

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

Order Instituting Rulemaking  
Proceeding to Consider Rules to Implement  
the Broadband Equity, Access, and  
Deployment Program.

R. 23-02-016

**OPENING COMMENTS OF THE CORPORATION FOR EDUCATION NETWORK  
INITIATIVES IN CALIFORNIA (CENIC) ON THE STAFF PROPOSAL**

Louis Fox  
President & CEO  
CENIC  
16700 Valley View Ave., #400  
La Mirada, CA 90638  
(714) 220-3455  
[lfox@cenic.org](mailto:lfox@cenic.org)

November 27, 2023

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

Order Instituting Rulemaking  
Proceeding to Consider Rules to Implement  
the Broadband Equity, Access, and  
Deployment Program.

R. 23-02-016

**OPENING COMMENTS OF THE CORPORATION FOR EDUCATION NETWORK  
INITIATIVES IN CALIFORNIA (CENIC) ON THE STAFF PROPOSAL**

**I. Introduction**

Pursuant to Rule 6.2 of the Rules of Practice and Procedure of the California Public Utilities Commission (“Commission”), the Corporation for Education Network Initiatives in California (“CENIC”) respectfully submits these opening comments on the Staff Proposal in the Order to Institute Rulemaking (“OIR”) regarding the Broadband Equity, Access, and Deployment (“BEAD”) program Five-Year Action Plan (“Plan”). The Staff Proposal of the Initial Plan includes both Volume I regarding the challenge process and Volume II on the subgrantee selection process. The Initial Proposal is due to the National Telecommunications and Information Administration (“NTIA”) by December 27, 2023. CENIC offers these opening comments to further strengthen the Initial Proposal to be submitted to NTIA.

## II. Discussion

### A. Volume I

The NTIA BEAD Notice of Funding Opportunity (“NOFO”) includes a definition for “eligible community anchor institution”<sup>1</sup> and in Volume I, the Commission outlines the process for which information has been gathered to develop the list of community anchor institutions (“CAIs”) that do not have adequate broadband service.<sup>2</sup> In reviewing “Appendix 4 – List of eligible CAIs that do not currently have qualifying broadband service (1/1 Gbps),” CENIC is concerned that the list contains a number of duplicate entries. We would recommend that these repeat entries be deleted prior to submission to the NTIA in order to be in compliance.

Further, in a cursory review of the list, we would note that there are sites listed in the Appendix 4 that do have 1 Gigabit per second symmetrical service or greater. An example would be the County of Los Angeles Public Library, which connects to CalREN<sup>3</sup> at 100 Gbps upload and 100 Gbps download speeds, or Camarillo Public Library, which is connected at 1 Gigabit symmetrical service to CalREN. In some other cases, there are community anchor institutions listed that are able to secure a 1 Gigabit symmetrical service; however, the fiscal constraints of the organization limit their ability to pay for such connectivity, even with E-rate and/or California Teleconnect Fund subsidies, if applicable. In other instances, the organizational leadership may not see the perceived value of spending limited resources on a 1 Gigabit connection over other expenditure priorities. The NTIA definition focuses on whether the community anchor institution has access to these speeds and thus, only those who do not have access to such speeds should be

---

<sup>1</sup> See BEAD NOFO at 12, Section I.C.h

<sup>2</sup> See Staff Proposal, Volume I, p. 6-7

<sup>3</sup> CalREN is the California Research and Education Network owned and operated by CENIC

on the eligible CAI list. Thus, we look forward to the opportunity to review the final list of community anchor institutions as part of the Challenge Process.

## **B. Volume II**

In Volume II, the Commission seeks input on the definition of “Project Area” and provides two options for consideration. The first option has Applicants define the Project Area, and the second option defines the Project Area based on established political boundaries. In Option 2, the Commission suggests that school district geographic boundaries be used for the political boundaries. While this approach may seem promising, we believe this approach could be challenging for prospective bidders. In some places, geographic boundaries for school districts can be vast such as the case for Siskiyou Union High School District, which covers approximately 347 square miles, and where nearly 60% of the land in that county is managed by agencies of the federal and state governments,<sup>4</sup> or Elk Grove Unified School District, which spans 320 square miles.<sup>5</sup> These are large geographies for prospective Project Areas. Further, Option 1 would be consistent with the Commission’s approach in the Federal Funding Account (“FFA”), and there was over \$4 billion in funding requested through the recent FFA application process – more than double the amount of funding available in that program. Consistency in grant approaches should be prioritized by the Commission given the timelines to spend all federal funds.

In Section 9.1.2.5, the Commission uses the Integrated Postsecondary Education Data System to identify Current Training Programs at Public Institutions in California. CENIC would

---

<sup>4</sup> See Siskiyou Union High School District website: <https://www.sisuhd.net/en-US/about-us-1176593d>, Accessed November 27, 2023.

<sup>5</sup> See Elk Grove Unified School District website: <https://www.egusd.net/District/About-EGUSD/Our-District/index.html>, Accessed November 27, 2023.

highlight that the California Community Colleges has a website, Salary Surfer,<sup>6</sup> that lists the various degrees and certificate programs offered throughout the state's community college system. We believe that there are some additional workforce training programs that could be added to the list of Current Training Programs at Public Institutions in California in Section 9.1.2.5 such as American River College, which has a Fiber Optics Certificate program, or Fresno City College, which has an Electrical Systems Technology program, to name a few. We would urge the Commission to review this website and adjust this section to ensure a robust list of programs is included in the Initial Plan.

### **III. Conclusion**

CENIC is grateful to have the opportunity to provide these opening comments on the Staff Proposal for the Commission's BEAD plans, including the Initial Proposal. CENIC remains committed to achieving broadband digital equity for all Californians, ending the digital divide, and ensuring robust broadband connectivity can be achieved for CENIC members and their patrons, students, staff, and faculty simultaneously, and the infusion of \$1.86 billion in BEAD funding should support and complement existing efforts.

Respectfully submitted,

/s/ Louis Fox

Louis Fox  
President & CEO  
CENIC  
16700 Valley View Ave., #400  
La Mirada, CA 90638  
(714) 220-3455  
[lfox@cenic.org](mailto:lfox@cenic.org)

November 27, 2023

---

<sup>6</sup> See SalarySurfer: <https://salarysurfer.cccco.edu/Salaries.aspx>, Accessed November 27, 2023.