

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**



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Order Instituting Rulemaking Regarding	)	
Revisions to the California Advanced	)	R.20-08-021
Services Fund.	)	(Filed August 27, 2020)
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**MOTION FOR PARTY STATUS OF  
THE COMPTCHE BROADBAND COMMITTEE**

Comptche Broadband Committee  
P.O. Box 333  
Comptche, CA 95427  
Randal Stuart MacDonald  
Email: [randy@wildirismedical.com](mailto:randy@wildirismedical.com)  
Tel. (707) 937-6233

Cathy Rayden  
Email: [crayden@comcast.net](mailto:crayden@comcast.net)  
Tel. (707) 937-0386

Cindy Hollister  
Email: [cindyb@saber.net](mailto:cindyb@saber.net)  
Tel. (707) 937-5918

Rachelle Chong  
Law Office of Rachelle Chong  
345 West Portal Avenue, Suite 110  
San Francisco, California 94127  
Tel. (415) 735-0378  
[rachelle@chonglaw.net](mailto:rachelle@chonglaw.net)  
Outside Counsel to Comptche Broadband  
Committee

October 14, 2020

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In accordance with Commission Rule 1.4(a)(4), the Comptche Broadband Committee (“CBC”) respectfully moves for the Commission to grant it party status in the above-captioned proceeding involving revisions to the California Advanced Services Fund (“CASF”).

In support of its motion, CBC respectfully states the following:

**Background.** The Comptche Broadband Committee was formed in the town of Comptche in 2005 by town volunteers for the express purpose of bringing Internet service to our town. CBC is registered as an Unincorporated Nonprofit Association with the California Secretary of State (Association Reg. No. 17183). Comptche is located 17 miles southeast of Fort Bragg. Comptche is a small, rural community located in the Coast Range of Mendocino County, CA. There is a K-3 primary school and a firehouse located in our town. In 2010, the population was 159 persons. The median income is \$55,714.

Comptche sits squarely on the wrong side of the Digital Divide. There is no reliable cellular mobile radio service in our town. AT&T is Comptche's sole telecommunications provider and is the Carrier of Last Resort. AT&T provides landline telephone Comptche residents. There is no cable provider or wireless Internet Service Provider (ISP) in the area. Further, satellite Internet service is limited due to the mountainous, heavily forested terrain.

In 2005, AT&T installed a large fiber-optic cable right through Comptche to serve customers along the northern Mendocino Coast. The CBC had high hopes that it might obtain Internet service but despite numerous requests, AT&T refused to provide any Internet service to Comptche. The CBC formed and began persistently lobbying AT&T, elected officials, and this Commission to require AT&T to serve Comptche with Internet service. This issue came to the

attention of a CPUC Commissioner in 2008, and with her aid, AT&T was persuaded to bring DSL Internet service to Comptche.

In 2009, AT&T accepted a CASF grant in Resolution T-17195 which was unanimously approved by the Commission to provide DSL service in Comptche. The Commission Resolution granted AT&T \$18,392 in CASF funds to provide high speed, stand-alone broadband Internet to Comptche for 97 households covering an area of 11.51 square miles in two CBGs. For 11 years, AT&T provided passable DSL service to the town, although the speeds vary a lot. In 2014, Comptche suffered a 45-hour AT&T outage which impacted thousands of customers along the northern Mendocino Coast.

In 2018, AT&T Wireless applied for and received a permit from Mendocino County to install a cell tower in Comptche. In August 2020, the project's contractor announced that AT&T had cancelled the Comptche cell tower project. It was never built, so Comptche still has no reliable wireless service (commercial mobile radio service).

**Nature of Filing.** CBC requests party status to participate in this proceeding on CASF rules. It is CBC's hope that Internet Service Providers do not obtain CASF grants from the Commission on the pretense of service to an unserved community, but then deliver degraded service to the community and ultimately cut off broadband service to the community.

**Interest in the Proceeding/Factual and Legal Contentions.** Beginning on or about Spring 2020, about 200 current DSL customers in Comptche have experienced severe degradation of our Internet service on a daily basis. Speeds have been logged as slow as 0.5 Mbps. download at peak usage hours, but many AT&T subscribers pay for speeds that are promised by AT&T at 5 Mbps. download. Numerous problem reports have been submitted to AT&T and ISPs that are AT&T resellers in town. AT&T said it found no problems with Comptche's DSL service, but local AT&T techs privately told AT&T repair personnel that the problem with Comptche's DSL was well known: Insufficient fiber is connected to the Comptche DSLAM switch to meet service levels during heavy-usage periods. Plus, it appears that the Comptche DSLAM is serving persons that are not in the Comptche areas.

