BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Consider Modifications to the California Advanced Services Fund.	))	Rulemaking No 12-10-012 (Filed October 25, 2012)

Reply Comments of Race Telecommunications Inc. (U-7060-C)
on ALJ's Ruling on Eligibility For and Prioritization of
Broadband Infrastructure Funds from the California Advanced Services Fund

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Pursuant to the Administrative Law Judge's Ruling Requesting Comments on the Eligibility for and Prioritization of Broadband Infrastructure Funds from the California Advanced Services Fund (ALJ Ruling) dated September 5, 2018, in the above-referenced docket, Race Telecommunications Inc. (Race) hereby provides timely reply comments.

Question 1: How should the Commission determine whether a CASF project application should be eligible for 100 percent funding?

a. **How should the CPUC implement the funding level for a CASF infrastructure application pursuant to Pub. Util. Code Sec. 281(f)(13)4?**

In reply to AT&T's comments[1] at page one recommending its application framework, Race agrees that streamlining the application process and not adding onerous regulatory requirements would facilitate CASF grants and construction of urgently needed broadband facilities in unserved areas. Race agrees there should be a single challenge period with an enforced deadline for each application. However, Race strongly opposes the AT&T proposal to have the Commission first prepare a single list of CASF eligible census blocks, based on publicly available Form 477 data, any CASF Right of First Refusal (ROFR), census blocks awarded through the upcoming Connect America Fund Phase II (CAF II) auction, and locations that providers identified as having deployed 10/1 Internet access pursuant to CAF, in order to determine what are unserved areas. Race opposes this proposal because the FCC Form 477 data is overstated as to actual service provided and should not be relied on. Consumers and third parties must have a way to challenge this data with CalSPEED tests and other real world evidence. Further FCC CAF rules do not require service to every household in the census block group, so this does not serve the AB1665 goal of 98% deployment. The 10 megabits per second (Mbps.)

[1] Comments of PacBell Telephone Company, d/b/a/ AT&T California, et al, filed Sept. 21, 2018 (AT&T), at p. 1.

download/1 Mbps. upload speeds established in AB1665 are well below the FCC benchmark speed of 25 Mbps. download and 3 Mbps. upload. This Commission should be encouraging all applicants to provide at least 25/3 speeds consistent with the FCC's benchmark. AT&T's proposal favors incumbents with CAF II grants and large regulatory staffs to bring forward numerous CASF applications at once and process challenges to others' applications. With entire CAF II Census Block areas off limits to independent providers like Race until mid-2020 due to Assembly Bill (AB) 1665, Race does not see any advantage to this proposal. Instead, this AT&T framework will create a huge CASF application backlog at the Commission. It will cause an undue rush to pull together many CASF applications at the same time. Further it could increase costs if contractors realize they can bid higher due to this unusual activity in the marketplace.

At page five of its comments, Frontier Communications[2] states:

> "Further, the most effective way to expeditiously fund CASF projects that cover the neediest areas in the state is to act quickly to establish a list, as proposed by AT&T, of completely unserved communities with an explicit invitation to demonstrate the need for full funding. As previously stated in this proceeding, expeditiously implementing full funding is the most significant action the CPUC can take to fulfill the Legislature's intent to give a preference to completely unserved areas, while also incentivizing providers to participate in the CASF program."

Race objects to the proposal of Frontier which is to essentially make a list of completely unserved communities and to give the incumbents full funding to go build out these areas. This essentially turns CASF into a CAF II - like program, funding incumbent telephone companies to build out minimal broadband speeds to rural and remote areas. The CASF program was designed to be technology neutral so that providers would compete to bring consumers in these areas quality broadband.

In its comments, California Cable Telecommunications Association (CCTA)[3] interprets Section 281(f)(13) similarly to Race; there are three factors listed which the Commission should consider but it does not preclude the Commission from adopting other factors also to decide whether full 100% funding is warranted.

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[2] Comments of Citizens Telecommunications Company of California, et al, filed Sept. 21, 2018 (Frontier), at p. 5.

[3] California Cable and Telecommunications Association Comments (CCTA), filed September 21, 2018, at pp. 1-2.

