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June 8, 2020

Via Electronic Mail

CASF_Application_Questions@cpuc.ca.gov

California Public Utilities Commission
Communications Division CASF Staff
505 Van Ness Avenue, Third Floor
San Francisco, CA 94102-3298

Re: *Re: Challenge to Citizens Telecommunications Company of California Inc. d/b/a Frontier Communications CASF Application for Mad River FTTP Project*

Dear Communications Division CASF Staff,

Pursuant to Executive Director Stebbins' March 20, 2020 directive, and Section 281(f)(8),¹ Velocity Communications, Inc., an Internet Service Provider ("ISP") operating broadband networks in Northern California hereby challenges the California Advanced Services Fund ("CASF") application submitted by Citizens Telecommunications Company of California Inc. d/b/a Frontier Communications ("Frontier") for Mad River. This challenge is based on three grounds: 1) the CASF award area proposed by Frontier overlaps with an existing CASF award to IP Networks, Inc. and 2) Velocity is currently working to build out in the area and will be providing served broadband speeds within the next six months, obviating the need for CASF funds and 3) Frontier does not demonstrate that the middle mile portion of the project is indispensable.

¹ All statutory references are to the California Public Utilities Code unless otherwise noted.

Velocity notes that the Commission's May 18, 2020 notice of the Frontier CASF application states that ISPs do not need to submit challenges for census blocks shown as ineligible on the Commission's Interactive Broadband Map.² Census blocks for Frontier's Mad River CASF application are shown to be served by IP Networks and its ISP partner 101 Netlink on the Commission's Broadband Map. Additional census blocks are targeted for imminent deployment of broadband by Velocity. Thus, the proposed service areas are not eligible for CASF monies and Velocity may not have needed to challenge the application. Nonetheless, out of an abundance of caution, Velocity is submitting this challenge to ensure the Commission takes account of the data showing that all but two of the census blocks in Frontier's CASF application are or will soon be served so that the Commission can place the burden of proof on Frontier if it decides to attempt to demonstrate that the area is not served.

A handwritten signature in black ink, appearing to read "Anita Jeff Rice". The signature is written in a cursive style and is positioned above a horizontal line.

Counsel for Velocity Communications, Inc..

² Notice of New Applications for CASF Infrastructure Grant Account Funding, May 18, 2020, at p. 2 ("CASF Notice").

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