

Tellus Venture Associates

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Sent via Email

5 May 2017

Cynthia Walker
Communications Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, California 94105

Re: Reply Comments on Resolution T-17525 – Race Telecommunications CASF grant to Construct the Gigafy Phelan Project

Dear Ms. Walker,

Tellus Venture Associates (TVA) respectfully submits its reply comments regarding Resolution T-17548. TVA is a consultancy serving municipalities, including those with publicly owned public utilities, regional broadband consortia and other broadband-related organizations in California. We are also a party to Rulemaking 10-12-008. Neither Race Telecommunications or Frontier Communications are currently or even have been clients, and we have no financial interest in this matter.

Frontier Communications' comments on Resolution T-17525 submitted on 1 May 2017 are artfully crafted to create the false impression that current California law and policy prohibit the award of California Advanced Services Fund (CASF) infrastructure grants in areas where the Federal Communications Commission (FCC) has authorized subsidies from its Connect America Fund (CAF) program. In particular, Frontier claims:

Just last week, the Legislature endorsed this policy again by amending CASF funding legislation to expressly prohibit award of a CASF grant to overbuild a CAF-funded broadband project.

This statement is untrue. The bill in question – Assembly Bill 1665 – has not been enacted or similarly endorsed by the California Legislature. It is a controversial bill which has only been heard in a single assembly committee. In fact, a Frontier representative raised objections to the bill during the hearing. The Assembly Communications and Conveyances committee did approve it subject to future amendments which were to be made by the author, Assemblyman Eduardo Garcia. The bill was not actually amended until 2 May 2017, the day after Frontier submitted its comments.

It is disingenuous in the extreme to characterize AB 1665 as California policy or, indeed, anything other than a wish list submitted for consideration by its prospective beneficiaries, which include Frontier Communications, its objections notwithstanding.

To the contrary, California law and California Public Utilities Commission policy clearly allow CASF awards to be made in and around CAF-subsidized areas. The Commission has done so in the past. For example, Resolution T-17503 awarded a \$2,662,450 grant to Anza Electric Cooperative, Inc. to construct a fiber to the home system, similar to that proposed by Race, in an area which includes census blocks where Frontier is receiving CAF subsidies.

Resolution T-17503 similarly awards CASF money to Frontier for a project in Petrolia, California. The Commission approved it more than a month after Frontier had notified the FCC that it was accepting CAF subsidies there.

Frontier's objections to the Gigafy Phelan project have no demonstrated basis in fundamental corporate values or beliefs regarding stewardship of taxpayer money. It is equally unconcerned about the service that those taxpayer dollars will subsidize. In its comments, Frontier only promises to eventually serve a fraction of the Phelan project area with unquantified service levels. By its own admission, Frontier will leave 40% of homes without adequate broadband service and will only provide service which meets CASF standards to a portion of the remaining 60%.

I respectfully urge the Commission to reject Frontier's incorrect characterization of AB 1665 and its woolly conflation of its own public policy vision with actual CASF program law, rules and practices, and approve the Gigafy Phelan project.

Sincerely,

A handwritten signature in black ink, appearing to read 'SAB', written in a cursive style.

Stephen A. Blum
Owner
Tellus Venture Associates

CERTIFICATE OF SERVICE

I hereby certify that I have, by email, on this date served a copy of the Reply Comments on Resolution T-17525 - Race Telecommunication CASF grant to Construct the Gigafy Phelan Project to all known parties via the link below:

[http://www.tellusventure.com/downloads/casf/2017/
Resolution_T-17525_Tellus_Venture_Associates_Reply_Comments.pdf](http://www.tellusventure.com/downloads/casf/2017/Resolution_T-17525_Tellus_Venture_Associates_Reply_Comments.pdf)

5 May 2017 at Marina, California

/s/ Stephen A. Blum

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