

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



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*Order Instituting Rulemaking Regarding
Broadband Infrastructure Deployment
and to Support Service Providers in the
State of California*

Rulemaking 20-09-001 (Filed
08/06/21)

**OPENING COMMENTS OF THE COUNTY OF MONO TO ORDER
INSTITUTING RULEMAKING 20-09-001**

September 2, 2021

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I. Introduction

In accordance with Rule 6.2 of the California Public Utilities Commission (“Commission”) Rules of Practice and Procedure (“Rules”), the County of Mono submits comments to the Order Instituting Rulemaking 20-09-001 (“Rulemaking”).

II. Comments

1. Identifying Existing Middle Mile Infrastructure

The entire Eastern Sierra region, including Mono County, benefits from an existing open-access middle-mile network commonly known as Digital 395. This project was jointly funded by the federal Broadband Technology Opportunities Program (BTOP) and the California Advanced Services Fund (CASF) and has been operating since 2013.

Digital 395 delivers competitively priced, carrier grade service without capacity constraints to government, education, and medical anchor institutions in Mono County, plus backhaul to numerous last-mile providers. As a result of Digital 395 and those providers, Gigabit broadband is available to more than 90% of households in Mono County. Additionally, all of Mono County’s facilities and a number of other public entities’ facilities are directly

connected to and utilizing Digital 395 for network and internet services.

Given the existence of Digital 395 and its alignment with the State's objectives for a comprehensive open-access middle-mile network, we estimate that there are approximately 165 miles of route identified in the Anchor Build Fiber Highways document which do not need to be constructed in Mono County. In place of this mileage, Mono County would like to instead request allocation of money to cover the construction of 53 miles of new middle-mile network as 'lateral' builds off Digital 395 and redirect the remaining allocation of approximately 100 miles to Inyo County for priorities needed in their jurisdiction. The requested route modifications in Mono County are as follows:

Eliminate the following routes and lease from Digital 395:

1. Highway 395 corridor from Mono/Inyo County line to state line (approx. 119 mi.)
2. Highway 6 corridor from Mono/Inyo County line (approx. 29 mi.)
3. Highway 158 from Highway 395 junction to June Lake Village (approx. 2.5 mi.)
4. Highway 203 from Highway 395 to The Village at Mammoth (approx. 4 mi.)

Maintain the construction of the following route segments as proposed:

5. Highway 203 from The Village at Mammoth to Mono/Madera County line (approx. 5 mi.)
6. Highway 158 from June Lake Village to June Lake Down Canyon (approx. 3.5 mi.)

Add the following route segments as extensions to the Digital 395 network:

7. Benton Crossing Road from Highway 395 to Whitmore County Facilities (approx. 1 mi.)
8. Highway 203 from Mono/Madera County line into Reds Meadow (approx. 8.5 mi.)
9. Highway 158 from proposed segment end to Silver Lake (approx. 1mi.)
10. Twin Lakes Road from Highway 395 in Bridgeport to Fire Station #2 (approx. 13.5 mi.)
11. Lake Mary Road from The Village at Mammoth to Mammoth Community Water District Facility (approx. 3 mi.)
12. Highway 120 west from Highway 395 junction to Yosemite National Park entrance (approx. 12 mi.)
13. Bodie Road from Highway 395 to Bodie State Park (approx. 13 mi.)

With regard to construction of new middle-mile route, Mono County believes that it may be far more efficient and cost effective to utilize municipally owned rights of way (such as County and Town roads and trails) rather than State and Federal highway corridors. We believe that this approach achieves the same outcome, reduces the complexity of planning and permitting, and provides for better route design where ‘hand-off’ locations exist within communities, rather than in highway rights of way.

2. Priority Areas

Mono County generally agrees with the supposition that one of the barriers to ubiquitous broadband availability at 100mbps or greater is partially due to middle-mile gaps. However, in Mono County, the larger contributing factor to the last-mile network construction has been the evaluation of projects proposed via CASF where cost per household is too great to justify

the project. The request(s) made to extend or construct additional middle-mile segments in Mono County are driven primarily by the need to have open-access networks available at all public facilities and critical infrastructure sites, address public safety communication needs, and close the middle-mile ‘gap’ into regions where last-mile networks cannot be built due to middle-mile construction costs.

3. Assessing the Affordability of Middle Mile Infrastructure

While Mono County is not privy to the costs or arrangements between service providers and Digital 395, as a direct customer we believe that the cost associated with the service we receive is appropriate, reasonable and affordable. We do believe that it is reasonable for service costs in rural markets such as ours to be different than in urban markets, so long as they are reasonable and offered consistently for customers within the same category of use.

4. Leasing Existing Infrastructure

Mono County is a member of the California Broadband Cooperative (CBC) – the 501(c)12 entity which manages Digital 395. In order for the network to be successful and remain operational, it is imperative that it is leveraged by anchor institutions and service providers in the region. We feel strongly that the State should leverage its existing investment in Digital 395 by becoming a member of the cooperative and leasing capacity from the network in order to meet its objective(s) in the region.

5. Interconnection

Mono County believes that there are opportunities for interconnection to Digital 395 at the Highway 89 / Highway 395 junction to provide service into Alpine County. Further, we feel it is important to recognize that efficiently providing service into the other eastern portions of Alpine County would most effectively be done by following Highway 88 with an interconnection to Digital 395 in Minden, NV. While this would require a portion of the route

to be constructed outside of California, it may be logical to obligate additional money to Digital 395 to construct this segment to the state line and then lease capacity along that portion of the route.

6. Network Route Capacity

Mono County feels that it is imperative for the State to recognize the importance of municipally owned conduit and to allow for local agencies, including Local Transportation Commissions, to obligate transportation improvement dollars to the development of these conduit networks when road construction and rehabilitation projects are carried out.

III. Conclusion

The County of Mono's participation in this proceeding will not prejudice any party and will not delay the schedule or broaden the scope of the issues in the proceeding. For the reasons stated above, the County of Mono respectfully requests that the CPUC grant this Motion for Party Status filing.

Dated: September 2, 2021

Respectfully submitted,

/s/ Jennifer Kreitz

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