

**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 THE RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA TO THE ASSIGNED COMMISSIONER'S RULING
REQUESTING COMMENTS ON BROADBAND INFRASTRUCTURE
RULES AND APPLICATION WINDOWS**

Tracy Rhine
Legislative Advocate
Rural County Representatives of California
1215 K Street, Suite 1650, Sacramento, CA 95814
Tel: (916) 447-4806
E-mail: trhine@rcrcnet.org

Dated: April 9, 2020

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I. Introduction

In accordance with Rule 6.2 of the California Public Utilities Commission (“Commission”) Rules of Practice and Procedure (“Rules”), the Rural County Representatives of California (RCRC) submits comments to the Order Instituting Rulemaking 12-10-012 (“Rulemaking”). Administrative Law Judge, Brian Stevens, extended the schedule for opening comments to April 9, 2020 via an email ruling on March 26, 2020.

II. Comments

On behalf of the Rural County Representatives of California (RCRC), we are pleased to offer comments to the Assigned Commissioner’s Ruling requesting comments on Broadband Infrastructure Rules and Application Windows dated March 26, 2020. Administrative Law Judge Brian Stevens extended the schedule for opening comments to April 9, 2020 via an email ruling on March 26, 2020. RCRC submitted a Motion for Party Status on April 8, 2020 and submits these comments in anticipation of being granted party status. RCRC is an association of thirty-seven

rural California counties and its Board of Directors is comprised of elected supervisors from those member counties. Rural counties consistently experience the lowest broadband adoption rates in the state according to Commission data, including Lassen County with a 12.5% adoption rate and Mariposa County with a 19% adoption rate.

As requested, our comments are outlined based on the question posed by the Assigned Commissioner, below, specific to actions to consider in response to COVID-19.

In the context of the California Advanced Services Fund, what can and should the Commission do in response to COVID-19?

In order to swiftly address the significant hardships placed on millions of Californians suddenly compelled to work remotely, and more acutely, the six million students attempting distance learning, the Commission should immediately liberalize the utilization of the Adoption Account.

The Adoption Account was created to increase broadband access and adoption in communities and segments of the population that face barriers to digital inclusion. With the shelter-in-place order announced by Governor Newsom on March 19, 2020, the needs of these marginalized communities and populations have been exacerbated and brought to the forefront. The Commission can, and should, restructure the Adoption Account funding requirements and guidelines, in whole or in part, to specifically address the implications of mandatory statewide distance learning.

One option for mitigating the current inequities of broadband access, and thereby assisting students and teachers in areas without fixed broadband service or affordable service options, is the mass procurement and distribution of mobile hotspots by the State. If mobile hotspot equipment is unavailable due to COVID-19 manufacturing delays, funding could be made available to subsidize the extension of hotspot capability to existing wireless customers. Based on service provider connection data, the Commission should effectuate a master service agreement to procure and distribute the number of needed devices to local governments. RCRC member counties alone have nearly 700,000 students attempting to remotely attend class, many of which are in broadband unserved, or underserved areas.

Alternatively, grants for hotspots and computer equipment could be awarded to local governments through a streamlined application process. Application requirements and guidelines

for Adoption Account grants should be adjusted to allow for a simplified workplan, expanded reimbursable expenses, increased upfront award funding and removal of the funding cap. Some specific modifications include, but are not limited to: 1) expense reimbursement and upfront funding should be allowed for take-home devices outside the digital literacy program; 2) increased maximum expenditure for equipment should be commensurate with cost of hotspot devices and “Chromebook” computers, or the equivalent; and 3) the maximum per project cost should be increased to take into account the known scale of need in each jurisdiction.

Additionally, in order to expeditiously implement changes, the Commission should consider delegating the review process to assigned staff and adopting a rolling deadline for applications. Furthermore, if the Commission wishes to award grants to local governments for the procurement of service or equipment, the Commission should consider providing technical assistance to under-resourced jurisdictions in the form of published application, contract and agreement templates. Making exemplar documents available to applicants will also assist in the expedited review by assigned Commission staff. Additional support and direction should be provided to applicants by designated Commission staff to further streamline and expedite the award process.

It should be noted that providing mobile hotspots, or funding hotspot capability, will not resolve connectivity barriers in all areas of the state, especially those remote regions that lack the requisite infrastructure for wireless service. Additionally, extending hotspot capability (without stand-alone mobile hot spot equipment), will only benefit existing customers, and does not address the needs of individuals that are unable to afford a compatible mobile device.

III. Conclusion

The Rural County Representatives of California respectfully requests that the Commission’s Docket Office be directed to accept these comments for filing and incorporate the suggestions made therein.

Dated: April 9, 2020

Respectfully submitted,

/s/ Tracy Rhine

Tracy Rhine

Legislative Advocate

Rural County Representatives of California

Tel: (916) 447-4806

E-mail: trhine@rcrcnet.org