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Ms. Clover Sellden
California Public Utilities Commission
By email You-Young.Sellden@cpuc.ca.gov

RE: CPUC Staff White Paper: High Impact Areas for Broadband Availability Comments of Marin County Supervisor Dennis Rodoni (District 4)

Dear Ms. Sellden:

I am pleased to submit my comment, as the elected Supervisor for the County of Marin, District 4, on the above referenced "Staff White Paper: High Impact Areas for Broadband Availability" (White Paper).

As part of my duties, I lead the efforts of our County to bring the benefits of broadband infrastructure investment to the communities of the West Marin portion of my District.¹ I want to thank staff for the attention paid to West Marin, as our community of Bolinas is listed in the White Paper as one (1) of thirteen (13) "High Impact Areas" statewide.

I describe below (Sec. II, 2.1), how Bolinas fully conforms to the selection criteria set-out in the White Paper. Additionally, and importantly, Bolinas, as a "2014 Commission adopted high priority area" is the current priority for development of a broadband infrastructure grant application in Marin, following the CPUC-CASF grant award for Nicasio, in July of 2016 (Sec. II, 2.2).

As I also reference in comments, below (Sec. I), the Staff White Paper represents an important effort by CPUC Communications Division (CD) staff to recommend a method of achieving the best "bang for the buck" for remaining funding. I fully endorse this methodology in order to complete the disbursement of currently authorized funding in the applicable Program of the Commission.²

¹ Supervisor Rodoni is the Marin County representative on the Oversight Committee of the CPUC-recognized regional broadband planning consortium which includes Marin County, the North Bay - North Coast Broadband Consortium (NBNCBC). The history of Marin's role in NBNCBC, and citations to the applicable Commission Resolutions, are listed in Sec. 2.2, hereunder.

² The Broadband Infrastructure Grant / Revolving Loan Account of the California Advanced Services Fund (CASF-Infrastructure Account, hereunder).

Lastly, I recommend (Sec. III) that the Commission endorse the criteria of the White Paper as a Resolution in favor of "fast track" treatment of any grant applications that may emerge from the final list of "High Impact Areas," and that those areas be designated as such by Commission action.

I. Support for High Impact Area Criteria of the White Paper as Optimal "Bang for the Buck", Given Dwindling CASF-Infrastructure Account Funding

I fully support the initiative of CPUC Communications Division (CD) staff to offer "a new approach...to ensure a uniform methodology for identification of areas. In light of limited remaining CASF infrastructure grant program funds it is essential to provide greater focus on the remaining underserved households."³ With some \$34 million remaining in the Program, a "bang for the buck" optimization of dwindling dollars and the proposed pre-application criteria-driven vetting process provides the best chance for efficient and expedited disbursement of the remaining funds.

I am hopeful that if the Commission approves the adoption of the "high impact areas" and "fast track" approaches, that we will begin to change the current "wait for an applicant" model which largely defines the CASF-Infrastructure account. By the degree to which applicants see the area designation / quick review process succeed, more applications may be attracted to rural areas of the state. The incentive that qualified providers will hopefully find in these processes is that they allocate fewer dollars to applications which may not be completed, and see awards issue by the Commission in far less time than occurs today.

Additionally, we need to expedite the award of remaining monies so that the great expertise that CD staff brings to rural broadband development in California can to be focused on planning and developing effective programs. Many of us hope the result will be in a state broadband program which is more efficient with public dollars, and more robust in the breadth and speed in which it brings broadband to our poorly served rural areas.

While the criteria and fast track model seen in the White Paper is the best way get quality awards issued in the near term, the criteria are clearly too restrictive for much of rural California. The work of CD staff will be vital in producing a truly targeted new program.

II. Support for Identification of Bolinas, Marin County, as a "High Impact Area for Broadband Availability"

2.1 Bolinas Fully Conforms to Criteria of White Paper

³ White Paper, page 6, par. 1

I applaud the fact that staff recognizes the White Paper criteria demonstrates that Bolinas in unincorporated Marin County is certainly a "high impact area". As I describe below (Sec. 2.2), our work since early 2014 has identified Bolinas as a priority for funding in West Marin. I therefore state here that I accept the "high impact area" designation for Bolinas, and urge that it remains on the statewide list of communities in the final version of the White Paper. I further recommend that Bolinas be endorsed for "fast track" action by the Commission (Sec. III, hereunder).

I need to take note of the two (2) comment letters sent to you by leading agencies of the Bolinas community itself. Both reflect the reality of insufficient broadband infrastructure on the ground in their community. These comments state what the statistics themselves do not fully communicate.

I refer to the letters sent to you by Jack Siedman, President, Board of Directors of the Bolinas Community Public Utility District (BCPUD),⁴ and by Anita Tyrrell-Brown, Fire Chief of the Bolinas Fire Protection District (BFPD).⁵

President Siedman agrees with the staff assessment that Bolinas is largely underserved, adding, "In fact, we respectfully submit that the service problems in Bolinas are even more severe than documented in the Staff White Paper." He documents the fact while delivered service in the community "nominally is six (6) megabits per second download (from any broadly based provider, leaving aside problematic satellite service) ...However, it has been the case for years already and remains so today that this nominal maximum speed, or anything close to it, frequently is unavailable in the evenings when residential demand peaks."

