

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

**CALIFORNIA COMMUNITY FOUNDATION AND GREAT PUBLIC SCHOOLS NOW  
RESPONSE TO PETITION OF THE PUBLIC ADVOCATES OFFICE, CENTER FOR  
ACCESSIBLE TECHNOLOGY, AND THE UTILITY REFORM NETWORK FOR  
MODIFICATION OF DECISION 22-04-055**

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**I. Introduction**

Pursuant to Rule 16.4 of the California Public Utility Commission’s (Commission) Rules of Practice and Procedure, California Community Foundation (CCF) and Great Public Schools Now (GPSN) respectfully submit this response to the June 30, 2022 Petition for Modification of Decision (D.) 22-04-055 (Petition), “Decision Adopting Federal Funding Account Rules” (Decision) filed by the Public Advocates Office at the Commission (Cal Advocates) Center for Accessible Technology (CforAT), and The Utility Reform Network (TURN).

CCF’s mission is to lead positive systemic change that strengthens Los Angeles County – the California county with the greatest number of residents lacking access to fast, reliable, and affordable broadband. CCF envisions a future where all Angelenos have the opportunity to contribute to the productivity, health and well-being of our region, and we believe that our fates

are shared and determined by how successfully we improve the quality of life for all of our residents.

GPSN is a non-profit intermediary organization exclusively focused on improving Los Angeles public education. GPSN envisions a public school system in Los Angeles that prepares all students to succeed in school and to live thriving adult lives. Guided by this vision, GPSN's mission is to bring together the Los Angeles community to catalyze the transformation of the public education system so that students of color and students living in poverty gain the knowledge, skills, and experiences to lead thriving adult lives.

While the Digital Divide is a long-standing barrier to equity in Los Angeles County and beyond, the COVID pandemic amplified its catastrophic impacts across every one of CCF's program areas: education, health, immigration, housing, and civic engagement. The tragedy faced by thousands of Los Angeles' students -- from pre-K to community college -- unable to access their virtual classrooms because of poor or absent broadband connectivity was well documented. Less obvious, but equally unacceptable, were Angelenos' persistent barriers to health care, economic opportunity, government services, housing support, as well as to participation in the community's civic life through the Census, voter registration, and public meetings; in so many essential arenas of life, the pandemic laid bare the reality that broadband access was inequitable, a burden borne disproportionately by our community's Black and Latino residents. In no uncertain terms, COVID-19 brought the issue of broadband access into focus as a civil rights issue.

As noted in the initial Decision<sup>1</sup> and referenced in the Petition,<sup>2</sup> affordability is a significant barrier preventing low-income residents from accessing fast, reliable, and affordable internet. This is as true in Los Angeles County as in any other county in the state, only with far larger numbers of households left out. Nineteen percent of Los Angeles County residents in urban, suburban, and rural communities – more than two million people – still do not have a broadband subscription at home, and the majority of them cite affordability as the primary reason why not.<sup>3</sup>

Communities with the highest rates of poverty and lowest broadband subscription rates are also the most likely to have only one wireline provider option.<sup>4</sup> This structural problem with the market has been further compounded by decisions made by ISPs that “redline” these same communities for reduced investment in broadband infrastructure,<sup>5</sup> negating the potential role of market forces to keep prices low and service levels high. This issue of digital redlining has been explored at length by the Commission as part of the Commission’s Assigned Administrative Law Judge Ruling in Phase II-B of these proceedings.<sup>6</sup>

The Petition notes that in Opening and Reply comments on the March 2nd PD, parties concurred regarding the advisability of prioritizing affordability for low-income customers, and that several parties from the regulated industry included affordable plans in their offerings.<sup>7</sup>

However, CCF and GPSN have documented myriad examples of price and service offerings that

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<sup>1</sup> *Proposed Decision of Commission Alice Reynolds, Marc 2, 2022 (March 2nd PD)*

<sup>2</sup> *Petition of the Public Advocates Office, Center for Accessible Technology, and the Utility Reform Network for Modivication Decision 22-04-0555 (Petition)*

<sup>3</sup> [The CETF/USC 2021 Statewide Broadband Adoption Survey](#) found that, at 19%, Los Angeles County is second only to the Central Valley in terms of percentage of households unconnected or underconnected. According to the latest Census, there are just over 10 million residents of Los Angeles County, meaning about two million Angelenos do not have access to broadband services.

<sup>4</sup> California Broadband Interactive Map; <https://www.broadbandmap.ca.gov/>

<sup>5</sup> <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M349/K206/349206429.PDF>

<sup>6</sup> <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M385/K618/385618661.PDF>

<sup>7</sup> *Petition*

are significantly better in wealthier communities than in higher poverty communities, even on the same network and by the same provider.

**II. The Commission should grant the Petition’s request to strengthen the affordability protections in the Federal Funding Account.**

For the reasons stated above, CCF and GPSN support the Petition and its requested relief and modifications to the Decision to further ensure that networks built with public funding obtained through the Federal Funding Account are operated with an affordable broadband plan that meets minimum service standards that, in combination with the Affordable Connectivity Program or comparable subsidy program, is accessible for low-income households.

Respectfully submitted,

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