

**DEPARTMENT OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS TESTIMONY
BEFORE THE CITY COUNCIL COMMITTEES ON TECHNOLOGY AND PARKS & RECREATION
OVERSIGHT ON INTERNET ACCESS IN PUBLIC PARKS
WEDNESDAY, JANUARY 26, 2011**

Good morning Chairs Cabrera and Mark-Viverito, and members of the City Council Committees on Technology and Parks and Recreation. My name is Carole Post, Commissioner of the Department of Information Technology and Telecommunications, or DoITT. Thank you for the opportunity to testify today about the City's efforts to increase the availability of high-speed Internet access across the City's parks and public spaces. With me today are Mitch Ahlbaum, DoITT's General Counsel and Deputy Commissioner for Franchise Administration, and Bruce Regal, Senior Counsel at the New York City Law Department. Also joining us is Deputy Commissioner Robert Garafola from the Department of Parks and Recreation.

Before I detail today the status of Internet access in parks around the city, I would like to provide the committee with some background on our ongoing efforts, on behalf of the Bloomberg Administration, to foster greater digital inclusion throughout New York City.

DoITT is the City's IT Services agency and works to empower New Yorkers and the agencies that serve them with innovative and accessible technology solutions. One important aspect of that mission is to enable and promote a comprehensive broadband strategy for New York City.

Broadband Study Findings and Strategy

DoITT has worked for a number of years with partners across the city to develop a comprehensive strategy around expanding broadband availability and increasing adoption of the technology. Our plan envisions a multi-pronged approach to benefit the many New Yorkers who have traditionally been underserved: the elderly, low-income households, and those relying predominantly on publicly-available access.

This approach was formulated based on findings in the City's Broadband Needs Assessment Study conducted over the course of 18 months in 2006 and 2007. The study's primary contention was that while the infrastructure that offers broadband service is almost universally *available* in the city, there is here – as there is across the U.S. – a digital divide in terms of broadband *adoption*. This divide is especially pronounced with respect to lower-income residents and seniors. To meaningfully address lagging adoption rates among low-income New Yorkers, the study urged simultaneously addressing: (1) the cost of broadband service; (2) computer ownership; (3) digital computer literacy; and (4) expanded education and outreach regarding the value of broadband. Helping New Yorkers who need it most to overcome barriers to digital entry has driven much of DoITT's work in the broadband arena.

Bridging the Digital Divide

As you know, these efforts have contributed to our success in garnering more Federal broadband stimulus funding than any other city (or by any state).

This past weekend, in fact, I was honored to join Department of Education Chancellor Cathie Black, and Federal, State, and local elected officials at a training workshop for families participating in the NYC Connected Learning program. Leveraging \$22 million in Federally-awarded money and \$6 million in City match funding, NYC Connected Learning provides comprehensive training, curriculum and classroom technology support to more than 18,000 low-income students and their families at public schools across the five boroughs, helping teachers and school leaders to facilitate on-line learning at home and in the classroom.

Overall, the City has garnered approximately \$42 million in Federal broadband stimulus monies, NYC Connected Learning funding being complemented by a \$14 million award for NYC Connected Communities, which will significantly expand the availability of public computer centers – libraries, public housing facilities, senior centers and community centers – in high-poverty areas to serve 40,000 new users weekly; as well as a \$6 million award for NYC Connected Foundations, which will provide over-age, under-credited students at 43 of the City's public high schools with access to free computers, broadband subsidies, and digital literacy training.

In addition DoITT is working with the City's largest cable television franchisees to extend service to those industrial/manufacturing areas where coverage gaps still exist; and – as the subject of today's hearing suggests – to provide Wi-Fi in City parks and public spaces.

Parks WiFi

Countless New Yorkers and visitors have come to depend on wireless devices to manage many aspects of their lives. The result has been an increase in dependence on wireless fidelity – known as “WiFi” – hotspots throughout the City. Most of these hotspots are sponsored by private businesses or by Business Improvement Districts. In these times of limited resources and multi-billion dollar budget deficits, however, the City's challenge has been to find a sustainable and financially achievable model for enhancing WiFi in parks and other public spaces. After considerable analysis DoITT, in consultation with the Parks Department, has developed what we believe to be a sustainable model for deployment of WiFi in many currently un-served or underserved public parks.

Cable Franchise Renewal Agreements

Through DoITT's franchise renewal negotiations with Cablevision and Time Warner Cable we have come to an agreement in principle whereby the companies will invest \$10 million to install and maintain WiFi to an estimated 32 public parks in all five boroughs. Time Warner Cable, having approximately two-thirds of the city within its franchise territory will provide WiFi in about 20 parks, and Cablevision will provide WiFi in the balance of about a dozen parks. We took this approach for a number of reasons, not least of which is these companies' prior and current experience as WiFi providers.

