

A network diagram background consisting of a blue gradient with white and light blue lines connecting various nodes, some of which are glowing. The lines form a complex web, with a denser cluster of nodes on the right side.

Tulare, California

CASF IGA

**Application of Comcast Cable Communications
Management, LLC (CCCM)**

June 1, 2023

COMCAST
BUSINESS

xfinity

Application Item 1 – Project Summary (Distributed Publicly)

<i>Company/Applicant Name</i>	Comcast Cable Communications Management, LLC ("CCCM")
<i>CPCN/U-Number or WIR or pending CPCN/WIR application number.</i>	Digital Infrastructure and Video Competition Act ("DIVCA") Franchise Certificate No. 0021
<i>Contact Person</i>	John Gutierrez
<i>Project Title</i>	Tulare Project (the "Project")
<i>Named project location (Community/County).</i>	Tipton, Pixley, and Earlimart, Tulare County
<i>Project Type (Last-mile or Hybrid Last-mile/Middle-mile)</i>	Last Mile
<i>Amount of CASF Grant Funding Requested and Project Cost</i>	\$22,637,281 (funding for 90% of the total costs)

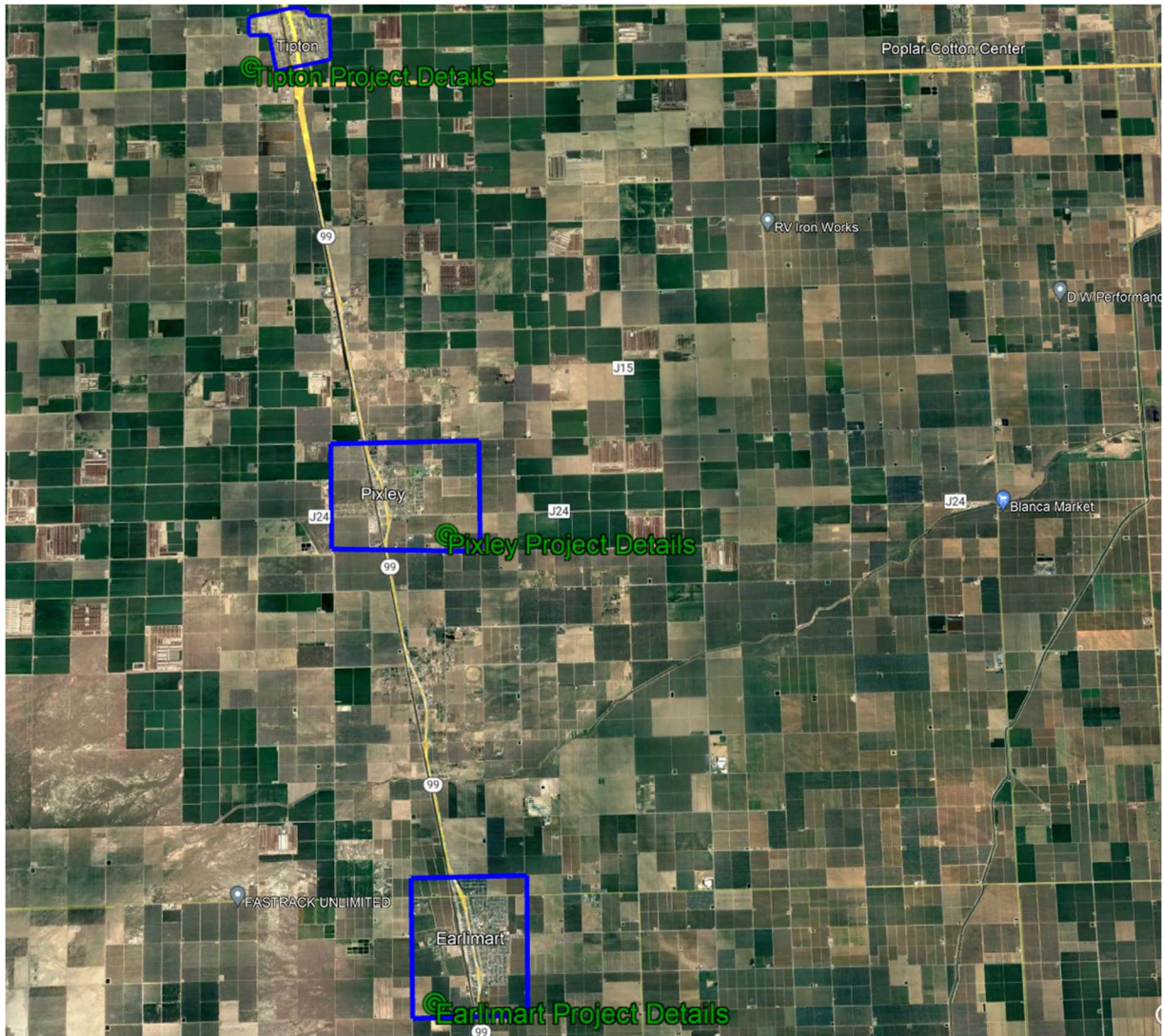
Map of the Proposed Project Area.

