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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Consider Modifications to the California Advanced Services Fund Including Those Necessary to Implement Loan Program and Other Provisions of Recent Legislation.	RULEMAKING 10-12-008

REPLY COMMENTS OF TERI MURRISON ON RULEMAKING 10-12-008 FOR ORDER INSTITUTING RULEMAKING TO CONSIDER MODIFICATIONS TO THE CALIFORNIA ADVANCED SERVICES FUND INCLUDING THOSE NECESSARY TO IMPLEMENT LOAN PROGRAM AND OTHER PROVISIONS OF RECENT LEGISLATION.

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February 11, 2011

REPLY COMMENTS OF TERI MURRISON ON THE ORDER INSTITUING RULEMAKING 10-12-008

There appears to be broad agreement among Regional Consortia, their partners, and others in the Opening Comments submitted in the above-referenced Rulemaking. A-TCAA, CSU Monterey Bay, California Center for Rural Policy, California Partnership for the San Joaquin Valley, Contra Costa Council, Lake County, Humboldt State University, Redwood Coast Connect, Redwood Region Economic Development Commission, San Diego Futures Foundation, Sierra Economic Development Corporation, Valley Vision, and I commented as follows relative to implementing SB 1040:

1. SB 1040 and CASF funds are intended to fund deployment of broadband infrastructure. Regional Consortia have been cost effective vehicles partners to successfully implement CASF funds and bring the state closer to the goal of connecting at least 98% of all California residences. Regional Consortia have been critically important mechanisms to identify demand for planning and deployment and secondarily, are logical mechanisms to promote and increase demand via outreach and education (as was commented by the Division of Ratepayer Advocates (DRA)) to sustain and make necessary upgrades to broadband systems (public and/or otherwise) following deployment.

2. There is agreement and support for involving Regional Consortia in the next phase of broadband deployment. Regional Consortia have accumulated significant stakeholder investment of time and effort and as a result are uniquely qualified with experience to implement broadband infrastructure in the public interest. Opening Comments submitted by Consumer advocate organizations (including the Division of Ratepayer Advocates (DRA), Greenlining Institute, and The Utility Reform Network (TURN)), generally support involvement of Consortia with experience in promoting broadband deployment and adoption.

   Local government agencies including Tuolumne County (cities, counties, districts, etc.) have been active and intimately involved in supporting the work of the Regional Consortia, creating broad buy-in to these efforts. I strongly concur with the California Partnership for the San Joaquin Valley that the CPUC should recognize work done to date by existing Regional Consortia and give preference to these collaborative organizations that know their regions and issues. Further, I agree with Greenlining that an appropriate task for Regional Consortia is

consumer education and outreach. I concur with Valley Vision that Regional Consortia are logical vehicles for collaborative work on web-based asset mapping and more.

DRA, Greenlining and TURN support utilizing CASF as cost-effective infrastructure deployment organizations to achieve ubiquitous deployment and to promote adoption. Regional Consortia are the logical vehicle to bring and keep together various stakeholders (economic development, higher education, local government, social agencies, private businesses, etc.) together

I agree with numerous Regional Consortia comments and the California Partnership for the San Joaquin Valley which commented "there can be only one legitimate, publicly-supported consortium per region for the organization to serve the primary purpose of facilitating the most cost-effective use of CASF for infrastructure deployment."

3. I concur with the DRA and CSU Monterey Bay that Regional Consortia must be held fiscally accountable via the establishment of regular reporting. Further, they should receive reasonable overhead for administrative expenses. I agree with the Partnership that the CPUC should not select representatives or groups to be a part of consortium; rather consortia applicants should include the spectrum of civic leadership organizations set forth in SB 1040.

4. Regional Consortia must be fully funded to coordinate broadband deployment and increase demand across each region. They should be granted a core amount of up-front funding, with ongoing, regular payments linked to performance over 3-year grant periods. There should also be additional funds available in the second and third years (on a competitive basis) for special projects.

5. I agree with numerous comments from Regional Consortia and their partners that Regional Consortia should encourage potential infrastructure project applicants to apply for funding and should also be involved in formal, structured review and comment on infrastructure applications to the CASF.

6. Opening Comments submitted by Regional Consortia and their partners support CPUC taking responsibility to insure CASF funds are used in the most cost-effective way and allow for flexibility in the matching funds (also expressed by the California Center for Rural Policy, Verizon, AT&T, and Humboldt State University). An open, competitive process should feature CPUC and Regional Consortia involvement as was expressed by Regional Consortia, their partners including the CA Partnership for the San Joaquin Valley, Contra Costa Council, Valley

Vision, and others. The CPUC needs to use the CASF differently to ensure cost-effectiveness and the ability to reach as many unserved and underserved residences in each region as possible.

7. I agree that infrastructure applicants should not be required to have a CPCN or wireless carrier registration. Local government and private businesses that otherwise wouldn't qualify for these funds can play an important role in deployment if there is no such requirement. This is especially important in rural areas which generally have limited access to the significant amount of funds necessary to deploy broadband there. I concur with the Regional Council of Rural Counties (RCRC) which commented:

   > "…The expansion of the eligibility allowed local governments, and their related entities, to move from a position of trying to attract private providers to service their jurisdiction, to a role of lead planner, developer and potential manager of a broadband network. In many rural communities in California this created amazing partnership building opportunities and creative projects. The local governments were… able to partner with [private providers and others] to create a larger scale, more inclusive project. We urge the Commission to continue this eligibility for the ongoing CASF program, both the broadband grant and revolving loan programs…."

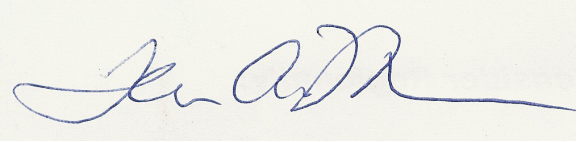
8. Opening Comments from broadband providers overall are not inconsistent with comments filed by Regional Consortia. It appears that the substantive alignment of approach and perspective by the existing Regional Consortia provides a solid basis on which the CPUC can rely without incurring major objections from other parties.

9. I concur with strong support expressed for ongoing revolving CASF loan fund administration by the Sierra Economic Development Corporation (SEDCorp). SEDCorp did a thorough and excellent job in the last funding round and CASF and the CPUC will benefit from the considerable lessons learned and experience of SEDCorp to manage the next phase.

The specific and detailed recommendations from Regional Consortia and others are well-reasoned and sensible. Regional Consortia and their members possess the wisdom of experience having already worked extensively in communities and regions throughout California to promote broadband deployment and adoption. They are a valuable asset to the CPUC to ensure implementation of SB1040 and support the use of CASF as intended by the Legislature to best serve the broader public interest.

Dated February 11, 2011

Respectfully submitted,



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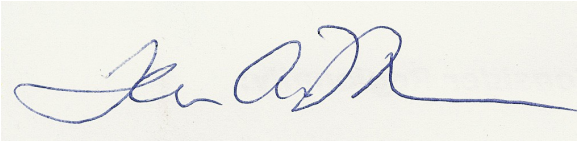
Certificate of Service

I, Teri Murrison, hereby certify that on this day I served a copy of the Reply Comments of

Teri Murrison

to all parties on the CPUC's service list for RULEMAKING 10-12-008. A true and correct Adobe Acrobat PDF copy was E-mailed to those parties on the service list who provided an E-mail address. For those parties who have not provided the Commission an electronic address, paper copies were provided via U.S. Mail.

Dated at Sonora, CA, this 11th day of February, 2011.



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