

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

*Order Instituting Rulemaking to Consider
Modifications to the California Advanced
Services Fund.*

Rulemaking 12-10-012
(Filed *October 25, 2012*)

**OPENING COMMENTS OF ACCESS HUMBOLDT TO THE ASSIGNED
COMMISSIONER'S RULING REQUESTING COMMENTS ON
BROADBAND INFRASTRUCTURE RULES**

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Dated April 9, 2020

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I. Introduction

Access Humboldt (AH) respectfully shares these opening Comments with a focus on the question, “what can and should the Commission do in response to COVID-19?”

II. Interest in this Proceeding

Access Humboldt (AH) is a community based organization that plans, designs, develops and operates local broadband media networks and services to meet local needs and interests for: public health and safety; education; economic and community development; culture and arts; and, civic engagement in Humboldt County, California.

Our Board of Directors includes designees from: County of Humboldt; Cities of Eureka, Arcata, Fortuna, Rio Dell, Ferndale and Blue Lake; Humboldt State University; College of the Redwoods; Humboldt County Office of Education; Eureka City Schools; Northern California Association of Nonprofits; League of Women Voters of Humboldt County; and other community members representing local stakeholders and diverse community interests.

III. Considerations

Pandemic response exacerbates the digital divide by isolating underserved communities and individuals without adequate connections to meet local needs and interests. Thus the purpose and goals of the California Advanced Services Fund are brought into high relief and timely response is urgently indicated.

The Commission should consider rule changes including structural adjustments that can help to address the widening chasm for isolated and vulnerable populations. Some of these rule changes will impact the California Advanced Services Fund – but our adaptive response to the pandemic requires that such changes not be restricted to only the CASF program.

Please consider the nexus of local information ecosystems and our communications infrastructure. The communities we live in are experiencing a terrible decline in local journalism as the commercial news media markets have been consumed by the debts of their acquisitive, ever consolidating owners.

Humboldt’s local broadcast TV market (Eureka DMA) has consolidated to the point where formerly six locally owned stations now have two owners, with Sinclair Broadcasting controlling four and the other two also with a distant owner. The collapse of local news and professional journalism at the local level has profound implications for the importance and role of broadband media to meet local needs and interests.

Now is a really good time for the Commission to consider the connection between telecommunications regulation and the communications and information systems we need.

Of primary concern for remote, rural and micropolitan communities are the restrictions on various public funding mechanisms that create a “silo” for each discrete sector and limits otherwise beneficial support for access to network infrastructure and communications services.

For example an E-rate/CTF subsidized service might be the best connection in town – but it is not available to public health and safety, or civic engagement. Or if allowed, a local fire district’s tower facilities and wireless network infrastructure might also support the community service district’s need to reach local resident customers for water management, or an environmental education project site along the river.

A local Tribe could use a State funded network for transportation support to serve other public benefit purposes – a situation that restricts broadband service for Hoopa Valley now.

Perhaps you could consider an efficiency move to pre-qualify any California Teleconnect Fund beneficiary, especially community based organizations (CBO), for CASF support to implement broadband deployment, adoption, inclusion and equity projects?

In our communities, we'd like to extend the benefits of every connection to the widest possible range of services.

For example, the fast network service at the school could be shared with the nursing home nearby so every shut in resident in a long term care facility has open free WiFi service to stay connected with family and online services they need. Perhaps the Commission could allow public funds to support local-to-local networks that connect communities to themselves?

If a publicly funded network is within reach, (sometimes a simple wireless hop will do!) then can you please help us bring the benefit of that network to our community food bank or disaster relief center? Technology creates opportunity that the dynamics of profit-centered ownership and preemptive Federal and State regulation strain to realize.

We need more community owned and municipal networks.

We need more local and non-commercial media serving community needs and interests.

Building the efficacy of next generation 2-1-1 services is another worthy effort for the Commission to consider. Current, reliable, local information and referral services are essential. And the local feedback gathered from callers helps to identify unmet community needs in real time. Many communities have invested in their 2-1-1 (or 3-1-1) services that are designed to manage 9-1-1 overflow during major community disasters – like this pandemic.

Can every 2-1-1 have access to fast, open, secure networks to serve local to local agency needs and community interests?

Recognizing many variations across the State, still the Commission might be surprised how well this pandemic proves that local communities know what we need. Local experience across disasters shows that greater localism equals increased resilience and restorative capacity.

Public health and safety agencies need access to the public they serve, and members of our community need access to their services. Publicly funded broadband connections can be made available at every municipality and Special District location to serve the public health and safety needs of that community.

Like smart grid technology supports energy demand management – distributed wireless access points supported by CASF and other public funding mechanisms can connect with local water, waste and other service infrastructure, harbor, transportation facilities and with other public infrastructure to extend the networks' benefits across sectors.

Our libraries' CENIC connections could be shared with homeless sheltering facilities or public health pop-up clinics nearby and ensure that robust service is available to our most vulnerable folks. Every publicly serving venue closed by COVID could have a fast connection available to

share their works online and help to rebuild our communities' arts, culture and barter economies. Can local swap meets get inclusion support to conduct a virtual community based flea market?

Clearly, the pandemic demonstrates that we need every local news media enterprise to be fully and robustly connected now more than ever. Among the list of Community Anchor Institutions (CAIs) who must be connected by CASF funded projects, we need to add locally owned and operated, community-based media outlets and local journalism providers, esp.

TV/radio/print/cable/online. These are our essential information resources during pandemics and other disasters!

And now is the time to consider how all CAIs could be getting "at cost" service with quality of service guarantees and open network requirements from networks that are built with CASF public/ratepayer funds. Private network owners should not be entitled to public investments without creating public benefits of equal or greater value.

We simply cannot afford to build networks that don't meet the local needs and interests of our communities for: public health & safety; education; economic & community development; culture & arts; and civic engagement!

The current information and communications systems are failing many of us badly.

IV. Notice

Service of notices, orders, and other correspondence in this proceeding should be directed to Access Humboldt at the address set forth below:

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V. Conclusion

Local communities need robust, reliable, open and secure networks to support healthy information ecosystems for: public health and safety; education; economic and community development; culture and arts; and civic engagement.

California's regulatory framework needs to now consider broadband internet access as a fundamental human right, in the same manner that the Universal Declaration of Human Rights outlines in Article 19: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart

information and ideas through any media and regardless of frontiers.” (UN, 1948). The implications for the Commission’s role are compelling.

Access Humboldt encourages the Commission to step up in this time of urgent change and consider the larger opportunities of this moment to address structural weaknesses in our communications and information ecosystems that leave far too many vulnerable folks without the information and voice they need. Empowering local communities will go a long way in the right direction.

Dated: April 9, 2020

Respectfully submitted,

/s/ Sean Taketa McLaughlin

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