



EXECUTIVE ORDER

(Number 9) 2005

EXECUTIVE ORDER TO ESTABLISH THE BROADBAND DEPLOYMENT COUNCIL

WHEREAS, the State of Illinois has historically been a leader in computer technology and applications, including University of Illinois Urbana-Champaign's role in the development of the Internet and the World Wide Web;

WHEREAS, the State of Illinois is an important hub of global information transfer;

WHEREAS, the future economic vitality of the State of Illinois depends on continued participation in the growing global information economy;

WHEREAS, the near future will bring further convergence of critical information and communications services and blur distinctions between such services as telephone, Internet, and television;

WHEREAS, telecommunications services in rural and low-income areas are not comparable to those available in our state's urban centers;

WHEREAS, the objective of universal, competitive, and affordable advanced telecommunications services will be achieved when public, private, and non-profit groups work together toward this goal;

WHEREAS, it is therefore necessary that state agencies work together to encourage and help coordinate the spread of universal, competitive, and affordable advanced telecommunications services;

THEREFORE, pursuant to the powers vested in me by Article V, Section 11 of the Constitution of the State of Illinois, I hereby order the following:

I. Creation of the Illinois Broadband Deployment Council

- (a) There is created the Illinois Broadband Deployment Council ("the Council"). The purpose of the Council is to ensure that as soon as possible, advanced telecommunications services, including bidirectional communications transfer speeds of at least one megabit per second (1 mbps), are made available to the citizens of Illinois on a universal, competitive, and affordable basis.
- (b) The Council shall be governed by an Executive Committee composed of the following persons or their designees:
 - (1) The Lieutenant Governor, who shall also serve as the Executive Committee's Chairman;
 - (2) the Director of the Department of Commerce and Economic Opportunity;
 - (3) the Chairman of the Illinois Commerce Commission;
 - (4) the Secretary of the Illinois Department of Transportation;
 - (5) the Chairman of the Illinois State Toll Highway Authority;
 - (6) the Chairman of the Illinois Finance Authority;
 - (7) the State Superintendent of the Illinois State Board of Education;

- (8) the Chairman of the Illinois Board of Higher Education;
 - (9) the Director of the Department of Central Management Services;
 - (10) at least ten individuals appointed by the Governor. These appointments shall be made with consideration of the diversity of the State, including members representing rural areas, underserved urban areas, consumer interests, community interests, and commercial interests including Incumbent and Competitive Local Exchange Carriers, and other entities providing communications or information services but not classified as Local Exchange Carriers.
- (c) The Council shall meet at least quarterly.
- (d) Appointed members of the Executive Committee shall serve two-year terms.

II. Duties of the Illinois Broadband Deployment Council.

The Council shall be responsible for the following duties:

- (a) To identify those portions of the telecommunications infrastructure owned by agencies of the State of Illinois that can be made available for lease to commercial ventures, non-profit agencies, and local governments; and to establish standard procedures and pricing for lease of such infrastructure;
- (b) To ensure where possible that any infrastructure improvement undertaken by an agency of the State of Illinois includes the installation of underground conduit that can be made available on a non-discriminatory basis to public, private, and non-profit entities interested in running fiber-optic lines for communications or information services through such conduit;
- (c) To encourage and facilitate the coordination of private and public telecommunications deployment, including local and regional efforts and public-private partnerships;
- (d) To be a clearinghouse for information about available state, federal, and private funding for private and public telecommunications deployment. This shall include working with the Illinois Finance Authority to develop loan, grant, and/or bond products suitable for telecommunications deployment projects;
- (e) To make recommendations to the General Assembly regarding telecommunications initiatives that require legislative approval, including the creation of a state entity that handles distribution of funds for private and public telecommunications projects;
- (f) To act as a liaison between any telecommunications deployment project and any entity controlling rights of way and other easements necessary for such project;
- (g) To foster competition among all entities providing commercial communications or information services;
- (h) To continually assess and catalog the telecommunications infrastructure of the state of Illinois for the purpose of determining the present and future needs of the state with respect to realizing the goals of competition, affordability, universal service, and securing the state's telecommunications and economic future.

This order shall take effect immediately upon its adoption.

Rod R. Blagojevich, Governor

Issued by Governor: September 6, 2005
Filed with Secretary of State: September 6, 2005