

Memorandum



Date: March 25, 2015

To: California Advanced Service Fund (CASF) Consortia

From: **Public Utilities Commission—San Francisco -**
Robert Wullenjohn, Program Manager, Broadband
Policy and Analysis Branch

Subject: ADDITIONAL GUIDANCE FOR THE CALIFORNIA ADVANCED
SERVICES FUND (CASF) PROJECT APPLICATION JUSTIFICATION

The California Advanced Services Fund (CASF) staff heard from various consortia members regarding their concerns about wireless availability being insufficient to meet community needs for broadband service. While the CASF rules require that 6 mbps downstream and 1.5 mbps upstream availability is considered served, the rules do not describe other qualities that may affect broadband service use, such as latency, jitter, or whether community needs exceed the capacity of the service offered. Strict interpretation of broadband availability shown on the California Broadband Availability map may dissuade interest from potential project applicants to challenge map representations.

In the interest of considering the broadband needs of communities you represent, I offer the following options for how service availability may be considered during a project review. While option #3 appears as an “escape” clause, I emphasize that for staff to draft a project application resolution for Commission consideration requires that staff believe an applicant has a persuasive argument as to why wireless (or any existing broadband service) fails to meet community needs.

Regarding portions of project areas that are designated as ‘served’, an applicant has three options:

1. Accept the ‘served’ status designated for a specific area and omit the area from the application. The applicant agrees, or subsequent testing confirms, that the area is in fact served by broadband at sufficient speeds. The applicant removes served portions from the project area. Applicant will submit documentation with any resulting changes to their project, budget, number of households, cost per household, etc., as a result of omitting an area. CD will also prorate/recalculate the grant amount.
2. Challenge the ‘served’ status. The applicant does not agree that broadband in the area provides service at sufficient speeds to qualify as ‘served.’ The applicant will perform

additional testing in those areas and provide data qualifying the areas as ‘underserved’ or ‘unserved.’

3. Accept ‘served’ status and request further consideration. The applicant agrees that the area is served by broadband at sufficient speeds, but takes the position that the broadband does not adequately meet the needs of the community and another solution is needed. The applicant must present a clear argument and evidence proving that the current high speed broadband service provided does not satisfy the community’s needs. Community members and other supporters of the applicant’s proposed project are welcome to assist in providing this evidence. There is no guarantee that staff will proceed with recommending approval of such a project or that the Commission will grant adoption of the application.