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November 20, 2020

Amy Tong
Chair, California Broadband Council
Director, California Department of Technology
1325 J Street, Suite 1600
Sacramento, CA 95814

Re: Request for Public Comments on the California State Broadband Action Plan

Dear Chair Amy Tong and California Broadband Council Members,

On behalf of the California State Association of Counties (CSAC), I write to provide public comment on the development of a California State Broadband Action Plan. As you are well aware, there is a critical and immediate need to close the digital divide in California. While the disparities in access to reliable internet at sufficient speeds has been a longstanding issue, the COVID-19 pandemic's effects on students, workers, and modern life generally, has highlighted just how severe and urgent the issue is. Bringing our infrastructure in to the modern era is critical to address modern needs.

The plan must address the need for immediate, significant funding for building middle-mile and last-mile infrastructure to unserved and underserved residents and businesses, even if it requires a modest amount of "overbuilding". While we don't want to spend limited resources where they're not necessary, we also can't ignore the need for service in areas that infrastructure otherwise can't reach.

We recognize that many of the unserved places in our state are the most difficult and expensive to build out. Some communities will never be able to make a business case for service, but that doesn't mean they should be left behind. While we welcome conversations about initiatives that can reduce the cost of building the necessary infrastructure, such as dig-once policies, CEQA streamlining, and programmatic EIRs, there is undoubtedly a need for additional funds. The source for these funds could come from any of several sources, including revenue bonds or general obligation bonds, but they need to be available as soon as possible and in an amount required to meet this moment of need and opportunity.

Policies like "dig once" that encourage placement of conduit when a trench is open eliminate some of the capital costs for network deployment. In 2016, legislation was passed in California which requires the state Department of Transportation to notify Internet Service Providers (ISPs) of planned roadwork projects. This is certainly a good starting point, however, the policy should be strengthened and enforced to maximize its positive impact, for example by requiring the conduit be placed in the road regardless of response from ISPs.

The CASF application process should be reformed in several ways to level the playing field and speed disbursement of funds to unserved and underserved communities. For example, challenges to applications by incumbent providers should be limited to those who prove they

are actually going to serve the area, for example within six months of the challenged application. Similarly, regulations should explicitly allow all types of applicants, including local agencies, to apply for funds equal footing and allowing them to build, own, and operate systems.

Closing the Digital Divide will be difficult if not impossible without knowing the extent of the problem. Unfortunately, current service maps are deficient, partly because they are arranged by census block, which is not particularly useful especially in rural areas most likely to lack service, and partly because the methods for determining service levels are insufficient to the task. High-quality, accurate information is required at the road-segment level.

Knowing the size of the financial challenge in front of us would also be helpful, so we would advocate that the state examine and estimate the cost of providing broadband, by wireless where necessary, to all residents and businesses.

Thank you for the opportunity to comment on the draft plan and for the series of transparent meetings and input sessions that you and your fellow councilmembers have led. I look forward to a future where broadband is universally available and to working with you until it is.

Sincerely,



Geoff Neill
Legislative Representative
California State Association of Counties