

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

January 24, 2020

Via Electronic Filing

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**RE: Ex Parte Notice – In the Matter of Rural Digital Opportunity Fund,
WC Docket 19-126; Connect America Fund, WC Docket 10-90.**

Dear Ms. Dortch:

The California Public Utilities Commission (“CPUC”) submits this ex parte notice pursuant to 47 C.F.R. § 1.1206(b)(2). On January 21, 2020 at 1:00 P.M., PST, CPUC staff Selena Huang, Peter Pratt, Owen Rochte, and Alexander Abramson, representing the CPUC Communications Division, and Helen Mickiewicz, Assistant General Counsel from the CPUC Legal Division, had a telephonic meeting with Mr. Joseph Calascione office of Federal Communications Commission (“FCC”) Commissioner Brendan Carr.

An agenda outlining CPUC summary points (attached hereto as Exh. 1), was provided to the participants via email.

CPUC staff discussed several policy positions with Mr. Calascione, summarizing the other Ex Parte calls conducted with Commission staff and Advisors since early December 2019. CPUC statements and questions were focused on points relating to the role of state broadband funding programs as referenced in CPUC Comments and Reply Comments. CPUC staff requested guidance on how the final RDOF Order, and eventual Auction Procedures, could provide credit or recognition of state funding contributions. Staff suggested auction weights as a means of such recognition for the fiscal contributions of states. Staff stated further that the lack of such allowances and credits for state

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expenditures will deny to states full leverage of their funds for broadband development. States with broadband funds will thus lose the ability to deliver competitive advantage to providers seeking to invest in their respective high cost rural areas.

CPUC staff also expressed its concern that the RDOF Draft Report and Order (Draft R&O) released on January 9 provided for insufficient time for many states to align their broadband programs with the exceedingly tight timeframe outlined in the Draft R&O. Staff outlined the time-consuming process needed to align state law and regulation in California to allow for the ‘stacking’ of state and federal of funding awards in the same project areas. CPUC staff stated the constraints of time presented by the Draft R&O were made more difficult by the chronological need to have “state awards go first,” as outlined for CPUC by FCC staff during our Ex Parte conference of December 3, 2019.

Finally, and as previously stated to FCC in our Ex Parte call of 12/3/2019, CPUC staff requested having additional calls with FCC staff where they will bring more specific data and ideas on developing a federal-state partnership and how to best align California broadband funding with the RDOF Program.

If you have any questions about this notice, please do not hesitate to contact me at (415) 703-1319 or Helen.mickiewicz@cpuc.ca.gov

Respectfully submitted,

/s/ HELEN M. MICKIEWICZ
HELEN M. MICKIEWICZ

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Conference Call of Thursday, 01/21/2020
Mr. Joseph Calascione; Office of FCC Commissioner Brendan Carr
and
CPUC Staff, Communications Division

Tuesday, 01/21/2020
4:00 PM, Washington Time (ET) – 1:00 PM, California Time (PT)
30-minute call duration
CPUC Room 3212, San Francisco
Conference Bridge A: 866-912-9666 Passcode: 7032767

1. Welcome and Introductions: Peter Pratt; Analyst, CPUC-CD

2. Summary points of CPUC: Peter Pratt; Broadband Analyst, CPUC-CD
 - 2.2 Lead goal: Achieve best leverage of federal and state ratepayer dollars to cooperatively deliver the highest levels possible for broadband infrastructure in California.

 - 2.3 Offer: Cooperative work by CPUC staff to craft federal – state framework, including input from other state broadband programs.

 - 2.4 Request 1: Launch of the RDOF Phase I Auction no sooner than Q2 2021, rather than the stated launch of November 2020.

States need time to align state program funding rules with RDOF rules. Without time, hundreds of millions of state-funded dollars will not be contributed to the process, causing more federal dollars to be expended than necessary.

- 2.5 Request 2: Specification of (including leverage ratios), and procedures for, State Broadband Program Bidding Credits in RDOF Order, and Auction Procedures. California is open to other means of federal state partnering, but we have only heard about bidding credits from FCC staff.

We know that the RDOF R&O states that bidding credits will not be in the RDOF auctions. CPUC staff is therefore keenly interested to know if and how we may work cooperatively with FCC staff to see Auction Procedures drafted that allow for the recognition of state broadband funds.

3. Closing remarks and next steps