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MONDAY, SEPTEMBER 6, 2010 | 75¢

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Charity giving can buy access

CONGRESS: Businesses may seek influence by supporting nonprofits

By ERIC LIPTON
The New York Times

WASHINGTON — Rep. Joe Baca has achieved near celebrity status in his suburban Los Angeles district, as much for his record of giveaways — Thanksgiving turkeys, college scholarships, spare boots for firefighters — as for anything he has done in Congress.

That generosity is made possible by the Joe Baca Foundation, a charity his family set up three years ago to aid local organizations. It provides another benefit, too: helping the Democratic congressman run something akin to a permanent political campaign. Joe Baca T-shirts and caps are given out at the charity's events. Local newspapers mention the charity's donations, and TV stations show appearances by Baca at functions his foundation supports.

Little of the money comes out of Baca's pocket. Instead, local companies and major corporations that have often turned to Baca's Washington office for help, and usually succeed in getting it, are the chief donors.

A review by The New York Times of federal tax records and House and Senate disclosure reports found at least two dozen charities that lawmakers or their families helped create or run that routinely accept donations from businesses seeking to influence them. The sponsors —

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PGT'S CEO OPTIMISTIC

Tough choices made by Venice window and door maker PGT to weather the recession have resulted in the company's first sales gains in four years. CEO Rod Hershberger expects new products will keep the company strong. **Business Weekly**



HOUSING CASES LONG FORGOTTEN

FORECLOSURES: The local court system works to clear the legal deadwood

By TODD RUGER
todd.ruger@heraldtribune.com

When attorneys and judges complain that foreclosures are clogging the courts, this is what they are talking about: roughly

24,000 properties in Sarasota and Manatee counties are in foreclosure but have not been retaken, and many have seen no legal activity in almost a year.

But as local court officials start to work their way through the backlog, reviewing the status of each case in a sort of closet-cleaning, many foreclosures appear to be simply forgotten cases that were resolved some time ago.

The glut of foreclosure cases continues to frustrate judges and slow down the entire process, with foreclosure actions that used to take six months now taking more than two years.

The longer it takes for those properties to return to the market and get a new owner, the longer real estate prices will remain down, experts say. And there

See FORECLOSURES on 4A

A FIBER FUTURE?

LOTS OF FIBER, BUT WHO WILL GET TO USE IT?

By MICHAEL POLLICK and DOUG SWORD, *Staff Writers*

Forget Google Fiber. For the bargain-basement price of \$1,000 per mile, Sarasota County could build one of the fastest broadband systems in the nation.

During the next year, local government officials will construct an ambitious new fiber-optic network — with a capacity nearing that of the Internet backbone that moves data between major cities — to coordinate most of the traffic lights in Sarasota County.

Unless something changes, none of it will be used to attract businesses to the Gulf Coast.

This apparently mundane infrastructure project would have attracted little attention a year or two ago outside of traffic engineering circles.

But the combination of Google Inc. inviting communities to apply for an ultra-high-speed-connectivity, and the roll-out of the Federal Communication Commission's first ever broadband agenda puts the county traffic project in a whole new light.

Other communities are taking their fiber future into their own hands or benefiting from entrepreneurs betting that broad connectivity will drive economic development for the next two decades.

The traffic project may be Sarasota County's main chance to keep pace.

A local broadband task force is talking about using the extra fiber to address unmet needs, including service to low-income areas and providing businesses with speeds of 100 megabits per second — swift enough

