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	April 4, 2007		www.wv.gov.org

VIA HAND DELIVERY

The Honorable Betty Ireland
 Secretary of State
 State of West Virginia
 State Capitol
 Charleston, West Virginia 25305

Dear Secretary Ireland:

After extensive consideration, and pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Senate Bill No.748.

Enrolled Senate Bill No.748, or the Electronic Telecommunication Open Infrastructure Act (ETOPIA), seeks to foster the expansion of broadband service throughout West Virginia. As you know, I have long supported this goal and have made it a priority for West Virginia. Indeed, as I noted in my 2007 State of the State address, we must work with service providers to ensure that all West Virginians have the opportunity to access broadband from their homes and workplaces by the year 2010.

Since that time, the State has made significant progress in this area by forming a critical strategic alliance with telecommunications industry leader Cisco Systems, Inc. Cisco Systems, led by its Chief Executive Officer, West Virginia native John Chambers, is working with the State to pursue key goals, which include the major components of Enrolled Senate Bill No. 748. Specifically, through this alliance we are:

- Developing a comprehensive statewide broadband deployment strategy;
- Implementing programs to increase the use of technology in private homes, after-school programs, libraries, and schools;
- Developing statewide government-to-citizen and government-to-business portals, allowing the State to conduct business via the Internet; and
- 0 Developing a statewide broadband training and awareness program.

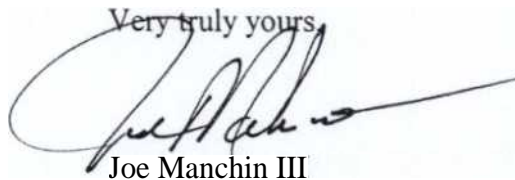
OFFICE OF THE GOVERNOR

In addition, the State is working with Verizon to inventory and map all telecommunication-related infrastructure throughout the State, which is absolutely necessary to the success of this project. Moreover, we are aggressively pursuing other alliances with cable providers and hardware and software outfits to further the project.

In light of these new relationships and the tremendous promise they hold, however, I am reluctant to approve Enrolled Senate Bill No. 748. Specifically, this Bill creates an extensive administrative structure. This structure was fashioned prior to the establishment of our new partnerships, which are quintessential public-private partnerships that have heretofore developed organically, with the needs of the State's people being matched with the gifts and talents of the parties involved. Imposing an additional layer or structure on top of these relationships will likely result in the duplication of efforts, the inefficient allocation of scarce resources, and the introduction of inconsistencies in the still-maturing process that could restrict the growth and progress of the alliances.

To avoid **creating unnecessary impediments and to allow these partnerships** to be truly fruitful, approval of this Bill would be unwise. Accordingly, for the reasons set forth herein, I veto Enrolled Senate Bill No. 748.

Notwithstanding this action, I appreciate the Legislature's commitment to making statewide broadband access a reality and, as we proceed with this endeavor, will call upon their assistance to meet the many challenges that lie ahead. Indeed, this important objective cannot be achieved without their leadership. Broadband is critical to West Virginia's long-term social and economic growth and to the quality of life of her current and future citizens. Together, the Legislature and this Administration have made a commitment to the people of West Virginia that broadband access will be available throughout the State by 2010, and through our shared efforts we can make it happen.

Very truly yours,

Joe Manchin III
Governor

cc: The Honorable Earl Ray Tomblin
President, West Virginia Senate
The Honorable Richard Thompson
Speaker, West Virginia House of Delegates