

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

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

R.12-10-012
(filed October 25, 2012)

**COMMENTS OF PACIFIC BELL TELEPHONE COMPANY D/B/A AT&T
CALIFORNIA (U 1001 C) AND ITS AFFILIATES AT&T CORP. (U 5002 C);
TELEPORT COMMUNICATIONS AMERICA, LLC (U 5454 C); AND AT&T
MOBILITY LLC (NEW CINGULAR WIRELESS PCS, LLC (U 3060 C); AT&T
MOBILITY WIRELESS OPERATIONS HOLDINGS, INC. (U 3021 C); AND SANTA
BARBARA CELLULAR SYSTEMS, LTD. (U 3015 C))
ON THE ASSIGNED COMMISSIONER'S MARCH 26, 2020 RULING
REQUESTING COMMENTS ON BROADBAND INFRASTRUCTURE RULES AND
APPLICATION WINDOWS – QUESTION 1**

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I. Introduction

AT&T¹ provides these Comments in response to the March 26, 2020 Administrative Law Judge’s Ruling Requesting Comments on the Rules and Application Windows for and Prioritization of Broadband Infrastructure Funds from the California Advanced Services Fund (“CASF”) (“March 26 Ruling”). Consistent with the schedule in that Ruling, these Comments address Question 1, which concerns CASF actions the CPUC could consider in response to COVID-19.

II. Comments on Question 1, “*In the context of the CASF, what can and should the Commission do in response to COVID-19?*”

AT&T appreciates the Commission inviting provider comment on this important topic. Online connectivity is especially critical during this public health crisis as we all work together to flatten the curve of COVID-19 transmission through remote working and social distancing. The telecommunications industry, along with fifteen other Essential Business segments, plays a crucial role in this public health crisis. The essential nature of communications services is recognized by the U.S. Department of Homeland Security’s Cybersecurity and Infrastructure Security Agency (“CISA”), the State of California, and at least 33 states that have incorporated CISA’s Critical Infrastructure Guidance² into their statewide orders.

AT&T provides essential services to doctors and nurses, first responders, governments, banks, grocery stores, pharmacies, and others delivering vital services. In times of crisis, AT&T recognizes there is no one-sized fits all approach. Instead, the crisis playbook requires resilience,

¹ Pacific Bell Telephone Company d/b/a AT&T California (U 1001 C) and its affiliates AT&T Corp. (U 5002 C); Teleport Communications America, LLC (U 5454 C); and AT&T Mobility LLC (New Cingular Wireless PCS, LLC (U 3060 C); AT&T Mobility Wireless Operations Holdings, Inc. (U 3021 C); and Santa Barbara Cellular Systems, Ltd. (U 3015 C)) are collectively referred to hereinafter as “AT&T.”

² CISA’s current Critical Infrastructure Guidance is available at: https://www.cisa.gov/sites/default/files/publications/CISA_Guidance_on_the_Essential_Critical_Infrastructure_Workforce_Version_2.0_Update_d.pdf.

adaptability, creativity and rapid response. We view it as our civic duty to step up and keep our customers and communities connected, and over the last several weeks we have launched several new programs to help sustain the communities we serve during this pandemic.

In recognition of the critical services provided by its employees, who embody AT&T's commitment to the keeping communities connected, on March 25, 2020 AT&T announced it would pay frontline employees who are still working a 20% bonus above their base rate of pay. The Communications Workers of America ("CWA") said that AT&T's response "should be a model for other corporations."³

As public safety's network, FirstNet liaisons at AT&T are embedded with state and federal emergency operations centers ("EOC"). This strengthens public safety's command and control of their network and helps ensure they have the mobile connectivity and devices they need to effectively respond to COVID-19. Our FirstNet team is coordinating with Cal OES to help the state respond to the pandemic. In response to public safety communication needs, we have deployed portable network assets, including satellite cell on light trucks and cells on wheels with fiber transport, to boost coverage and capacity for California's first responders and health care workers. The FirstNet Response Operations Group has deployed assets to the following locations to support the COVID-19 response operations: Los Angeles World Cruise Terminal in San Pedro for U.S. Naval Ship Mercy; Marine Corps Air Station Miramar; Sutter Health Hospital Complex in Roseville; and a quarantine site in Burlingame.

On April 3, 2020, AT&T announced the creation of a \$10 million Distance Learning and Family Connections Fund to support online learning, with the initial \$1 million supporting the online learning Khan Academy, and is also offering schools a way to save on unlimited wireless

³ See <https://cwa-union.org/news/releases/cwa-statement-att-employee-bonus-announcement>.

broadband connectivity for students. Schools activating new lines on data-only plans for school-issued tablets, 4G LTE-enabled laptops and hotspot devices will get the wireless data service at no cost for 60 days.

To help encourage social distancing, AT&T has arranged for customers who need to use its retail stores that remain open to have the option of curbside pickup, so the customers don't need to even leave their cars.

To provide meals for first responders, medical personnel and others in need impacted by COVID-19 AT&T announced an additional \$5.5 million donation, beginning with a \$1.5 million contribution to World Central Kitchen, which is run by Chef Jose Andres.