While the details of the franchise agreements are still being finalized, the program will work as follows:

- The service will be completely free to Cablevision and Time Warner Cable broadband subscribers; this represents about half of all New York City households.
- Any non-subscriber will be able to enjoy three, ten-minute sessions a month for free.
- Beyond the free sessions, anyone will be able to access the service for a 24-hour period for ninety-nine cents.

We believe that this model will bring secure, robust WiFi to the public in un-served and underserved parks while providing the companies with incentives for providing a consistent, quality service. And it will not cost the City a penny.

The Parks Department and DoITT are now beginning work with the cable companies and local community leaders to identify potential sites for deployment. The sites chosen will ultimately depend on a number of factors, including use potential, viability of buildout, siting of trees and facilities, and access to infrastructure for backend connectivity. We are also looking to engage the City Council for input and ideas for identifying potential sites in parks citywide.

WiFi in Parks – Current State

While the City's arrangement with Cablevision and Time Warner marks a milestone in making our fast-paced City even more connected, it is important to acknowledge the considerable work that has already been done to make parks and open spaces WiFi-ready. City residents and visitors can now surf the web in more than a dozen parks and public spaces throughout the five boroughs. These include Times Square, Union Square, Bryant Park, and City Hall Park just across the street. The availability of WiFi in these spaces has been made possible by innovative partnerships with and between both nonprofit and private sector sponsors. But notably, these advances have primarily been in the city's most heavily-trafficked and commercially-located parks.

Wi-Fi Salon: 2004-2007

In addition to these case-by-case broadband provider arrangements, the City has previous experience with attempting a citywide contract for WiFi service. In October 2004, the Parks Department commenced a three-year contract with Wi-Fi Salon to provide service at 17 locations in ten parks across the city. In 2007 the contract was renewed for an additional year, but was not renewed in 2008 due to concerns regarding spotty service and contract compliance issues. The system also suffered from periodic outages and failure to consistently handle a high volume of users. While WiFi has proven successful in smaller parks, such as Bryant Park and Madison Square, especially with funding support from local business improvement districts or other interested groups, it proved difficult across a more diverse range of areas where funding support may be less available.

Parks & Open Spaces WiFi RFI: 2009

In 2009, the City tried yet another approach to tackle the issue. In May of that year DoITT issued a Request for Information (RFI) to assess the feasibility of one or more WiFi providers establishing service in up to 40 City parks and other open spaces, as well as models for the configuration and administration of such a program. The City received eight responses from a wide array of potential providers. However none of the proposals were found to be fully satisfactory for meeting the City's expectations. After extensive review of all the options, it was proposed that the most affordable and sustainable path to enhanced WiFi availability was to incorporate agreements into the pending franchise renewal negotiations with Cablevision and Time Warner Cable.

We think this plan is a win-win for the City in many respects:

- It shifts the burden of designing, building, installing and maintaining a network to organizations that have a proven track record – in New York City and across the country – for this kind of activity
- It allows the City, in consultation with local elected officials and community leaders, to identify and direct installation in parks that are in communities that have been traditionally underserved, not just the most-visited or popular parks
- It provides for performance and customer service standards to ensure availability and uptime
- Users get all this for either for free, or for a very small charge – less than a dollar a day

And let me emphasize a few other aspects that make the approach even more attractive:

- It does not in any way preclude efforts by additional providers to offer public WiFi access in these and other public spaces.
- It does not preclude the City from issuing a Request for Proposals for additional service pursuant to the RFI responses it received.

- It does not grant Cablevision or Time Warner Cable exclusivity to any section of any park or any group of parks.
- It does not cost the City any capital or investment costs.

Ultimately, we believe that by engaging proven industry leaders to provide and maintain this service we can achieve for the first time, and at no cost to the City, a geographically diverse, sustainable response – for the next decade – to an issue that cities nationwide have for years been battling with only limited success. As public WiFi continues to evolve from amenity to an increasingly-important element of our daily lives, New York City is now at the fore of meeting that challenge.

In close conjunction with the Parks Department and with insight from the City Council and local leaders, DoITT looks forward to building on the initiatives that I have outlined for you this morning. There is more to do, but we believe that our WiFi initiative forms a strong basis for continued deployment of wireless Internet access in City parks and public spaces.

Thank you. We would now be pleased to answer any questions that you have.