New Broadband Opportunities for California and the CENIC Community
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Federal Broadband Legislation - Overview

CARES Act 2020 (March 2020)
• States spent approximately $2 billion in funding on digital learning projects, focusing on devices and mobile hotspots.

Consolidated Appropriations Act (December 2020)
• $3.2 billion allocated to the Emergency Broadband Benefit (EBB) to support home broadband access; $50/mo. subsidy for service ($75/mo. Tribal) and $100 subsidy for devices
• Also several NTIA programs

American Rescue Plan Act (ARPA) (March 2021)
• $7.1 billion of new E-rate funding that schools/libraries can use to extend broadband connections off campus.
• $10 billion for US Treasury capital projects “directly enabling work, education, and health monitoring, including remote options.”
• $350 billion for state and local governments, some of which can be used for broadband.
ARPA grants Treasury Dept $10 B that (we are told) is intended for broadband.

• Funding for projects “directly enabling work, education, and health monitoring, including remote options.”
• SHLB recommendations submitted last month
• Treasury shall make payments to the States, but Treasury will set out application rules within 60 days of enactment (May 10)
Still to Come – NTIA Broadband Programs

- $285 M for HBCUs and other Minority Serving Institutions
- $300 M for rural broadband partnerships
- $1 B for Tribal Broadband

3 Offices:
- Internet Connectivity
- Minority Broadband Initiatives
- Federal Inter-Agency Coordination
Still to Come – Infrastructure Legislation

- **Biden Infrastructure plan (Jobs Act) calls for $100 billion for broadband:**
  - Includes “underserved” areas
  - Emphasizes “future-proof” technology
  - No explicit mention of anchors
  - Supports rural electric coops, municipal providers, non-profits
  - Does NOT support ongoing EBB subsidies

- **Clyburn/Klobuchar bill is probably vehicle. (HR 1783/S.745)**
  - “Accessible, Affordable Internet for All Act”:
  - $94 billion for broadband infrastructure
  - Calls for multi-gigabit for schools and other anchor institutions
  - Includes $2 B more for ECF
Still to Come – Infrastructure Legislation

Questions:

• Raise taxes or use spectrum auction revenues to pay?
• Will Democrats use Reconciliation process (again) to avoid filibuster rules?
• Will Infrastructure legislation include
  • mapping reform?
  • USF contributions reform?
  • Rural Healthcare funding?
Still to Come – USF Contributions Reform

• Universal Service Fund (USF) contribution fee on telephone bills has surged to 33.4% - unsustainable?

• AT&T suggests shifting funding to annual appropriations (entitlements) by Congress – predictable?

• SHLB pursuing expanding the base of funding to include broadband end user revenues – politically viable?
Still to Come – Rural Digital Opportunity Fund (RDOF)

- The FCC is making up to $20 billion available for rural broadband deployment in unserved areas.
- First reverse auction was held late 2019.
  - Covers 5 million households in unserved areas
  - $16 b was available, only $9 b requested.
  - Did winners bid too low?
  - FCC reviewing winners’ qualifications now
- Second reverse auction to be held when?
  - Will cover partially served areas
  - Chair Rosenworcel correcting maps first.
  - New Mapping task force
SHLB Coalition: Key Facts

Nonprofit 501(c)(3) advocacy organization founded in 2009 and based in Washington, D.C.

Adopted membership model post-grant. Membership has grown from 50 to 250 in the last four years.

• 40 new members in 2021

SHLB has seven different policy groups (aligns with SHLB’s 2021 Roadmap.)
E-rate / Rural Healthcare / BB Mapping / Pole Attachments
Spectrum / Higher Education / Broadband Infrastructure Legislation
Contacts and Further Information

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FCC Updates

EMERGENCY BROADBAND BENEFIT AND E-RATE UPDATES
Emergency Broadband Benefit (EBB) Program

Consolidated Appropriations Act - $3.2 B

Broadband subsidy for qualifying low income households

- Up to $50/month for service plan ($75 on Tribal lands)
- Up to $100/device if household contributes $10-50
- Limited to single plan and device per household

Benefit administered by service providers

- May be used in addition to existing Lifeline benefit
- Opened up to new providers beyond Lifeline
- Providers must ‘opt in’

Link to FCC’s EBB Home Page

Link to List of Participating Providers by State
Household Eligibility Requirements

- Qualifies for the Lifeline program (e.g. Medicaid, SNAP)
- Participates in National School Lunch or School Breakfast programs for 2020/21 or 2019/20 school years, all students in Community Eligibility Program schools qualify;
- Received a Federal Pell Grant during the current award year;
- Experienced a substantial loss of income since February 29, 2020 and the household had a total income in 2020 below $99,000 for single filers and $198,000 for joint filers; or
- Meets the eligibility criteria for a participating providers' existing low-income or COVID-19 program