In addition to the outreach above, AT&T has taken a number of steps to help its consumer, small business and enterprise customers stay connected throughout the COVID-19 pandemic as outlined in AT&T's Customer Protections in Response to COVID-19 Health Crisis, submitted to the CPUC on March 28, 2020.⁴ Among its commitments, and consistent with FCC Chairman Pai's "Keep Americans Connected" Pledge, beginning on March 13th and continuing through May 13, 2020, AT&T pledged not to terminate the service of any wireless, home phone or broadband residential or small business customer because of the inability to pay their bill due to disruptions caused by the pandemic. AT&T will also waive any late payment fees that any postpaid wireless, home phone or broadband residential or small business customer may incur because of economic hardship related to the pandemic through May 13, 2020. AT&T has further agreed to keep its public Wi-Fi hotspots open for any American that needs them during that time. AT&T has also a number of new programs to help enable our customers to remain connected.⁵

⁴ See Attachment A, *AT&T's Customer Protections in Response to COVID-19 Health Crisis*, dated March 28, 2020.

⁵ For more information on AT&T offers, see <https://about.att.com/pages/COVID-19.html>.

For our residential and small business customers, AT&T has agreed to waive domestic voice and data overage fees for voice, data and text to give people working from home and using more data the opportunity to take advantage of unlimited internet data without paying any overage fees, even if they exceed any data caps applicable to their current plans. This accommodation, retroactive to March 13th, is also good for 60 days.

Cricket Wireless launched a new limited time phone plan for new and existing customers. The plan comes with 2GB of data, and unlimited talk and text for \$15.00 a month and no activation fee. Cricket also added 10GB of data to capped and unlimited phone plans for a limited time for new and existing customers to use it as a mobile hotspot.

AT&T has expanded eligibility to Access from AT&T to households participating in the National School Lunch Program and Head Start.⁶ Additionally, AT&T is offering new Access from AT&T customers 2 months of free service and has waived the requirement to have a credit card to sign up.

Moreover, to help businesses stay connected as they increase remote working, AT&T is offering for a limited time a free 90-day offer of WebEx Meetings with AT&T for new WebEx customers to use for virtual meetings. With HD video, large participant capacity, and audio, video, and web sharing, employees and customers can communicate and collaborate in near-real time, as well as view and edit documents and share applications to support the continuity of business operations.

This crisis demands creativity and collaboration. To help keep the residents of California connected and to enable communications and information technology providers to continue

⁶ Access from AT&T provides wireline Home Internet to limited income households who participate in the Supplemental Nutrition Assistance Program or receive Supplemental Security Income benefits in California.

offering essential connectivity during the COVID-19 outbreak, AT&T encourages the Commission to consider modifications to the CASF program that will help it encourage deployment of high-quality advanced communications services to all Californians.

AT&T respectfully urges the Commission to simplify and streamline the procedures for awarding and administering CASF grants in light of statutory amendments made by AB 1665 and refers the Commission back to comments and reply comments previously filed in response to a draft Staff proposal as well as comments filed in response to the Assigned Commissioner's Ruling of July 11, 2018.⁷ Other government programs, such as the Connect America Fund ("CAF") administered by the FCC, have proven to be effective and efficient in distributing capital and operating support for the deployment and maintenance of private sector broadband facilities, and may inform future CASF program modifications. And last month, the President signed the Broadband Deployment Accuracy and Technological Availability Act ("Broadband DATA Act," S. 1822) into law, which will help to better target broadband availability funding in the future, both at the federal and state levels.

Consistent with the goals of AB 1665, the Commission should make every effort to ensure that broadband service is deployed as quickly as reasonably possible. AT&T understands and supports the importance of encouraging the availability of internet services in low-income areas that are not already being served and recommends that all applications should be submitted at the same time and evaluated on the same time frame. AT&T proposes that the Commission set a deadline to approve or reject applications each year that is 120 days after the application deadline. Providers need certainty on whether they will receive funding for a proposed project,

⁷ See *Opening Comments of AT&T on Phase II Proposal*, Rulemaking (R.) 12-10-012, filed, April 16, 2018; *Reply Comments of AT&T on Phase II Proposal*, Rulemaking (R.) 12-10-012, filed, May 1, 2018; and *Comments of AT&T on The Assigned Commissioner Ruling*, Rulemaking (R.) 12-10-012, filed, August 8, 2018.

and they need it sooner rather than later.

AT&T also recommends that areas receiving other government support should not be eligible for CASF support for the same facilities in the same geographic areas. This is the simplest way to ensure there is no “double dip” of government funding for the same network facilities in the same area.⁸ It also is consistent with the letter and intent of Public Utilities Code Section 281(f)(12).

As the Commission evaluates further actions it can take with respect to COVID-19, AT&T encourages the Commission to consider incentives consistent with those proposed by US Telecom for the CAF Program, which US Telecom shared with the FCC on March 27, 2020.⁹

III. Conclusion

For the reasons stated in its various filed comments, AT&T commends the Commission for inviting stakeholder comments and AT&T encourages the Commission to consider previously submitted proposals to streamline and simplify CASF broadband infrastructure grants to more closely align the program with CAF.

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Respectfully submitted,

/s/
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⁸ *Opening Comments of AT&T on Phase II Proposal*, Rulemaking (R.) 12-10-012, filed, April 16, 2018, *mimeo*, Section J, at 16.

⁹ See Attachment B.