Mr. Siedman recalls, "At a recent BCPUD Board meeting, a downtown business owner informed the district that she was unable to obtain DSL service at all at her property, making it difficult to carry out her business, which relies on frequent internet communication with the public."

Pointing out the severe limitations on first responder and associated public safety communications capabilities, Chief Tyrell-Brown writes, "The current lack of broadband access across the Bolinas area has critical impacts on our public safety network. The remote location of the town of Bolinas tends to isolate the BFPD from opportunities to further our education and training."

⁴ Siedman to Sellden, Comment Letter of Bolinas Community Public Utility District (BCPUD); March 2, 2017

⁵ Tyrrell-Brown to Sellden, Comment Letter of Bolinas Fire Protection District (BFPD); March 16, 2017

Additionally, it is worth noting the adjacency to Golden Gate National Recreational Area which serves tens of thousands of visitors on peak weekends.

Chief Brown continues, "In addition, we have worked in recent years to provide community members and visitors with crucial information regarding safety issues during our storm season as well as our high fire danger season. We have been largely unsuccessful due to the lack of reliable service, and for some residents, complete lack of service."

President Siedman and Chief Tyrell-Brown are pointing out the stark reality of how daily life, business activity, and critical public safety functions are hampered by the continuing lack of adequate broadband in Bolinas. Their comments prove that your department's work in identifying Bolinas as a "high impact community" is absolutely correct.

2.2 Bolinas is Marin County's Next "Priority Area" Community as We Implement Our Planned Approach to Bring Broadband Infrastructure to Underserved and Unserved Areas

As noted in the White Paper, Bolinas is one (1) of two (2) communities out of the total of thirteen (13) selected "high impact areas", which exists as a "2014 Commission-adopted high priority area."⁶ This fact demonstrates Marin County's planned and consistent approach to laying out a strategy to attract public / private investment and implementing that strategy over time.

I support the notation of the "2014 Commission-adopted high priority areas" within the White Paper. I further suggest that the final White Paper give positive weight to those "high impact areas" that the Commission previously designated as "priority areas."

Because of the rural character of West Marin, part of the unincorporated area of Marin County, Marin as a whole has historically had one of the highest combined rates of broadband underserved and unserved households (wireline availability) in the core counties of the San Francisco Bay Area. While we are gratified that Marin is no longer in the bottom rank of broadband availability in the Bay Area,⁷ several communities in our County remain with

⁶ In addition to Bolinas, Phelan, in San Bernardino County, is listed in the White Paper as the other "2014 Commission-adopted high priority area." White Paper, page 19, Sec. 11. Phelan.

⁷ As listed in the Commission's most recently published statewide *Wireline Broadband Availability* (December 31, 2015 annual index of California counties), Marin has a combined underserved / unserved household percentage of 2.8% (1,115 underserved / 1,071 unserved). Within the nine (9) counties comprising the Association of Bay Area Governments, Marin is now ranked fifth for availability using this metric. The ranking, a marked improvement from years past, is seen in the

broadband that is either nonexistent or insufficient. Bolinas is now the leading community in that group to be addressed.

Since June 2014, when the County was authorized by CPUC to participate in the CASF Consortia Account Program⁸, we have taken a coherent, formal, and planned approach to rural broadband development with the full support of the Commission, and its staff within the Communications Division.

Several months prior to being authorized to join in the Consortia Program, Marin County submitted to CASF Staff our recommended seven (7) Priority Areas, which became "Commission-adopted high priority areas" under CPUC action of June 2014.⁹ Since that time, and acting through its CPUC-recognized Marin Broadband Task Force (MBTF), the County has pursued a coherent plan for broadband development in West Marin.

As part of our Work Plan in the Consortia Program, Marin County supported the successful filing in November 2015 of the first CASF-Infrastructure Account grant application to emerge from our communities. Developed by Inyo Networks, Inc., with the Nicasio Landowners Association (NLOA) as local partner, the Nicasio Broadband Project was awarded \$1.491 million by Commission vote in July 2016.¹⁰

Deployment of the Nicasio network is the important first step in a logical progression of area network development as we work to upgrade broadband in West Marin. As CPUC-CASF staff wrote in the Nicasio award resolution, as it summarized elected officials' support of the Nicasio application, "From the elected officials' perspective, Nicasio will serve as a "beachhead" that will facilitate the expansion of broadband throughout West Marin County enabling future projects to connect the unserved coastal communities, schools, clinics, and business."¹¹

listing of ranked counties by combined underserved / unserved percentages: San Francisco (0.20%), Alameda (1.40%), San Mateo (1.40%), Contra Costa (1.90%), Marin (2.80%), Santa Clara (3.70%), Sonoma (3.80%), Solano (4.60%), Napa (7.60%).