See LOOP on 7A

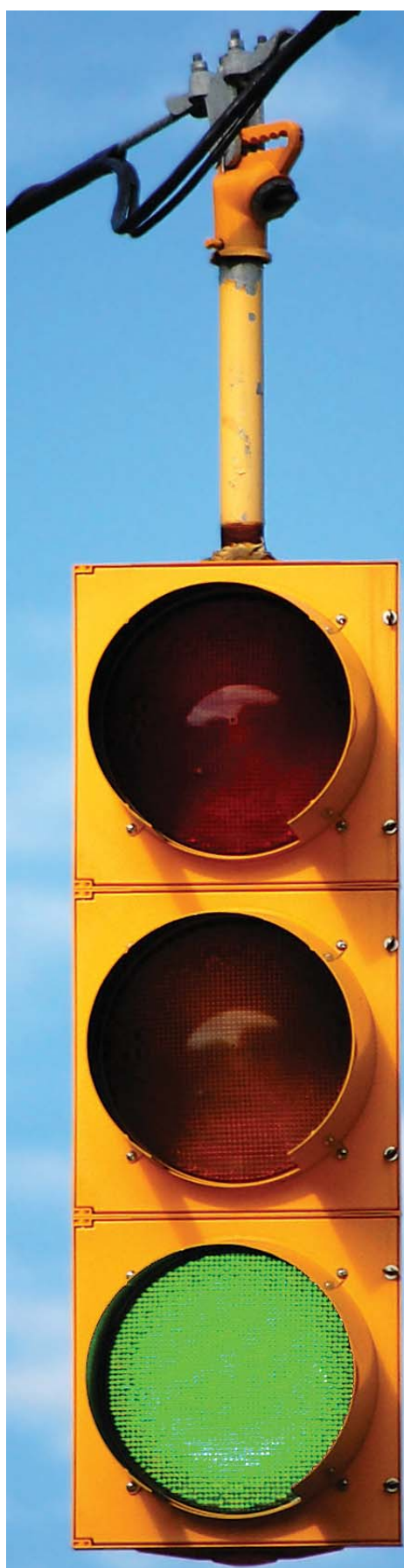
ABOUT THIS SERIES

This is the second in a series of stories about the potential of faster Internet.

TOMORROW: More 'dark fiber' is needed to attract businesses.

INSIDE

On the other coast, Martin County is ahead of the game in installing lines. 7A



INSIDE

LOCAL SAYING NO TO CHEMICALS
Lakewood Ranch wants to use hundreds of algae-eating fish to clean its ponds. **1B**

LOCAL REVENUE FALLING SHORT
Sarasota County postpones or scales back projects, including an upgrade of Roberts Arena. **1B**

NATION FEWER FIREFLIES?
A national network of backyard volunteers is tracking their numbers and range. **3A**



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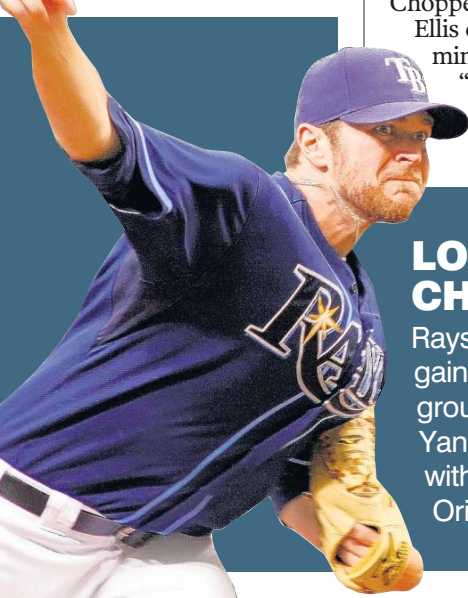
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OUR 85TH YEAR NUMBER 338



It's hard labor, and it pays little — but it's something

By JOHN DAVIS
john.davis@heraldtribune.com

NORTH PORT — Tall weeds obscured Rob Ellis as he chopped through dense, six-foot tall growth covering an abandoned North Port homesite on his Dixie Chopper riding lawn mower.

Ellis can cut a typical yard in 20 minutes on the self-proclaimed "world's fastest" mower. But the lawn he and partner Mike Herbert worked

one recent afternoon in withering heat took more than two hours — cutting, recutting, clearing debris and dodging rats, snakes and a wasp's nest that flourished after the house was abandoned.

For cleaning up this eyesore, the city of North Port will pay Ellis \$20, which will be split with Herbert. After expenses, he may clear \$4 an hour for his trouble, if he's lucky.

But Ellis, 40, is happy to have

See MOWERS on 4A



Robert Ellis, left, and Mike Herbert mow the overgrown front yard of an abandoned home Wednesday in North Port. **STAFF PHOTO / CHIP LUTHERLAND**

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Plenty of fiber, but who gets it?

LOOP from 1A
to download the Encyclopedia Britannica in 10 seconds — at more affordable prices than currently available.

Recognizing the potential for the same buried conduits to carry many times more data than would be required for traffic lights and intersection video cameras, local officials are installing considerably more fiber than is needed. Current plans call for 96 strands.