1. **How should the Commission define "location and accessibility" of an area, as required in statute?**
2. **How should the Commission define the "existence of communication facilities" that may be upgraded to deploy broadband?**
3. **How extensively should an applicant be required to use communication facilities in order to receive credit for doing so under the funding criteria?**
4. **What factor(s) would justify that a project makes a "significant contribution" to achieving the program goal? For example, if the application proposed to serve more than 300 households, would that be a "significant contribution?"**
    b. **Should additional factors be included in this funding determination?**
        1. **For example, should the Commission provide additional funding for applications that serve low-income communities?**

Race disagrees with the Public Advocate's Office (PAO),[4] who suggests it is generally unreasonable to fund up to 100% of a broadband infrastructure deployment project. Absent a CASF grant, some communities in hard-to-reach areas of the state will not obtain broadband service for decades and suffer with having no advanced communications facilities at all. The PAO goes on to suggest nine "stringent requirements" in order to obtain 100% funding, including: (1) showing the project is not feasible absent a 100% grant of capital costs (looking at the rate-of-return over five years); (2) limiting funding to capital costs and no operating costs; (3) ensuring the project makes a "significant contribution" toward achievement of program goals; (4) deploying only to low-income areas (defined as areas with a Census Block Group having median income less than $49,200, using median income used for the Commission's energy CARE program[5]); (5) requiring an offer of an affordable broadband service plan for low-income persons; (6) requiring one-third of the households within the project area to have dial-up Internet service only or no connectivity at all; (7) requiring a performance bond from applicant to cover the entire grant amount; and (8) delivering high quality service consistent with new service quality standards; and (9) requiring "cost based" interconnection to competitors should the project include new middle mile facilities.[6] While some of the PAO proposals

[4] Comments of the Public Advocates Office (PAO), filed Sept. 21, 2018, at p. 1.
[5] Race believes a better definition of "low-income" areas is to use the California Median Household income of $63,784 as opposed to the median income of less than $49,200 as proposed by Staff. There are often higher income areas mixed in with low-income areas and a showing of 51% of census blocks being low-income should suffice.
[6] PAO Comments, at pp. 2-3.

are palatable -- such as #1 and #3 -- most if mandated are onerous (particularly #2, #4, #7, #8 and #9) and will serve only to discourage providers from applying to the CASF program.

Race agrees with the assertion of the California Emerging Technology Fund (CETF) that, "In no case, should an Internet service provider be allowed to seek a 100% grant from CASF for an area that is eligible for CAFII or other federal funding. California needs to leverage federal dollars and not substitute our limited state resources for their federal build out obligations."[7] Race agrees that if the incumbent accepted CAF dollars for a specific census block, it should not be allowed to apply for CASF dollars that cover the same households.

Existing Communications Facilities. The Ruling had requested comment on the extent to which the Commission should require applicants to use existing communications facilities. While theoretically it is always preferable to upgrade existing facilities to keep the project as cost effective as possible, GeoLinks correctly points out that the Commission should not mistake the *existence* of communications facilities with the *availability or usability* of communications facilities. GeoLinks notes that "the existence of communications facilities" should be narrowly defined to only include facilities that are *accessible* to a CASF applicant. Further, CASF applicants may not have accurate knowledge about where all existing infrastructure is located at or near the proposed project, and it may not be cost effective for the specific project.[8] Race strongly agrees with all of these observations by GeoLinks. In many projects, Race has approached existing providers to negotiate using their interconnection, backhaul or middle mile facilities for a new CASF project. Just because middle-mile facilities may exist near a proposed CASF project does not mean that the CASF applicant has actual access to it. Race can think of two of our projects where it engaged with multiple middle mile providers (two independent providers and one incumbent cable provider) to obtain middle mile, and in the end, all three entities declined to create interconnect points within reach of our two projects, stating they are popular long haul routes, they had low fiber availability, and if they actually provided a bid, they quoted Race exorbitant rates. It has been our experience that incumbent cable companies generally decline to make available to any competitors any of their dark fiber as a matter of company policy. Also, to be frank, incumbent providers may state in a regulatory hearing room that they are willing to lease out their dark fiber and middle-mile facilities, but in reality, Race's experience is that this decision is very location-specific. In most cases, these providers do not have excess capacity and

[7] Comments of CETF, filed Sept. 21, 2018, at p. 4.
[8] Opening Comments of California Internet (Geolinks), filed Sept, 21, 2018, at pp. 2-3.

generally decline to lease out any middle mile or dark fiber to independent ISPs. Finally, it is a fact that CASF applications take a long time to process (1-2 years); by the time one gets a Commission resolution with an approval, often the middle mile the applicant negotiated for when the application was prepared is no longer available and then the applicant has to scramble to find new options, if any. In this scenario, interconnection can end up costing more than what was in the initial application budget. In summary, for these pragmatic reasons, Race does not think there should be any arbitrary limits put on existing communications facilities. Applicants will not include middle mile unless it is really necessary. This is a very localized issue where general rules are not desirable or suitable. Also different providers utilize different technologies[9] and so existing incumbent facilities may be not compatible with some of the more advanced technologies. Thus, Race agrees with GeoLinks and PAO[10] that the Commission should not require use of any "existing facilities" because it is very difficult in practice.

