



Donald Eachus
Director- State Government Relations

State Government Relations
2535 West Hillcrest Drive, CAM21LS
Newbury Park, CA 91320

Phone 805.480.0702
Fax 805.498.4659
don.eachus@verizon.com

DELIVERED VIA E-MAIL

June 11 2014

Mr. Ryan Dulin
Director of Communications Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Re: Comments of Verizon California Inc. on Draft Resolution T-17443

Dear Mr. Dulin:

Pursuant to Rule 14.5 of the California Public Utilities Commission's Rules of Practice and Procedure, Verizon California Inc. (Verizon) provides these comments on Draft Resolution T-17443, mailed on May 27, 2014. The right of first refusal for an existing provider is on a project by project basis. Section 281(e)(3)(B) addresses "a project," not all potential projects. The draft would require existing providers to submit a letter by September 26, 2014 that declares its intent to upgrade any area in all of California that is not served. This would require each provider to inventory all of its service areas, identify all households that are unserved or underserved, analyze the areas to determine if an upgrade is feasible, and prepare letter identifying these areas. Existing providers would then have six months to upgrade facilities. In addition to not following the law by making providers plan for all potential projects at one time, this timing is so unrealistic that it effectively abrogates the right of first refusal.

SB 740 requires the "right of first refusal" on a project by project basis. This allows the existing provider to determine if all or part of the proposed project is in an area where an upgrade may be feasible. A complete inventory of all potential project areas in three months is not a meaningful "right of first refusal."

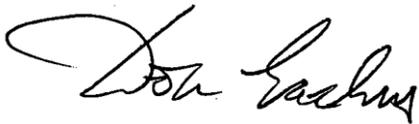
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Requiring the upgrade of facilities to be completed six months later is also unrealistic. Planning, engineering, procuring parts and materials, permitting (including potential CEQA review), building and testing projects in rural areas is time consuming. Six months is an aggressive time-period even for a minor project.

In sum, the Draft Resolution is unlawful because it uses procedural steps (requiring all projects to be identified and constructed in an extremely unrealistic short period of time and timing not approved in the legislation) to abrogate a substantive right. It must be modified to comply with SB 740.

Please contact me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Don Eachus". The signature is fluid and cursive, with a large initial "D" and "E".

Donald Eachus
Director- State Government Relations

c: John Baker, Communications Division
Service list attached to the Notice of Availability