Because fibers can carry so much information and because so many of them can be pulled through a conduit at almost no extra cost, the same cable being buried for traffic control could be used to create a backbone Internet service that would be open to wholesalers — from biggies like Verizon and Comcast to little guys like Sarasota's Hameltronics.

If Sarasota County goes ahead with its plans, the amount of broadband capacity at its disposal is mind-boggling.

By the time the lines are in the ground, the industry will be selling off-the-shelf equipment capable of moving data at 100 gigabits per second over a single fiber, or enough to download the entire Library of Congress printed collection in two seconds.

In Sarasota County, the problem is not so much lack of fiber, but how those who control it have chosen to direct its use.

Local government already has met the FCC's goals: many government, school and public health care offices are connected by one-gigabit-per-second lines and some, such as Sarasota Memorial Hospital, are on 10-gigabit lines. The FCC goal is one gigabit.

In Sarasota County, the I-Net — high-speed connections running in underground conduits or draped between utility poles between local government buildings — was constructed with \$3 million tacked onto subscribers' Comcast bills. That is the network that provides ultra-high speeds to police departments and government buildings and the insanely high 10-gigabit speed to the hospital.

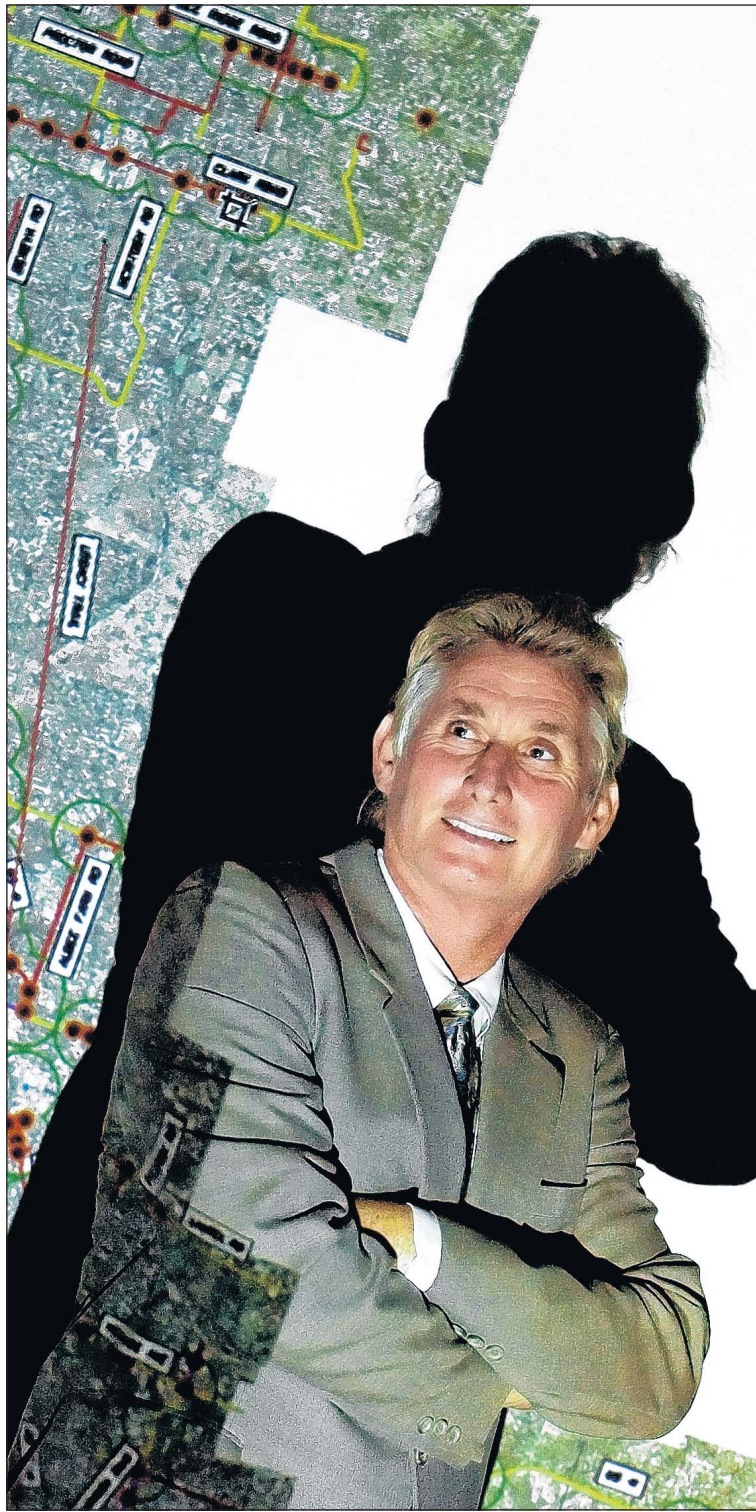
But businesses cannot tap into this superhighway. The franchise agreement between Sarasota County and Comcast bars commercial traffic on the I-Net.

