

SOUTH CAROLINA EDUCATIONAL BROADBAND

SERVICE COMMISSION

Meeting Minutes

March 06, 2009

Opening:

The ninth regular meeting of the SC Educational Broadband Service Commission was called to order at 10:00 am on March 06, 2009 at 1401 Senate Street by Gary Pennington. It was noted for the record that all members are present and Public Notice of the Meeting was made on March 04, 2009. Visitors were recognized and requested to register their name and email address on the sign-in sheet.

Members Present:

Gary Pennington, Jack Cooper, William Byrd, Dr. Joachim Taiber, Poinzettia Stephens and Neil Mellen

Members Present (Via Teleconferencing):

George Wyatt, Jr.

Staff Present:

Paul Koch, Gay Hoyer

Robert Rini (Legal Counsel)

1. Approval of Agenda

Gary Pennington asked for a motion to approve the agenda, William Byrd made a motion to accept the agenda. Agenda was approved.

2. Approval of Minutes from Previous Meetings

Gary Pennington asked for approval of minutes from January 30, 2009 meeting. Poinzettia Stephens made a motion to approve the minutes without corrections or additions. Motion was approved.

3. Update/Discussion from SCETV

David Crouch and Dean Byrd from SCETV were in attendance to give an update on the progress SCETV was making in preserving the existing licenses. There are currently 14 licenses that need waivers, 2 of which contain no viable GSA. The 12 remaining licenses require that a consent letter be sent out to any entities near these GSAs that could be affected. All parties affected were identified and SCETV is in the process of contacting the parties by phone and follow-up letters.

SCETV did conduct an engineering study to identify all 37 licenses which will need to be transitioned and also identified all licenses that would be touched/affected by those 37 transitions. All those affected will have to be notified by SCETV in regards to the self-transition. A template letter has been drafted and will be sent to all those affected. Todd Gray, SCETV's Legal Counsel, has already obtained approval from the FCC to send out the notification letters. SCETV hopes to have all notification letters sent out by April 21, 2009 advising of the move to the analog channel and outlining the transition plan. All information and data has been gathered and SCETV is moving forward with the notifications as well as the self-transition.

It was discussed and agreed upon by the Commission that SCETV be included in the Executive Session.

Before going into Executive Session, Gary Pennington wanted to express that there have been several inquires relating to the level of response to the RFP. Mr. Pennington made public that 8 varied responses had been received to the RFP and those responses would be discussed in Executive Session with legal counsel. The Commissions goal is to have a recommendation for the Joint Bond Review Committee prior to its June 1 or 2, 2009 meeting. If the Joint Bond Review Committee is in agreement with the recommendation, the matter will then go before the Budget and Control Board at its June 16, 2009 meeting.

Several parties have asked for the identification of the respondents to the RFP. This information will be made public once a bidder has been selected and approved.

4. Executive Session – Receipt of Legal Advice and Discussion of Contractual Matters Relating to Proposals Submitted in Response to Request for Proposals

A motion was made by William Byrd and approved by the Commission to go into Executive Session to receive legal advice and discuss contractual matters relating to the proposals submitted in response to the RFP. (Visitors were asked to leave the room) The meeting was adjourned without returning to public session.