Significant Contribution. On the issue of how to define "significant contribution," PAO proposes a simple mathematical approach of calculating how many unserved households there are in each consortia region, and proposes a 10% figure of that unserved household number to be a minimum threshold for a "significant contribution."[11] Race is troubled by this numeric approach. PAO's approach means that very small communities falling below the 10% figure of unserved households for that regional have little or no chance to get a broadband upgrade than larger communities. With 98% as the overall CASF program goal, this approach makes no sense to Race.

Accessibility. On the issue of "accessibility" definition, Race agrees with the comments of the Central Coast Broadband Consortium (CCBC). CCBC suggests helpful criteria that could be used to classify "accessibility" of a location including criteria like lack of usable pole routes or conduit, unpaved roads, road beds constrained by terrain factors (e.g. waterways, rocky ground, or steep slopes), and distance from public safety resources, schools, health care and commercial centers.[12] Further, the Small LECs offered their observation that areas with accessibility issues are often those in

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[9] Incumbent landline telephone companies often utilize DSL, while cable providers use DOCSIS 3.0. Wireless Internet Service Providers use point-to-point terrestrial wireless connections and use technologies such as LMDS, MMDS, and WiMAX.
[10] PAO Comments, at p. 4.
[11] PAO Comments, at pp. 4 and chart on page 5.
[12] Comments of Central Coast Broadband Consortium (CCBC), filed Sept. 1, 2018, at p. 2.

greatest need of broadband enabled services.[13] If you live in a rural area and it takes three hours to drive to the nearest urban area, residents in these areas are likely to depend on communications and information services to conduct their daily lives, communicate to their health providers, obtain government services or benefits, and keep in touch with loved ones. Race agrees with the Small LECS that these communities deserve priority.

Low Income. AT&T is correct that the current scoring process does award low income areas and high priority more points, and that the "significant contribution to the achievement of the program goal" is considered in the scoring process which awards points based on the number of households served, projected cost per household, proposed pricing and government/community support.[14] Race agrees, and does not favor CASF grants limited only to low-income areas. The Legislature in AB1665 did not limit CASF grants only to low-income areas; on the contrary, by setting the program goal at 98%, it clearly indicated all areas (regardless of income level) should receive broadband, similar to other utility services such as electricity, natural gas, telephony and water.

In its Comments on the ALJ Ruling, Race concurred with CCBC to set the new base funding as 80% for projects serving unserved areas, and to use the three factors set forth in the statute and other factors the Commission finds reasonable for full funding in unusual occurrences where the project meet three or more of the factors.

2. Should other criteria previously raised in comments be included, such as unconnected public safety infrastructure? Please provide specific recommendations about objective and reasonable methods by which the CASF should implement these criteria.

c. What are the appropriate values, expressed as points or percentages, for each potential factor in the CASF eligibility criteria?

1. Is it necessary for those percentages to add up to 100 provided there is a maximum funding level of 100 percent?

2. Should there be the multiple paths to 100 percent funding? If so, what/how?

Multiple paths to 100% funding. Frontier objects to "grappling with the minutia of overly complex new processes and limiting criteria - which are not required by statute", and says the proposed

[13] Comments of Calaveras Telephone Company, Cal-Ore Telephone Company, et al. (Small LECs), filed Sept. 21, 2018, at p. 2.

[14] AT&T Comments, at p. 6.

approach will further discourage participation in the CASF program and cause delay. Frontier urges the Commission to "shift its focus to follow the direction of the Legislature and immediately implement the provisions of AB1665 to address the key factor which has deterred providers from seeking grants for high-cost unserved areas -- the lack of availability of full funding."[15] Race finds this passage enlightening as to what is motivating Frontier. Essentially, Frontier wants full CASF funding for every project that serves unserved areas, netting out its FCC grants for CAF II locations it decides to build. However, the CASF program is not a Connect America Funding program where incumbents apply for and receive grants to provide broadband speeds to specific locations. CASF was conceived as a technology neutral program that would provide partial grants of at least 60% of infrastructure costs to willing providers to compete to bring broadband services to these unserved and underserved communities. The Legislature provided three factors for full funding and gave clear discretion for the Commission to consider other factors it thought important. While Race agrees that this rulemaking should conclude as quickly as possible so that providers can use CASF grants to bring broadband service to unserved households, it does appreciate having the opportunity to express itself on any new criteria and to ensure that the rules are fair for independent broadband providers interested in participating in the CASF program.