Meanwhile, the two dominant providers — Comcast and Verizon — aim their offerings at retail customers, while large institutional customers like the Ringling College of Art and Design are left to make their own expensive arrangements with wholesale providers.

The co-called creative class — bandwidth entrepreneurs on a budget — struggle to get by on mediocre connections that are largely repackaged retail offerings.

Over and over, businesses surveyed by the Herald-Tribune pointed to the tell-tale distinction between business-class service and retail.

"Businesses upload stuff, while consumers download," said Rich Swier Jr., who works from a Central Avenue office where the only service comes from Comcast. Swier, the only entrepreneur on the Sarasota Broadband Task Force, is not happy with what he gets from Comcast. "They are repackaging a consumer grade service as a business service and charging



Sarasota County Commissioner Jon Thaxton poses for a portrait against a map of where the county will be laying fiber-optic lines in Sarasota.

STAFF PHOTO / CHIP LITHELAND

three times more."

Swier is paying about \$200 per month for what is supposed to be 50 megabits per second download and 5 megabits up. But in reality, it operates at half those speeds, he said.

If Sarasota County wants to grow its piece of the broadband economy, the community needs the same kind of connections that businesses have in places like Lafayette, La. — 100 megabits per second download and upload for \$200 a month.

No doubt, Verizon, Comcast and its Manatee County counterpart Bright House do a credible job providing consumer-level connections. Verizon's heavily advertised 15-megabits-per-second download and five-megabits-per-second upload are among the fastest widely available speeds to the home nationwide.

The biggest players, like Ringling and Sarasota County government, have their own access to high-speed pipelines coming down from Tampa and up from Miami, provided by wholesalers Level Three Communications and FPL Fiber.

But for the average entrepreneur — somebody trying to build a web-related business — the region lags far behind many others.

With old contracts in the way of using the Comcast-Sarasota government legacy fiber for community use, the community's new mostly-uncommitted fiber net is naturally drawing attention from those interested in expanding Southwest Florida's broadband cloud.

For more than 10 years, Sarasota County has been burying conduit as part of its road construction projects. A map of those assets, finished in May, shows more than 100 miles of fiber-ready conduit, densely laid in the northern half of the county.

Initially, the plan was to put 24

"It's really hard to envision a set of circumstances where it is not going to benefit" consumers and taxpayers.

— Jon Thaxton, Sarasota County commissioner

fiber lines through conduits for the new transportation system at a cost of \$11 per foot.

But glass fiber is cheap. So when an estimate came in that it would cost only 20 cents per mile to triple the amount of fiber, broadband backers began urging the county to put in the extra lines. Currently, the county plans to put a 96-count of fiber in the lines.

This network would be built soon. The current plan calls for about 160 intersections throughout the county to be connected by November 2011.

If the fiber not needed for traffic control were put up for lease to entrepreneurs interested in offering high-speed broadband connections, it could spur a free-for-all.

Commissioner Jon Thaxton said he views the planned fiber network as an insurance policy as Internet speed becomes more and more important.

"It does, at a minimum, put us in a position of not being wholly dependent on some other service provider," Thaxton said.

To look into broader uses for this planned network and at all other alternatives as well, the county created the Broadband Task Force.

Swier is the only private businessman. The rest of the board is composed of public officials: the chief information officers from the Sarasota County School District, Sarasota County, the city of Sarasota and Sarasota Memorial Hospital. Except for Swier, they represent entities that have no crying need of their own for additional bandwidth and who are not necessarily that conscious of the economic development implications.

