

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

February 24, 2020

Via Electronic Filing

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Ex parte notice – In the Matter of Establishing the Digital Opportunity Data Collection, WC Docket No. 19-195; and Modernizing the FCC Form 477 Data Program, WC Docket No. 11-10

Dear Ms. Dortch:

The California Public Utilities Commission (“CPUC”) submits this ex parte notice pursuant to 47 C.F.R. § 1.1206(b)(2). On February 13, 2020, at 11:45 am EST, CPUC Communications Division staff Michael Morris and Peter Pratt met at FCC Headquarters with Umair Javed of the office of Federal Communications Commission (“FCC”) Commissioner Jessica Rosenworcel. Helen Mickiewicz, Assistant General Counsel from the CPUC Legal Division, was a participant in the meeting as well, joining via telephone.

CPUC staff and counsel discussed with Mr. Javed matters relating to CPUC experience with broadband availability and adoption data collection, data validation, and GIS-based mapping in the context of the above cited proceedings of FCC. These discussions also referenced the Comments of CPUC¹ filed in the above referenced Dockets.

In this discussion, CPUC staff and counsel made several recommendations for how FCC could proceed with the Digital Opportunity Data Collection (DODC) initiative, particularly working with states like California that manage ongoing broadband data and

¹ Comments of the California Public Utilities Commission, In the Matter of Establishing the Digital Opportunity Data Collection, WC Docket No. 19-195; and Modernizing the FCC Form 477 Data Program, WC Docket No. 11-10 (Filed September 24, 2019).

mapping operations. In this regard, CPUC staff began with a review the agency's record of organizing and managing one of the oldest and most extensive state-level broadband data collection and mapping operations in the nation, first funded by an ARRA state mapping grant in 2009, and continued through to the present with state funding.

Specific points raised and recommendations made were:

1. CPUC staff fully supports the concept of the Broadband Serviceable Location Fabric (BSLF) as the broadband mapping platform, with its underlying data collection protocols, which FCC and states with broadband mapping operations need to transition to.
2. CPUC staff recommends that FCC require that BSLF information, including its underlying location and parcel data, should be open, public, and non-proprietary. In this regard, CPUC staff mentioned that the agency is presently determining how it may implement a California-based BSLF platform.
3. CPUC staff recommends that FCC include agricultural areas, and elements of their geographies, in the universe of location types that Commission will mandate for inclusion in the eventual BSLF framework. Inclusion of agricultural datapoints in the BSLF will be an important step for FCC as the Commission, states, and the agricultural sector plan for the broadband support requirements of precision agriculture deployments.
4. CPUC staff also stated its strong support of FCC's proposal to accept and use broadband data supported by state, local, and tribal governments to validate Internet Service Provider (ISP) data, and to accept crowdsourced data from the public. To facilitate improved data accuracy and validation via the use of such locally supplied data, staff suggested 2 data collection improvements: a. The USAC portal should accept submission of bulk data from these types of local governments. b. Providers must submit their data submissions (DODC / Form 477) to the states at the same time they submit to FCC.
5. As FCC defines the use of polygons for mapped geographies, in advance of the establishment of requirements for the BSLF, CPUC staff recommends that: a. Polygons should be based on the property outlines found in assessors' property maps, which are produced by

most local governmental jurisdictions. b. Parcels with multiple dwelling units (MDUs) on them should be excluded from a provider's served area polygon if the building(s)'s' owned has denied the right to service the MDU building to the provider. This is especially important for states like California with high percentages of their populations housed in MDUs.

6. In the realm of wireless data collection, CPUC staff recommended that the data and mapping outputs of propagation-based models will not result in accurate representation of actual wireless coverage. We expressed our believe, based in experience, that drive tests are required to capture fully accurate data for mobile wireless service areas.

If you have any questions about this notice, please do not hesitate to contact me at (415) 703-1319 or Helen.mickiewicz@cpuc.ca.gov.

Respectfully submitted,

By: /s/ Helen M. Mickiewicz

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