Timing

- Launching late April 2021
- Ends six months after public health emergency declared over or until funds are exhausted
COVID-19 Response
- Waiver of Gift Rules through June 30, 2021

CoSN (et. al.) Cybersecurity Petition
- Cybersecurity threats have increased during COVID-19
- Make advanced cybersecurity services eligible for E-rate

SHLB (et. al.) Remote Learning Petition/February Public Notice
- Waive on-campus use requirement
- Declare use of services and equipment for remote learning as an eligible “educational purpose”
- Eliminate cost allocation

[Link to FCC’s E-rate Website]
[Link to CoSN Petition]
[Link to Public Comments on SHLB Remote Learning Petition]
The American Rescue Plan Act - $7.17 B

- Funding for broadband access away from a school or library location
- Advanced telecommunications and information services
- Equipment: WiFi hotspots, modems, routers
- Devices: Laptops and tablets
- 100% reimbursement for duration of pandemic, Jan. 27, 2020 through June 30 one year after emergency ends
- To be administered by USAC

FCC Public Notice

- 60 days to develop rules – expect May 11/12 announcement
The Big Questions

- How will the FCC prioritize distribution of funds?
- Will ECF be as complicated as E-rate?!
- Will FCC allow for schools and libraries to extend their E-rate funded connections off-campus and will ECF fund private wireless networks?
- How far will the FCC go with a 2/2 split at the Commissioner level?

Notable Proposals

- Allocations similar to Category 2
- Cut the red tape and get funds out quickly
- Maximum flexibility for choice of technology

Emergency Connectivity Fund (ECF) “E-rate Off-Campus”

Link to Act

Link to FCC’s Public Notice

Link to Public Comments
California Legislation and State Budget

Kim Lewis
Director of Government Relations, CENIC
8,000+ miles of optical fiber

**Members in all 58 counties** connect via fiber-optic cable or leased circuits from telecom carriers

**Over 12,000 sites** connect to CENIC

**A non-profit** chartered & governed by its members

Collaborates with over **750 private sector partners and contributes approximately > $100,000,000** to the CA economy

**24-plus years** of connecting California
Broadband Related Bonds

- **AB 34 (Muratsuchi)** - $10 Billion broadband bond, to be administered by the CA Department of Technology

- **AB 75 (O’Donnell)** - K12 and Community Colleges facilities bond

- **SB 22 (Glazer)** - $15 Billion public Preschool, K12, CCC, CSU and UC facilities bond

- **ACA 1 (Aguiar-Curry)** - Lowers threshold to 55% voter approval to pass a bond or special taxes for public infrastructure, including broadband
California Advanced Services Fund (CASF)

- **AB 14 (Aguiar-Curry) & SB 4 (Gonzalez)** - revamping the CASF program
- **AB 1426 (Mathis)** - eliminates provider first right of refusal language in CASF program
- **SB 740 (Borgeas)** - CASF program extended to December 31, 2024
Other Public Purpose Programs

- **AB 1176 (Garcia, E.)** - creates a new public purpose program, the California Connect Fund

- **AB 1128 (Ramos)** - expands the goals of the CA High Cost Fund-B Program to include broadband internet access

- **SB 28 (Caballero)** - Rural Broadband and Digital Infrastructure Video Competition Reform Act of 2021
Distance Learning & Adoption Programs

- **AB 1560 (Daly)** - Requires the CA Department of Education to set minimum standards for computing devices, and more

- **SB 732 (Bates)** - Establishes the Pandemic Distant Learning Assistance Vouchers and Rural Broadband Infrastructure Program

- **SB 767 (Becker)** - Establishes the Digital Education Equity Program

- **SB 743 (Bradford)** - HCD to establish a grant program for broadband adoption in public housing
Permitting and Infrastructure Deployment

- **AB 41 (Wood)** - “dig once” provisions
- **AB 537 (Quirk)** - colocation and siting applications
- **AB 955 (Quirk)** - highway encroachment permits
- **AB 1166 (Grayson)** - colocation and siting applications

- **AB 1342 (Gray)** - utility pole attachments
- **AB 1557 (Santiago)** - public utility pole attachment
- **SB 378 (Gonzalez)** - microtrenching permit processing
- **SB 556 (Dodd)** - pole attachments
State Budget

- Fiscal Year 2021-22
  - May Revise
  - June 15th Budget deadline

- Opportunity for one-time investments
Thank You

Webinar Video on CENIC.org & CENICNews at YouTube