One likely way to organize use of the publicly available strands of fiber within the county's new system would be to set up a broadband authority, roughly similar to the one being set up by 15 North Florida counties to spend a \$30 million federal broadband grant they just received.

Or the county could lease its excess capacity to a private company on a bid basis. That company would then provide commercial service, and customers could even include the big incumbents.

"It's really hard to envision a set of circumstances where it is not going to benefit" consumers and taxpayers, Thaxton said.

The possibility that the county is on the cusp of being able to deliver nearly unlimited broadband capacity has County Commissioner Joe Barbetta already suggesting that a public utility should manage the prospect.

"Let's set the system up," Barbetta said. "Sarasota Internet." I don't care what it's called."

Martin County opting to put lines in place

By MICHAEL POLLICK, michael.pollick@heraldtribune.com

On Florida's East Coast, Martin County already is doing what Sarasota County is considering.

The county — home to Stuart — had been paying Comcast for connectivity between all its schools, public safety and administration branches.

That contract was up for renewal, and Comcast was about to raise its fees substantially.

"We decided for the kind of money these people are asking us, we would be better off doing this on our own," said Kevin Kryzda, the county's chief information officer. "That is different from anybody else. And then we said we would like to do a loose association to provide broadband to the community while we are spending the money to build this network anyway. That was unique, too."

The new project will use a contractor to build a fiber network throughout the county and a tiny rural phone company willing to foot part of the bill in return for permission to use the network to grab customers of broadband service. The combined public-private network would not only connect the sheriff's office, county administration, schools and hospitals, but also would use existing rights of ways along major highways to run through Martin's commercial corridors.

That would make it simple for a shopping center or office building to get hot-wired with fiber. And the setup might be inviting enough that another player — like Google Inc. — would come in with the goal of ultra-high-speed to the home, Kryzda said.

"What we don't want to do is create another proprietary network that only government uses," Kryzda said. "So part of the solicitation — the preferred option — is to build a partnership with someone else who will sell commercial broadband services at competitive prices over that network, while providing for the county's needs."

The Federal Communications Commission's first-ever broadband Internet agenda, made public in March, may open the door even wider to

creating that type of shared community network.

In the plan, which has a goal of bringing broadband to the 14 million Americans now lacking access, the FCC notes that 18 states, including Florida, have laws that, at the very least, discourage municipalities from getting into the business.

The agency recommends that Congress step in to assure that tribal, state, regional and municipal governments can build broadband networks where needed.

As far as Kryzda can figure out, Martin is a pioneer in its attempt, at least so far as Florida: "Who else is doing this? Nobody."

Last year, California-based Digital Domain, which did all the special effects for the movie "Titanic," decided to build a Florida branch campus. Sarasota County was a finalist but St. Lucie County — just north of Martin on Florida's east coast — won out.

John Textor, Digital Domain's co-chairman, told the Herald Tribune that having a local all-fiber network connection and being able to set up an all-fiber direct connection to remote servers in Miami was a key advantage of the site in Port St. Lucie.

Martin officials were miffed when Textor — who maintains a home at Hobe Sound — chose St. Lucie to grow perhaps the biggest economic plum since the Scripps Institute picked Palm Beach County for a biomedical and drug research lab.

That is part of what stimulated county commissioners into acting unanimously to approve Kryzda's request for bids in March. They are expected to give their blessings to his solution in mid-September.

Wiring the county with fiber-optic cable is not expected to take long once commissioners approve the deal.

Municipalities butt heads with telecom companies

By DOUG SWORD, doug.sword@heraldtribune.com

A city or county wanting to bring ultra-fast broadband speeds to its businesses might want to first hire a cadre of lawyers and lobbyists.

For the fourth consecutive year, officials in Wilson, N.C. — a city of 50,000 east of Raleigh — fought an attempt to keep the city out of the Internet business.

Until two years ago, when Wilson's citywide fiber network went live, businesses and residents made do with what were seen as slow upload speeds, said public affairs manager Brian Bowman.

Now, Wilson is among the 680 cities and small companies that have gotten into the business. They account for only about 1 percent of all broadband but about 25 percent of all super-fast fiber-to-the-home connections. Verizon accounts for almost all of the rest.

Some of these small providers are municipalities, like Wilson. Others include rural telephone companies and real estate developers.

