



**HB 2806 - AN ACT concerning counties; relating to the public right-of-way; authorizing certain telecommunications and video service providers to operate in county public right-of-way; limiting the fees and costs that a county may impose upon such providers for such activities.**

Chair Delperdang, Vice Chair Turner, and distinguished members of this Committee.

My name is Daniel Friesen. I am Co-Founder and Chief Innovation Officer of Ideatek, a fiber internet service provider headquartered in Buhler, Kansas with a mission to deploy high speed, affordable broadband to unserved and underserved communities throughout the state. Currently, Ideatek has built over 6,000 miles of fiber across Kansas, connecting some of the most underserved local residents and businesses.

We are here today to discuss HB 2806, a simple bill which will support broadband infrastructure expansion within the county public right-of-way. As an entrepreneur in the Kansas broadband space for over 25 years, a Reno County Commissioner, as well as a member of the State Broadband Planning task force, I am a strong advocate for broadband providers and the residents and businesses they serve.

HB 2806 provides protections for both providers and counties in establishing use of the public right-of-way in infrastructure deployment. Decades ago, this legislature made it clear that it understood the need for uniformed access to rights-of-way for telecommunications providers, as well as uniformed protections for the municipalities with the adoption of KSA 17-1902. We agree that these same principles should apply to Kansas counties as well, and we worked together with other industry leaders to formulate this bill.

It is important to note that it has been our experience that most Kansas counties operate collaboratively and without causing undue delay. However, as we deploy broadband into rural, unincorporated areas, we are often met with inconsistencies in various County's permitting processes and costs. In some cases, counties are charging exorbitant fees, often costing providers thousands of dollars to operate within the public right-of-way, which we believe is more akin to a tax than a recovery of reasonable costs. Further, these fees are inconsistent with the spirit of the authority granted to providers in KSA 17-1902. These costs and process inconsistencies cause

undue delays in the deployment of critical broadband infrastructure in rural areas of our state. By codifying county regulation of public rights-of-way we believe the inconsistencies and barriers currently delaying residents and business critical access to broadband connectivity will be removed for the good of the public, as well as aligning with state priorities.

We also recognize the alignment of these principles with our Kansas counties. Over the past few years the Kansas Association of Counties has made enabling broadband deployment a legislative priority.<sup>1</sup> Additionally, it is clear that Kansas Counties support policies that allow counties to operate more efficiently and to freely collaborate with providers to provide services to its residents.<sup>2</sup> While this bill places some restrictions on counties, we feel the bill before you strikes the proper balance of policy priorities. This bill also conforms to the State of Kansas's Broadband Planning Task force recommendations to "develop, amend, or reduce policy and regulation which reduces barriers to the expedient deployment of broadband infrastructure."<sup>3</sup>

We respectfully request you consider passing this bill and create equal protections for both providers and counties so that they may uniformly understand and apply right of way regulation. HB 2806 is about uniformity and outlining a streamlined process for all stakeholders to work together to reach our goal of further broadband deployment in Kansas.

Thank you for your time and attention to this matter and I am happy to answer any questions you may have.

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<sup>1</sup> See *Kansas Association of Counties 2024 Legislative Policy Statement*, p.1  
(<https://www.kansascounties.org/legislative/2024-legislative-updates-related-information/kac-proposed-2024-legislative-policy-statement-final-approved-20231206.pdf>)

<sup>2</sup> See *Id.* at 2

<sup>3</sup> See *Report of the Statewide Broadband Expansion Planning Task Force to the 2020 Kansas Legislature*, p. 3  
([https://www.kslegresearch.org/KLRD-web/Publications/CommitteeReports/2019CommitteeReports/statewide\\_brdbnd\\_exp\\_planning\\_tf-cr.pdf](https://www.kslegresearch.org/KLRD-web/Publications/CommitteeReports/2019CommitteeReports/statewide_brdbnd_exp_planning_tf-cr.pdf))