2. Should the Commission require CASF grantees to offer affordable broadband service plans as a condition of receiving CASF funding?

a. Should the CASF Program require CASF grantees to offer affordable broadband service plan(s) to receive CASF funding? If so describe the justification. For example, a provider offering a national, affordable low-income plan would meet this requirement so long as the plan is available to customers in the CASF grant area.

b. Should the Commission incentivize applicants to provide affordable plans though the funding determination required in Pub. Util. Code Sec. 281(f)(13)?

c. What is an affordable monthly price? What other factors should the Commission consider?

[15] Frontier Comments, at p. 5.

Affordable Plans. The PAO proposes a required low-income broadband plan of at least 10 Mbps. download and 1 Mbps. upload with a maximum price of $14.99.[16] As noted, Race is neutral on an affordable broadband plan *requirement* because it has some jurisdictional concerns (shared by CCTA, Frontier, AT&T, and the Small LECs) about the Commission's authority to set interstate broadband rates, even if it is tied to a voluntary state infrastructure grant program. Race *voluntarily* offers an affordable low-income plan to its customers ($25/month for symmetrical speeds of 25 Megabits per second) which has been well-received by our customers, including in low- income areas. Race suggests that there be some flexibility for independent providers to have a higher affordable plan rate up to $25/month if it delivers significantly higher speeds than 10/1 speeds (e.g. 25 Mbps. or higher). Race agrees with PAO[17] that it is important for the affordable plan to not have contract terms (e.g. required 1-2 year contract term), a credit check, pr a monthly modem/router fee.

In its comments, CETF recommended a requirement for incumbent providers to provide an affordable broadband plan in the range of $10-$20 per month, but did not support such a requirement for smaller independent ISPs, given their customer base is smaller than an incumbent provider like Frontier. CETF stated it was acceptable that smaller ISPs that deploy to low-income communities have a "reasonably priced retail rate."[18] Race suggests that its $25/month affordable plan is just that.

The Small LECs have suggested affordable broadband rate issues should best be considered in the Commission's LifeLine proceeding, and that the FCC has adopted a forward-looking minimum broadband speed capability threshold of 18 Mbps. download and 2 Mbps. upload in that context.[19] Race will merely note that putting off the affordable offer issue from this CASF rulemaking may delay the benefits of such an affordable rate for a number of years, which is not beneficial to the Digital Inclusion goals of AB1665 to connect unconnected persons at home to the Internet.

In its comments, Geolinks brought to the Commission's attention the FCC's Urban Rate Survey[20] which sets forth reasonable comparability benchmarks for fixed voice and broadband services on a national basis. Geolinks notes that as part of the CAF II auction process, CAF II recipients must adhere to these comparability benchmarks when pricing broadband retail services.[21] This ensures that urban and rural rate plans are reasonably comparable in nearby geographic locations,

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[16] PAO Comments, at p. 6.
[17] PAO Comments, at p. 6.
[18] CETF Comments, at pp. 7-8.
[19] Small LECs Comments, at p. 4.
[20] https://www.fcc.gov/general/urban-rate-survey-data-resources
[21] Geolinks Comments, at p. 5.

as required by the universal service portions of the Telecom Act of 1996.[22] Race emphasizes that this FCC requirement is relevant to *retail broadband rates*, not an affordable rate plan. Should the Commission decide to mandate an affordable rate plan, it should take the FCC retail rates as guidance, but not as the affordable rate which should be much lower. Current affordable rate plans by incumbents providers in the state range from $10-$20, as noted by PAO and CETF[23] in their comments.