But Internet providers argue that local governments have unfair advantages. Because governments do not have to pay taxes, it is cheaper for them to borrow money, and they can use taxpayer money to undercut competitors.

"The city of Wilson doubled our pole rates," said Marcus Trathen, a lobbyist with the North Carolina Cable Telecommunications Association, referring to what the city charges Time Warner to hang lines from city-owned telephone poles.

The doubling of rates happened after the city went into competition with Time Warner, he said.

The association pushed legislation that would require voter approval before a local government could offer broadband, and for the legislature to further study the issue.

"Level playing field is the buzz phrase" among broadband providers, Bowman said. "You'll also hear that government has no business competing with the private sector."

Five years ago, as cities across the country have done, Wilson decided to build a fiber network to connect govern-

ment offices. (The Federal Communications Commission has set a goal that local governments, hospitals and public safety agencies be connected at 1 gigabit per second).

Businesses unhappy with what were seen as slow speeds offered by cable giant Time Warner asked about hooking into the city fiber network, Bowman said.

The city's system offers speeds of up to 100 megabits per second, which would rank it among the world's fastest advertised Internet speeds.

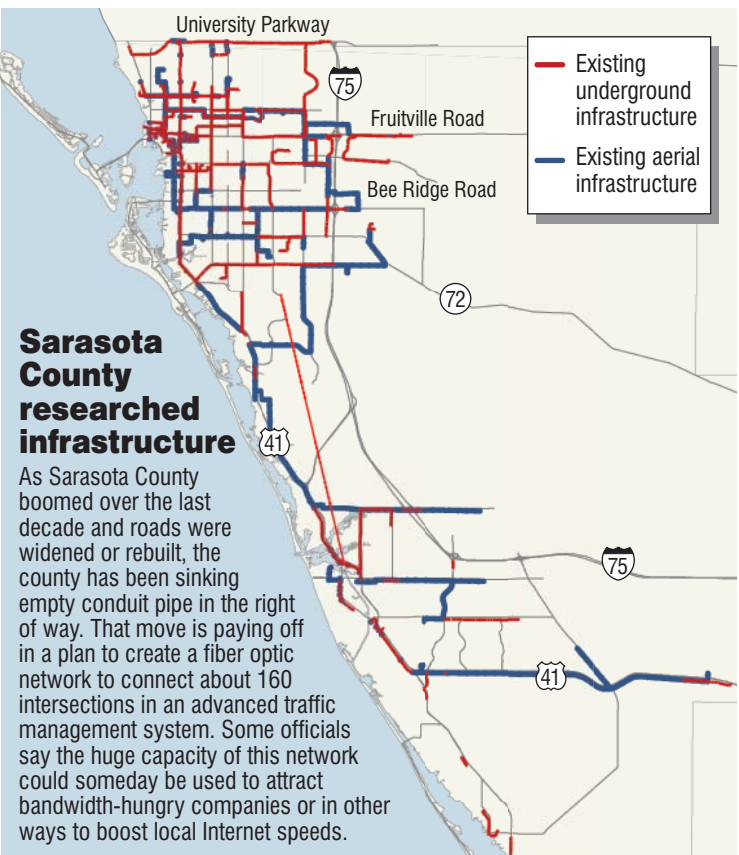
But Melissa Buscher, director of media relations for Time Warner Cable Carolinas, says her company has always been able to customize its offerings. "His claim that we could not provide the speeds to businesses is false," she said.

Wilson's decision to go into the broadband business was also spurred by the city's need to make up for the near demise in the 1990s of a pair of mainstay industries, textile and tobacco. The feeling is that whatever the city's economic future holds, having ultra-fast broadband will help it get there.

"The way we see it, you're going to have haves and have-nots in the next generation broadband world," Bowman said. "The fact is we wanted to invest in our own future; that's why we did this."

Cable and phone giants always are going to say that current speeds are adequate and that there is no need for cities to build expensive networks themselves, Bowman said.

"I have heard that here from some of the incumbents, that you don't need to go that fast. I'm sure the folks in Florida were doing OK without I-4," Bowman said, noting the state never would have gotten Disney World if not for that interstate access.



SOURCE: Sarasota County

STAFF GRAPHIC / JENNIFER F. A. BORRESI