is requested from individuals and also from internet service providers, other telecommunications companies, labor organizations, public safety organizations, healthcare, education, agricultural, and other businesses and organizations.

Each public statement hearing will be preceded by a brief informational session at which Department of Public Service Staff will outline the Department's information gathering process and the availability of a Federal program providing funding for income-eligible customers subscribing to broadband internet services.

All New York State residents, whether or not they make statements at the hearings, are strongly encouraged to participate in the Department of Public Service data gathering project by completing a broadband speed test and survey available at [www.empirestatebroadband.com](http://www.empirestatebroadband.com). 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 be sent to their homes with a return envelope and pre-paid postage. The survey must be completed by **March 18, 2022**.

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**PLEASE TAKE NOTICE** that eight public statement hearings will be held virtually before the assigned Administrative Law Judge, as follows:

1. **DATE:** Wednesday, February 23, 2022  
**TIME:** 1:00 P.M.

**Electronic Access:** [www.webex.com](http://www.webex.com)  
**Event Number:** 2349 008 4422  
**Event Password:** Feb23-1pm

**Phone-Only Access:** 518-549-0500  
**Access Code:** 2349 008 4422

2. **DATE:** Wednesday, February 23, 2022  
**TIME:** 6:00 P.M.

**Electronic Access:** [www.webex.com](http://www.webex.com)  
**Event Number:** 2333 922 4660  
**Password:** Feb23-6pm

**Phone-Only Access:** 518-549-0500  
**Access Code:** 2333 922 4660

3. **DATE:** Thursday, February 24, 2022  
**TIME:** 1:00 P.M.

**Electronic Access:** [www.webex.com](http://www.webex.com)  
**Event Number:** 2344 142 4144  
**Event Password:** Feb24-1pm

**Phone-Only Access:** 518-549-0500  
**Access Code:** 2344 142 4144

4. **DATE:** Thursday, February 24, 2022  
**TIME:** 6:00 P.M.

**Electronic Access:** [www.webex.com](http://www.webex.com)  
**Event Number:** 2336 197 6257  
**Password:** Feb24-6pm

**Phone-Only Access:** 518-549-0500  
**Access Code:** 2336 197 6257

5. DATE: Wednesday, March 2, 2022  
TIME: 1:00 P.M.

Electronic Access: [www.webex.com](http://www.webex.com)  
Event Number: 2332 012 1397  
Event Password: Mar2-1pm

Phone-Only Access: 518-549-0500  
Access Code: 2332 012 1397

6. DATE: Wednesday, March 2, 2022  
TIME: 6:00 P.M.

Electronic Access: [www.webex.com](http://www.webex.com)  
Event Number: 2340 026 0650  
Password: Mar2-6pm

Phone-Only Access: 518-549-0500  
Access Code: 2340 026 0650

7. DATE: Thursday, March 3, 2022  
TIME: 1:00 P.M.

Electronic Access: [www.webex.com](http://www.webex.com)  
Event Number: 2343 517 1006  
Event Password: Mar3-1pm

Phone-Only Access: 518-549-0500  
Access Code: 2343 517 1006

8. DATE: Thursday, March 3, 2022  
TIME: 6:00 P.M.

Electronic Access: [www.webex.com](http://www.webex.com)  
Event Number: 2336 900 3567  
Password: Mar3-6pm

Phone-Only Access: 518-549-0500  
Access Code: 2336 900 3567

Those wishing to comment on any aspect of the issues in this proceeding will have the opportunity to make a statement on the record at the virtual public statement hearings. **Any**

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**person wishing to provide a public statement must pre-register in advance of the hearings.**

**To register electronically:** Participants who would like to provide a statement and will log in to a hearing electronically must **pre-register** by visiting [www.webex.com](http://www.webex.com) **by 5:00 p.m. on the day before the hearing in question.** From the WebEx homepage, registrants should click "Join" at the top right-hand corner of the screen, enter the appropriate event number listed above, and provide all requested information.

On the appropriate date and time of the hearing, please visit [www.webex.com](http://www.webex.com) to log in to the hearing, click "Join" at the top right-hand corner of the screen, and input the appropriate event number for the hearing. You may need to "refresh" the WebEx home page if the "Join" button does not at first appear. 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 participants to enter their phone numbers.

**To register by phone:** Any participant who is not able to log in to a hearing electronically may participate by phone. Call-in participants wishing to provide a statement must **pre-register** by calling **(800) 342-3330 by 5:00 p.m. on the day before the hearing in question,** where they should follow prompts to the appropriate hearing, and provide the following information: first and last name, address, and phone number.

On the appropriate date and at the time of a hearing, all call-in users should dial **(518) 549-0500** and enter the relevant access code listed above.

All participants will be muted upon entry into the hearing. The Administrative Law Judge overseeing the hearings will call on each person who has asked to make a statement. Each public statement hearing will be held open until everyone

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who has registered to speak has been heard or other reasonable arrangements to submit comments into the record have been made. Time limits may be set for each speaker, as necessary. It is recommended that lengthy comments be submitted in writing and summarized for oral presentation. A verbatim transcript of the hearings will be made for inclusion in the record of this case.

**To listen to the hearings:** Any person who would like to listen to the hearings without making a statement may access the hearings without pre-registering. The hearings will be live-streamed on the internet and available for viewing on the Department of Public Service YouTube channel on the dates and at the times listed above. To access the YouTube channel, visit the Department's website, [www.dps.ny.gov](http://www.dps.ny.gov), and click on the YouTube icon at the bottom of the homepage. In addition, any person without internet access may listen to the hearings by phone by calling **(518) 549-0500** and entering the applicable access code listed above.

Persons with disabilities requiring special accommodations should call the Department of Public Service's Human Resources Management Office at (518) 474-2520 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 of Public Service at (800) 342-3377 for free language assistance services regarding this notice.

**Other Ways to Comment**

Those who prefer not to present comments at a public statement hearing may provide comments in several other ways.

**Internet or Mail:** Go to [www.dps.ny.gov](http://www.dps.ny.gov), click on "Search," enter "21-02182" in the "Search by Case Number" field, then click on "Post Comments" at the top right of the page; or

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send comments by email to the Secretary to the Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov).

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.<sup>1</sup>

**Toll-Free Opinion Line:** You may call the Public Service Commission's Opinion Line at (800) 335-2120. This number is set up to take comments about pending cases from in-state callers, 24-hours a day. These comments are not transcribed verbatim, but a summary is provided to the Commission.

All submitted comments should refer to "Matter No. 21-02182." All written comments will become part of the record considered by the Commission and may be accessed on the Department of Public Service website by searching the matter number, as described above, and clicking on the "Public Comments" tab. **Although comments will be accepted throughout the pendency of this proceeding, public comments are requested by no later than March 18, 2022, in order to ensure timely consideration by the Commission.**

(SIGNED)

MICHELLE L. PHILLIPS  
Secretary

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<sup>1</sup> Electronic filing is strongly encouraged.