3) *Should the Commission eliminate the current scoring criteria and replace it with a different evaluation process focused on eligibility, minimum performance standards and funding level determinations?*

a. Should the Commission eliminate the Scoring Criteria used in the program and included in the Staff Proposal and replace it with minimum performance requirements. These requirements would include:
A commitment to serve all households in the proposed project area;

- **Speeds of at least 10 mbps downstream and 1 mbps upstream;**
- **Latency of 100 ms or less;**
- **If the project receives a categorical exemption under CEQA, it would be completed in 12 months or less and projects requiring additional CEQA/NEPA review must be completed within two years of the approval of those reviews;**
- **Data caps, where used, exceed 190 GBs per month; and**
- **The applicant offers an affordably priced plan (See Question 2).**

Race observes that the proposal to eliminate the current scoring criteria in favor of a a new evaluation process focused on eligibility, minimum performance standards, and funding level determinations was met with opposition or little enthusiasm by almost every commenter, and thus should not be adopted. Frontier is the most dramatic, suggesting all the old scoring criteria of the CASF program be tossed out and the Commission immediately only implement AB1665 without "any complex processes that are not required by statute."[24] CCTA and AT&T challenge a ministerial process from a legal point of view.[25] CCBC states that it's "rare" for two infrastructure grants for the

[22] The federal Telecom Act of 1996 provides in its universal service provisions that a goal is to: "Advance the availability of such services to all consumers, including those in low income, rural, insular, and high cost areas, at rates that are reasonably comparable to those charged in urban areas" See https://www.fcc.gov/general/universal-service
[23] PAO Comments, at p. 6; CETF Comments, at p. 8.
[24] Frontier Comments, at p. 5.
[25] CCTA Comments, at p. 5; AT&T Comments, at p. 8.

same area to be considered at the same time, and suggests five simplified review criteria.[26] Race agrees with the notion of streamlined review criteria that sync directly with AB1665. The scoring criteria was established in the early days of the CASF program when there were filing windows first for unserved areas and then for unserved areas. In that context, the scoring criteria made sense.[27] In the current environment where speedier action to grant CASF applications is critical, the old scoring system should be updated.

At this juncture, Race suggests the Commission focus instead on revamping the scoring criteria to better reflect the new AB1665 requirements, move the baseline to 80% funding for unserved areas, and abandon the minimum performance standard approach and the ministerial grants. Race agrees with CETF that "a set of 'minimum performance requirements' approach will have the effect of inviting and rewarding sub-optimized applications: minimum performance requirements will encourage mediocre applications that just provide the minimum." Mediocre applications do not drive results to the 98% goal mandated by the statute.

Further, Race completely agrees with Geolinks who said, "the Commission should reject any notion that so long as a CASF applicant offers 10 Mbps./1 Mbps., no additional points should be offered if higher speeds are offered. This 'good enough' approach does nothing to future-proof network design to ensure adequate speed and capacity for years to come and runs contrary to the goals of the CASF program"[28] Along with most commenters, Race pleads for a simple and fast process, with few bells and whistles, with the focus on getting grants out that offer the fastest service to unserved areas. Race requests that the Commission commit that CASF ministerial grants go out in six months from application completion date. This will add more certainty to the process, particularly relating to financing.

2. Should the reimbursement of administrative expenses claimed by CASF grantees be limited to 15% of the CASF-funded project?

From the comments, it seems clear that the Commission must first define what it meant by "administrative expenses" because commenters were not able to discern what was meant. For example the Small LECs asked if this includes engineering/network planning costs or the costs of CEQA

[26] CCBC Comments, at p. 9.
[27] In this early era, it was Race's experience that a challenger often rushes to put in its own CASF application to compete with a pending CASF application for part of its service area. At that point the scoring criteria are used.
[28] Geolinks Comments, at p. 7.

review, which the Small LECs argue should be included[29] (and with which Race agrees). Further, Race shares the concerns of the providers about whether this will delay payment as the CASF staff studies the administrative costs. When a project is under construction, CASF grantees usually have contractors that must be paid on time; delays in Commission payment may be very difficult to bear and cause providers to shy away from CASF projects.

5) *How should the Commission treat CAF providers seeking CASF funds? How should the Commission treat satellite broadband service?*

a. Pub. Util. Code Sec. 281(f)(13) and 281 (f)(5)(C)(i) prohibits spending and CASF funding in census block with Connect America Fund accepted locations, except, as noted in 281 (f)(5) (C)(ii), when the provider receiving Connect America Fund support applies to build beyond its CAF accepted locations. How should the Commission require applicants submitting applications under these circumstances separate CASF and CAF financing?

1. For example, if a census block in an application contains ten households and three CAF accepted locations, should the Commission assume the CAF locations are households, and only fund the seven remaining households?