On June 26, 2020, AT&T's ADSL Sunset Notification announced it will no longer accept new DSL orders or changes to existing DSL accounts in Comptche beginning October 1, 2020. In other words, Comptche's DSL service was being ended. Of the replacement service options

listed in the AT&T ADSL Sunset Notification, only dedicated fiber service will be available to select business locations in Comptche according to AT&T salespersons, with prices starting at \$550/month, which is 10 to 20 times what Comptche DSL customers are currently paying. Given Comptche's median income is \$55,714, this is unaffordable for most residents. AT&T salespeople privately told the ISP owned by our local school district that DSL will be shut down in Comptche sometime next year, leading the school district to reduce its budget by \$30,000.

In fact, already, Comptche residents such as Cindy Hollister requesting new service (voice or DSL) at an apartment behind the post office have been told by AT&T that such service is not available. Only when the Commission's help was requested in the last few months at the AT&T Office of President level did AT&T provision service to Ms. Hollister.

On September 29, 2020, **AT&T DSL service went down in Comptche for over seven days**, resuming on October 7, 2020. A severe wildfire was burning in an adjacent county and our residents were anxious that the wildfire could approach the town, and no one would have any notice due to the complete communications outage. Further, this week-long outage caused the Comptche economy and education to come to a screeching halt. Our local students could not engage in distance learning, commerce was halted because businesses could not process electronic transactions, our post office could not sell money orders, nor could the firehouse access its Internet connections from AT&T. Residents were forced to drive 30 minutes to Mendocino to obtain Internet access for critical needs.

This outage apparently was caused by equipment failure, yet AT&T has not disclosed the official reason for this extended outage. Based on reported discussions with AT&T's technical staff, CBC believes the outage was caused by overloading the DSLAM which the CPUC gave AT&T the \$18,392 CASF grant to purchase in 2009 for the express purpose of serving the residents of Comptche. AT&T stated the recent outage impacted more than 1,000 customers, which means at least four times as many people are served by this publicly subsidized DSLAM than the approximately 200 current subscribers in Comptche which it was intended to serve.

The current degraded service and prospective loss of DSL is negatively impacting the ability of Comptche companies to conduct normal business, our students are finding it difficult if not impossible to participate in distance learning during the pandemic, while access to emergency information for Comptche's first responders and residents is harder to obtain online.

Given it is wildfire season again, and the fires this year are severe and repeated, this is creating severe stress and anxiety on our community.

CBC is filing a motion in this proceeding to bring this situation to the Commission's attention. We do not think it right or fair that AT&T spent CASF monies but is not delivering continuing reliable Internet service to our community.

**Request.** The purpose of CBC's intervention is to request that the Commission include in the scoping memo a proposed new CASF rule that requires any grantee of a CASF grant to continue to provide broadband service to the community for which it received funding. CBC respectfully requests that the Commission add this issue to the scoping memo: "Should a CASF grantee be required to provide broadband service to the community or communities for which it receives funding indefinitely, or at a minimum for a time period of at least 25 years."

**WHEREFORE**, the Comptche Broadband Committee respectfully requests that it be granted party status in the above-referenced proceeding to put forward its unique request as to the length of service a CASF grantee must provide service to the communities for which it obtains a grant.

Respectfully submitted,

Comptche Broadband Committee  
P.O. Box 333  
Comptche, CA 95427

*/s/ Randal Stuart MacDonald*  
Randal Stuart MacDonald  
Email: [randy@wildirismedical.com](mailto:randy@wildirismedical.com)  
Tel. (707) 937-6233

*/s/ Cathy Rayden*  
Cathy Rayden  
Email: [crayden@comcast.net](mailto:crayden@comcast.net)  
Tel. (707) 937-0386

*/s/ Cindy Hollister*  
Cindy Hollister  
Email: [cindyb@saber.net](mailto:cindyb@saber.net)  
Tel. (707) 937 5918

*/s/ Rachelle Chong*  
Rachelle Chong  
Law Office of Rachelle Chong  
345 West Portal Avenue, Suite 110  
San Francisco, California 94127  
Tel. (415) 735-0378  
Email: [rachelle@chonglaw.net](mailto:rachelle@chonglaw.net)  
Outside Counsel to Comptche Broadband Committee

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