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[Due date 17 March 2017]

Communications Division White Paper re: High Impact Areas for Broadband Availability
Patrick Rosvall
Sellden, You-Young (Clover)

Dear Ms. Sellden and Staff:

Thank you for holding the February 28th workshop to discuss the Staff white paper, High Impact Areas for Broadband Availability, (the White Paper). I attended on behalf of the Small Local Exchange Carriers, the Small LECs, a group of small, rural telephone carriers in California. Overall, I found the workshop to be informative and productive. In this email, I reiterate a few of the comments I made during the workshop, as follows:

The relative approvability of CASF projects currently in the pipeline and under review should not be measured against the draft parameters set forth in the White Paper at this time. The parameters used to identify the high impact areas have not yet been adequately vetted from an analytical perspective, nor have they been approved in accordance with Commission procedure in any quasi-legislative or rulemaking proceeding designed to assess and/or improve upon any of the existing criteria already in use for determining which CASF projects to approve for grant funding. For these reasons, it would be premature to apply these new early stage criteria. It was troubling to hear that some Commissioners are already seeking out the results of the high impact areas assessment contained in this draft Work Paper as part of their assessment of individual project applications. In addition to considerations of quality policymaking and lawful procedure, as a matter of equity, too, these results should not yet be relied upon either formally or informally in the review of existing CASF project applications. Applicants with currently-outstanding applications relied on their understanding of the review criteria in-place at the time of submission and to have these criteria change without adequate prior notice or an opportunity to review/revise their applications would potentially result in an unjust waste of the often-substantial resources applicants devote to submitting quality applications.

Fundamentally, it remains questionable whether developing the high impact area rubric as a shorthand to fast-track and advantage certain applications over others will result in the most deserving, viable and indeed high impact projects being awarded CASF grant funding. In spite of the Small LECs' real concerns about the lack of timeliness of the processing of CASF grant funding applications, the Small LECs still believe the prerogative of quality should win out over mere speed, in the determination of which projects should receive funding, especially given that many of these new criteria have not been adequately analyzed to-date. For this reason, to the extent that the concept of high impact areas gains momentum toward potentially longstanding policy change, the Small LECs beseech Communications Division to follow the proper Commission procedure. This will go a long way to ensure all parties as well as the Commission are afforded a meaningful opportunity to be heard with respect to these new criteria with far-reaching implications for Californians and carriers in this space.

With respect to the specific analytical criteria used in the White Paper to identify high impact areas, the Small LECs emphasize the critical importance of public safety and suggest that this consideration be more heavily weighted in the mix. The Small LECs appreciate that the draft White Paper does encompass criteria such as household income and other demographic information that may tend to implicate the interests of vulnerable Californians whose safety is always most at risk. The Small LECs do not necessarily contend that public safety should be an added standalone criteria, but encourage Staff to keep public safety considerations in the forefront as the various criteria continue to take shape, especially with respect to their respective application in the mapping stage of the process.

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Thank you for the opportunity to provide these informal comments. Please let us know if you have any questions about this.

Regards,

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