Race finds merit in most of the PAO's suggestions on a process for CAF providers to use CASF funds to supplement CAF II support if not all households are funded by the CAF II grant. There should be an agreement to build to and serve 98% of the households in the CAF project area. There should be included in the CASF application details of the CAF upgrade so the proposed project encompasses *both the CAF and CASF plans* for transparency to the Commission of what specific locations will be built out and what remains unserved so the latter unserved areas can be marked eligible on the California Broadband Map as soon as possible.[30] Race concurs with GeoLinks who said if a CAF provider fails to meet its commitments (e.g. not offering broadband service to the entire funded project area or at lower speeds than promised), there should be some consequence with respect to CASF funding or sanctions since other providers were blocked out from applying to serve those areas.[31] Finally, most commenters agree that it is appropriate that the CASF request is capped at the total number of households less the CAF locations per census block, so there is no double funding.

[29] Small LECs Comments, at p. 5.
[30] PAO Comments, at pp. 8-9.
[31] Geolinks Comments, at p. 11.

b. How should the Commission treat satellite providers receiving CAF support?

1. Is a satellite provider an "existing facility-based provider," as that term is used in Pub. Util. Code Sec. 281 (f)(5)(C)(ii)? (Note this is particularly important because the FCC recently awarded CAF funding to a satellite provider.)

2. If a satellite provider is an existing facility-based provider, should the Commission revise CASF rules to include satellite service in the definition of a served area? (Note that currently, an area served by satellite is considered served only if that service was provided through a CASF grant.)

The majority of commenters support setting rules that are technology neutral yet recognize the challenges satellite broadband providers face in delivering reliable quality service comparable to wireline or fixed wireless providers with current technology. A number of commenters such as Frontier, CCBC, AT&T and Race oppose inclusion of satellite providers despite the fact they technically have ubiquitous service.[32] CCBC points out that the Legislature has repeatedly renewed the CASF program to provide sufficient broadband to 98% of the state which makes it clear that excluding satellite broadband is appropriate at this time due to the issues it has with latency, jitter, packet loss and network reliability.[33]

Race agrees with CCBC that satellite Internet acceptance by the FCC's Connect America Fund is not relevant to this determination. CCBC is correct that the FCC CAF program subsidizes service to specific locations (residential and business), while CASF subsidizes infrastructure to unserved areas.[34] Further, there is a major cost differential for satellite service; it is expensive compared to wireline or fixed wireless service. This must be considered also because of AB1665's Digital Inclusion goals. CETF's 2017 Annual Survey provides information that the cost of broadband service and the lack of a computer or smartphone are major barriers to adoption by low income persons.[35]

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[32] CCBC Comments, at pp. 12-13; Frontier Comments, at 7; AT&T Comments, at p. 11.
[33] CCBC Comments, at p. 13.
[34] CCBC Comments, at p. 13.
[35] "Cost is by far the single biggest factor preventing those without Internet connectivity at home from going online. Of those without Internet access at home, 69% cite broadband service expense or not owning a computer or smartphone as a reason for not being connected, and 34% say this is their main reason." CETF "Broadband Internet Connectivity and the "Digital Divide" in California – 2017" survey. See http://www.cetfund.org/progress/annualsurvey

The PAO suggested a comprehensive approach to establish general key service metrics that include speed, latency, network reliability, packet loss, and jitter.[36] Race suggests that before adoption, this proposal should be fleshed out in a technical workshop to better understand how each of these metrics would be set, how it impacts various technologies, and how advances in technology over time would be accommodated.

6) *Should the Commission require additional information in project summaries?*

In addition to current requirements, Staff proposes that the Commission require applicants to include the following items in Application Item 1 – Project Summary:

- **Identify main major infrastructure: miles of planned fiber, Central Offices used, number of remote terminals/fiber huts/wireless towers to be built, and if an IRU is used;**
- **Identify major equipment expenses (*e.g.*, number of DSLAMs, multiplexers, etc.);**
- **Estimated breakdown of aerial and underground installation and if the poles or conduits are already in place; and**
- **Estimated construction timeline.**

The comments of the providers uniformly oppose more detail in equipment and infrastructure plans to be provided for many reasons: (1) the cost of extra time and expense of providing more details in the CASF application; (2) the provision of market and network sensitive details that would discourage participation in the program; (3) Section 281(f)(4)(B) protects from public disclosure infrastructure plans submitted as part of the Right of First Refusal filing; and (4) disclosure of confidential vendor pricing; and (5) disclosure of planned facilities to be leased may allow a competitor to block usage of this facility by the applicant.

[36] PAO Comments, at pp. 11-14.

WHEREFORE, Race respectfully requests the Commission issue its CASF Phase II rules in accord with its comments.

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