⁸ Resolution T-17445; June 12, 2014

⁹ Resolution T-17443; June 26, 2014. The Priority Areas adopted by the Commission within Marin County in the Resolution (Appendix 4) listed at the time were: The Census Designated Places (CDPs) of Bolinas, Dillon Beach, Muir Beach, Point Reyes, Stinson Beach; and the Greater Nicasio Area (Nicasio CDP and adjacent Census blocs).

¹⁰ Resolution T-17523; July 14, 2016

¹¹ Resolution T-17523; IV. Project Review, C. Safety and Community Input Considerations, pg. 7

The unincorporated coastal community of Bolinas is Marin County's next priority for continued broadband infrastructure investment.¹² The reasons for this prioritization are:

1. Of the remaining six (6) Priority Areas of Marin adopted by the Commission in 2014, additional to Nicasio, the current estimate of MBTF is that all or most of the Inverness, Point Reyes Station, and Stinson Beach Census blocs have had their serving public broadband facilities upgraded by a local provider. The reported wireline served status of 50 Mbps down / 5 Mbps up¹³ moves these areas significantly above the CPUC's threshold of "6 Mbps down OR 1.5 Mbps up".

2. Bolinas is the largest cluster of underserved / unserved households in Marin County, both in general, and from among the initial group of Priority Areas.

I am proud of what Marin has achieved in its first two (2) years in the CASF-Consortia program. I offer our County as a resource to demonstrate how a consortia approved work plan may indeed result in real public-private dollars having a positive impact on rural California's broadband challenge.

2.3 The Bolinas Community and Marin County Are Prepared to Support the Filing of a Project Funding Application

In his Comment Letter, President Siedman, with the support of his fellow Directors at BCPUD, pledges that the District will "move ahead to secure partners to solve the lack of broadband in Bolinas, with the continued support of Marin County." In particular, Mr. Siedman states that the Board's recently formed Internet Access Committee "soon plans to recommend that BCPUD issue a Request For Proposal that could lead to a CASF infrastructure grant proposal in the coming months, by a public-private partnership, for a new high quality local internet distribution system in Bolinas."

¹² Resolution T-17544; December 1, 2016; Append. A-1, Marin County Work Plan, Grant Year 1

This current Work Plan of MBTF within the NBNCBC funded application contemplates that MBTF will attempt to pursue funding for up to three (3) proposed funded service areas (PFSAs) this calendar year. This is an aggressive concept, which is likely not achievable absent CASF-Infrastructure Account reauthorization. We maintain it as a goal, and certainly believe CASF funding of a cost effective project for Bolinas can and should be achieved this year.

¹³ FCC Form 477 Data, as of 06/30/16, Version 1; California State-level Dataset

President Siedman and his colleagues voted unanimously during their regularly scheduled meeting of Wednesday, March 15, to direct the final drafting of such a RFP, with the support of MBTF, and District staff.¹⁴ Directors set as a goal RFP approval and issuance at their next meeting, on April 19, 2017. This focused and diligent action is proof positive that the elected local utility Board in Bolinas is preparing the ground work to move ahead with the County of Marin to secure a network development partner.

In this manner the Bolinas community has already proven the wisdom of the staff goals for the White Paper. It is demonstrating that a level of pre-application vetting and the prospect of "fast track status" application review will spur expedited efforts toward new broadband investment.

III. Support for a Commission "High Impact Adoption / Fast Track" Resolution(s)

For all of the stated reasons above, I believe the methodology seen in the White Paper is consistent with the needs of California's state broadband development program today. Commission staff clearly understands how a quickly diminishing pool of state funds may be cost effectively disbursed. With the stated criteria in place, staff time and investment dollars will certainly be conserved as the criteria provide for a ready and easily understood vetting process.

Therefore, I fully endorse the the concept raised in the White Paper, and discussed at the Workshop of February 28, of a Commission resolution, or other action, which would support the application review and award process of "high impact areas" on a "fast track" basis.

Simultaneously, as the document asks, "should the Commission adopt the "high impact" areas as part of a resolution?" My response is yes. For those communities and counties that are both prepared to support the filing of a CASF-Infrastructure application, such a Commission resolution would give an even stronger positive signal. Such action would signify that CPUC stands behind the final list of "high impact areas", behind the vetting criteria that created them, and is prepared to implement a "fast track" process to cost effectively move needed funding to worthy projects.

I leave it to Communications Division staff to recommend to the Commission if the "high impact area" adoption and "fast track" authorization actions should be combined in a single resolution or other action, or pursued separately. In either case, I stand ready to endorse and support staff and the Commission in moving ahead with both initiatives.

¹⁴ Agenda, Regular Meeting of the Board of Directors; BCPUD, March 15, 2017 <http://www.bcpud.org/wp/wp-content/uploads/2016/04/031517-agenda.pdf>

Thank you for the opportunity to provide this comment to you, and for the foresight you have demonstrated in the White Paper itself.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Rodoni". The signature is fluid and cursive, with the first name "Dennis" and last name "Rodoni" clearly distinguishable.

s/ Dennis Rodoni, Marin District 4

CC: Senator Mike McGuire
Assemblymember Marc Levine
Jennifer Blackman, General Manager; Bolinas Community Public Utility
District
Anita Tyrell-Brown, Chief of Department; Bolinas Fire Protection
District