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November 24, 2021

**Via Electronic Delivery to:** [ESJActionPlan@cpuc.ca.gov](mailto:ESJActionPlan@cpuc.ca.gov)

Commission Staff  
Environmental and Social Justice Action Plan  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

**Re: Comments of the California Cable and Telecommunications Association on the CPUC's Draft Environmental & Social Justice Action Plan 2.0**

Dear Commission Staff:

The California Cable and Telecommunications Association ("CCTA") appreciates the opportunity to offer these comments on the California Public Utilities Commission's ("Commission") draft Environmental & Social Justice ("ESJ") Action Plan Version 2.0 (the "ESJ Action Plan").

CCTA recognizes the importance of increasing accountability and transparency related to actions that impact ESJ communities. CCTA generally supports the goals of the ESJ Action Plan and notes that these goals are consistent with steps CCTA's members already take to serve ESJ communities.

CCTA member companies undertake continuous efforts to maintain access to safe and high-quality communications services for ESJ communities across California. For example, our members operate in a competitive marketplace and offer a range of service options priced to meet the needs of all consumers, including low-income consumers.<sup>1</sup> Additionally, many of our members also participate in state and federal programs that enhance low-income consumers' access to and adoption of broadband service, which helps bridge the digital divide.<sup>2</sup>

In this context, CCTA encourages the Commission to consider two factors as it revises and implements its ESJ Action Plan.

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<sup>1</sup> Examples of plans offered by members with reduced prices include Comcast's Internet Essentials package, Charter's Spectrum Internet Assistance plan and Cox's Connect Assist plan.

<sup>2</sup> Some CCTA members participate in the Lifeline program, the Emergency Broadband Benefit Program, the Rural Digital Opportunity Fund, and the California Advanced Services Fund programs.

First, the Commission's practices and decisions need to be efficient, transparent, and balanced as it addresses the needs of ESJ communities. The goal of systematizing ESJ considerations across Commission proceedings makes sense in certain contexts with the understanding that many routine proceedings before the Commission simply do not implicate ESJ issues. That being the case, there is no need for the Commission to mandate that certain procedural vehicles, such as scoping memos, resolutions, general orders, or advice letters, be required to address ESJ issues where none exist.

Second, the Commission will need to ensure that the ESJ Action Plan is properly implemented consistent with the statutory objectives of applicable proceedings. It would be problematic if policy initiatives exceeded or were inconsistent with the Commission's statutory authority or were advanced outside of formal proceedings since notice and comment periods allowing for participation are a critical underpinning of the Commission's processes. For example, the Plan should not direct funding for broadband services independently of the proceedings dedicated to addressing this very issue.<sup>3</sup> Nor should the Commission sidestep its established processes to alter the enforcement policies related to audits, data collection, or settlement agreements outside of the Commission's rulemaking processes.<sup>4</sup> Similarly, any proposal to alter the current Intervenor Compensation rules, as referenced in Action 1.2.1 and during the recent webinars, which were adopted pursuant to existing statutes and the Commission's Rules of Practice and Procedure, would need to be done in a rulemaking proceeding.<sup>5</sup>

CCTA's members support the Commission's efforts to understand how the agency should address the specific needs of ESJ communities. To that end, CCTA invites the Commission to share its staff training and internal education materials, which would allow the public to stay informed on the Commission's efforts.

CCTA members remain committed to serving ESJ communities across California and look forward to contributing to the Commission's efforts in this regard. As such and for the foregoing reasons, CCTA respectfully requests that the Commission adopt the proposed changes to the ESJ Action Plan Version 2.0.

Respectfully,

/s/ Jerome F. Candelaria

Jerome F. Candelaria

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<sup>3</sup> See ESJ Action Plan at 36. For example, the ESJ Action Plan can reference the "Implementation of \$6 billion Broadband Legislation," for purposes of the Commission considering ESJ related issues. However, it would be inappropriate to bypass R.20-09-001 and R.20-08-021 and allow extraneous, off record discussions about funding allocations for broadband investments in the ESJ Action Plan.

<sup>4</sup> See ESJ Action Plan Action Items 6.2, 6.3 and 6.4 at pp. 41 - 42.

<sup>5</sup> See Pub. Util. Code §§ 1801-1812; see also Article 17 of Commission Rules of Practice and Procedure. Moreover, the Commission must ensure a balanced process for compensating intervenors that verifies the value of their contribution. Existing intervenors already represent the interests of the ESJ communities in many active Commission proceedings.