

The Virgin Islands Consortium

Public Works, WAPA Slowing Process of Gigabit Speed Internet to USVI Residents, Liberty Says

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The Senate Committee on Housing, Transportation and Telecommunications met on Tuesday, with several service providers providing lawmakers with updates on the state of the industry.

Among the many topics discussed was the difficulty being faced in working with the Water and Power Authority to access its poles, upon which telecoms equipment is installed.

Ricardo Portela, Vice President of Technical Operations for Liberty USVI, spoke about delays in the construction of their Connect USVI program, which requires rolling out fixed

broadband service to all locations in the territory with minimum speeds of one gigabit per second. Funded partially by the Federal Communications Commission, the program gives Liberty six years within which to complete the network expansions, upgrades, and disaster preparation and resilience projects it had proposed. Program milestones are slipping due to permitting delays, complained Mr. Portela. He said that the Department of Public Works is currently sitting on 57 permit packages awaiting approval, which works out to be over 15,000 households.

"We continue conversations with DPW to try to get our permit package approved in a more expedient way," said Mr. Portela. "Some permits have been submitted for several months and we haven't received an answer."

The Liberty executive said that DPW "keeps adding criteria which are not part of the permit process," throwing logistics and the company's work plan into chaos.

Apart from DPW, the Water and Power Authority's slow pace when it comes to providing pole attachment agreements is also slowing down the Connect USVI process, Mr. Portela said. "We have been trying to get a pole attachment agreement with WAPA for more than a year," he told lawmakers. "Liberty has faced serious headwinds with respect to WAPA." This is placing the company's ability to meet federally-mandated milestones in jeopardy, said Mr. Portela.

Andrew Smith, WAPA's CEO and executive director, told lawmakers that "the communication between Liberty and WAPA has not been ideal." He expressed concern that despite documented communication between Liberty and WAPA's general counsel, he has remained unaware. "Just to be honest with this body, this is the first time I've met or spoken to these two gentlemen here today," Mr. Smith admitted. He promised to rectify the communication lapse from WAPA's end, but maintained that accessing the utility's poles had to be done safely. During his testimony, he noted that "telecommunications and broadband providers are required to perform and provide the engineering analysis to ensure that their equipment can be safely installed on WAPA's poles."

Third parties must also ensure compliance with all electrical and other safety standards, especially considering recent changes to the National Electrical Safety Code that requires all devices that emit radio frequencies to be able to cease transmission, which allows technicians and linesmen to work safely on the poles where those devices are installed.

Mr. Smith emphasized that safety was the overarching concern when it came to installing third-party equipment on WAPA's poles – not only electrical safety but ensuring that the equipment would not compromise the pole's structural integrity when it came to weight, wind, and other forces on the pole. Any holes that need to be drilled into the new, much more expensive composite poles would need to be done according to manufacturer specifications, or else risk voiding the manufacturer's warranty.

"I assure you that WAPA supports the installation of critical telecommunications and broadband infrastructure in the territory," Mr. Smith said. The utility company just wants to protect its assets, he told lawmakers, who seemed frustrated by the inability of the two entities to communicate effectively.

“The collaboration that needs to be there doesn’t seem to be there,” said Senator DeGraff. “Who suffers? The people suffering!”

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