



November 20, 2020

Amy Tong  
Chair, California Broadband Council  
1325 J Street, Suite 1600  
Sacramento, CA 95814

**RE: California Broadband for All Action Plan**

Dear Chair Tong and California Broadband Council Members:

On behalf of the Rural County Representatives of California (RCRC), we wish to share our comments on the draft California Broadband for All Action Plan (Plan), as revised November 18, 2020. RCRC is an association of thirty-seven rural California counties, and the RCRC Board of Directors is comprised of elected supervisors from those member counties.

On August 14, 2020, Governor Newsom issued Executive Order N-73-20, that, in part, directed the California Broadband Council (Council) to create a new state broadband action plan outlining how the state could accelerate broadband deployment and adoption. While RCRC agrees with the Council's vision and supports many of the proposed recommendations noted in the Plan, we believe some over-arching concepts merit further focus.

Though the Plan repeatedly affirms the importance of reliable and affordable broadband for all Californians, it should be highlighted that connectivity must also be "high-quality." Having a reliable 6 Mbps/1 Mbps connection, or a high-latency 25 Mbps/3 Mbps connection, would not fulfill the Council's vision. The quality of connectivity is crucial, and the Council should be decisive and clear on the type of broadband that merits State investment. The Plan clearly outlines the importance of upload speeds now, and the ever-increasing demands on both downstream and upstream capabilities, but fails to align the definition of "high-performance broadband" with even the "demonstrated needs" of broadband (25 Mbps/17 Mbps)<sup>1</sup>. In fact, the Council states that it is "...clear that neither the California, nor the Federal, definitions are sufficient."<sup>2</sup> Prioritizing state funding for projects that provide less than 100 Mbps symmetrical invests public money into stagnant technology.

---

<sup>1</sup> Page 10, 1(A)(a)

<sup>2</sup> Page 4

RCRC appreciates the Council's emphasis on collaboration with local governments and the explicit recommendation to explore partnering opportunities with local jurisdictions,<sup>3</sup> however, the Plan fails to specifically delineate the need for state investment in municipal broadband. Currently, the California Advanced Services Fund (CASF), provides that a local government is only eligible for a broadband infrastructure grant if no other eligible entity applied, regardless of the merits of the municipal project.<sup>4</sup> Additional provisions of the CASF program, such as the right-of-first-refusal process for existing service providers,<sup>5</sup> further disadvantages broadband deployment by local governments in unserved and underserved areas. As the Council succinctly states, "[w]ithout public intervention and regulation, for-profit providers do not have a market incentive to provide equivalent service to poor rural communities."<sup>6</sup> Local governments serve their residents, and elected representatives are community members themselves, invested at every level in the vitality, resiliency and economic wellbeing of their community. Municipal broadband deserves to have equal standing and eligibility for state funding, and open access, public benefit projects should receive greater consideration for investment.

Finally, of particular concern is the provision included on page 11 of the Plan that recommends that state funded deployments "should be prioritized in local jurisdictions...where the government has streamlined the process for permitting and obtaining land use approvals." It is unclear by the language of the recommendation if the local jurisdiction should prioritize the project or if the suggestion is for the CASF eligibility to allow for funding prioritization based on the project area. This recommendation appears to respond to comments submitted by several broadband service providers, most notably Crown Castle<sup>7</sup>, expounding the need for statewide broadband permit streamlining standards. Because the recommendation requirements are unclear, RCRC requests further discussion before including the provision in the final draft of the Plan. In general, RCRC vehemently opposes a one-size-fits-all solution to local permitting challenges, but more particularly during this global pandemic which has caused significant resource shifts in county government in order to address the public health crisis.

RCRC recognizes the Council's clear diligence in crafting the Plan and the extensive outreach staff has coordinated to ensure diverse views and perspectives are reflected throughout. Also of note is the Council's willingness to consider novel concepts and innovative paradigm shifts, such as alternative infrastructure financing methods and open-access infrastructure. Rural areas of the state continue to bear the brunt of the digital divide. Finding opportunities for collaboration and partnering to develop a solution to the inequity of broadband access in California is a priority of our organization. We look forward to continuing an open dialogue with the Council to address our concerns.

---

<sup>3</sup> Page 11: Goal 1, section 1, (F)

<sup>4</sup> Public Utilities Code section 281(f)(9)

<sup>5</sup> Public Utilities Code section 281(f)(4)

<sup>6</sup> Page 7

<sup>7</sup> October 28, 2020 ,Comments to the Plan, Crown Castle

Amy Tong  
California Broadband for All Action Plan  
November 20, 2020  
Page 3

If you should have any questions, please contact me at [trhine@rcrcnet.org](mailto:trhine@rcrcnet.org) or (916) 447-4806.

Sincerely,



TRACY RHINE  
Legislative Advocate