As the countywide map below demonstrates, the proposed Project consists of three communities along Highway 99 in Tulare County, which CCCM is proposing to serve. To facilitate review of the Project, we have included below and in certain sections throughout the Application, maps and information showing the proposed Project area in each of the communities.

The number of serviceable locations the proposed project will serve.

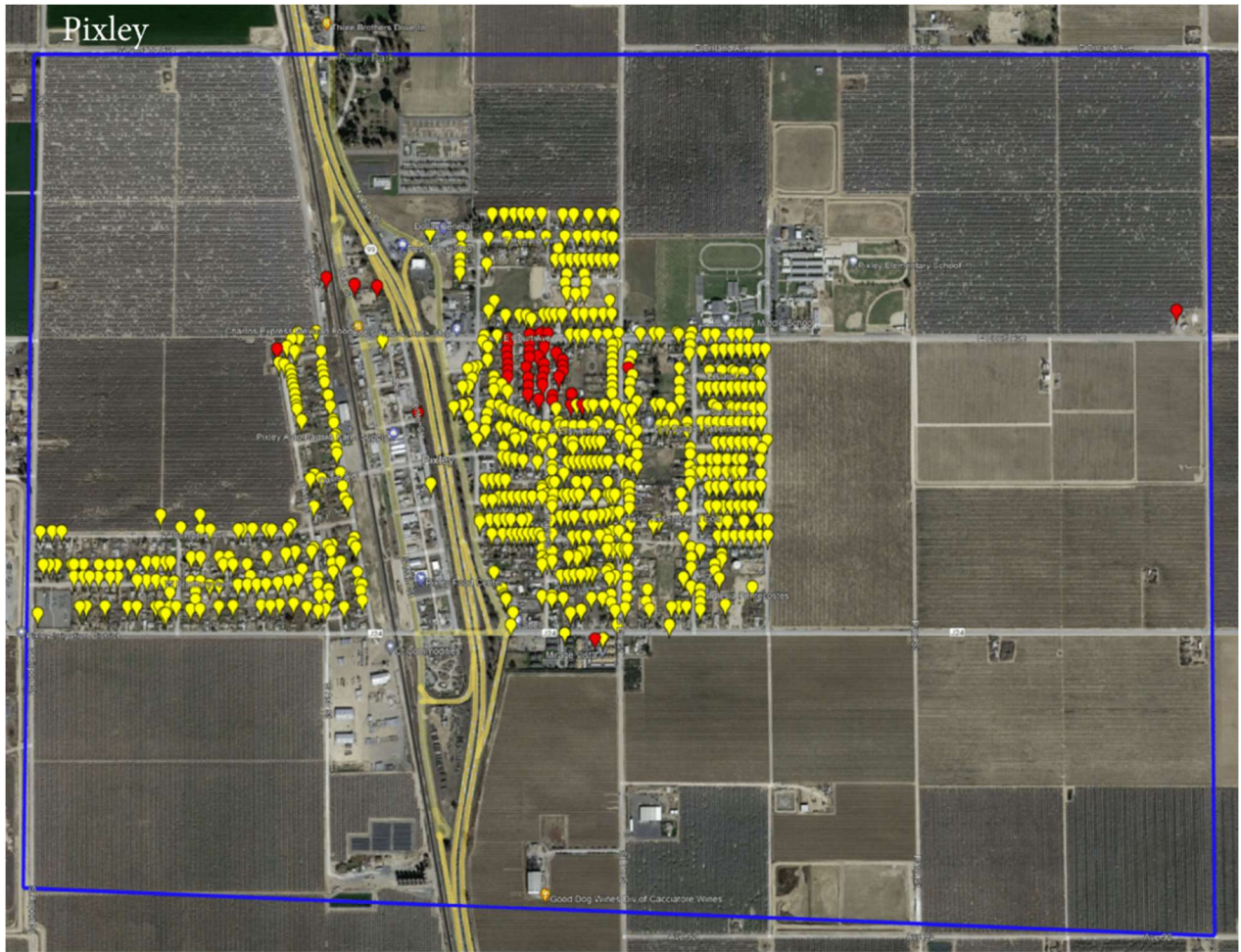
Within the proposed Project area, which is depicted in blue on the maps in this Application, there are 2,667 serviceable locations unserved by a fixed facility-based broadband provider at 25/3 Mbps on the California Interactive Broadband Map.¹ These locations are depicted by the red (priority eligible) and yellow (eligible) dots on the maps in this Application. The proposed Project area also includes 68 served locations for which CCCM does not seek IGA funding.

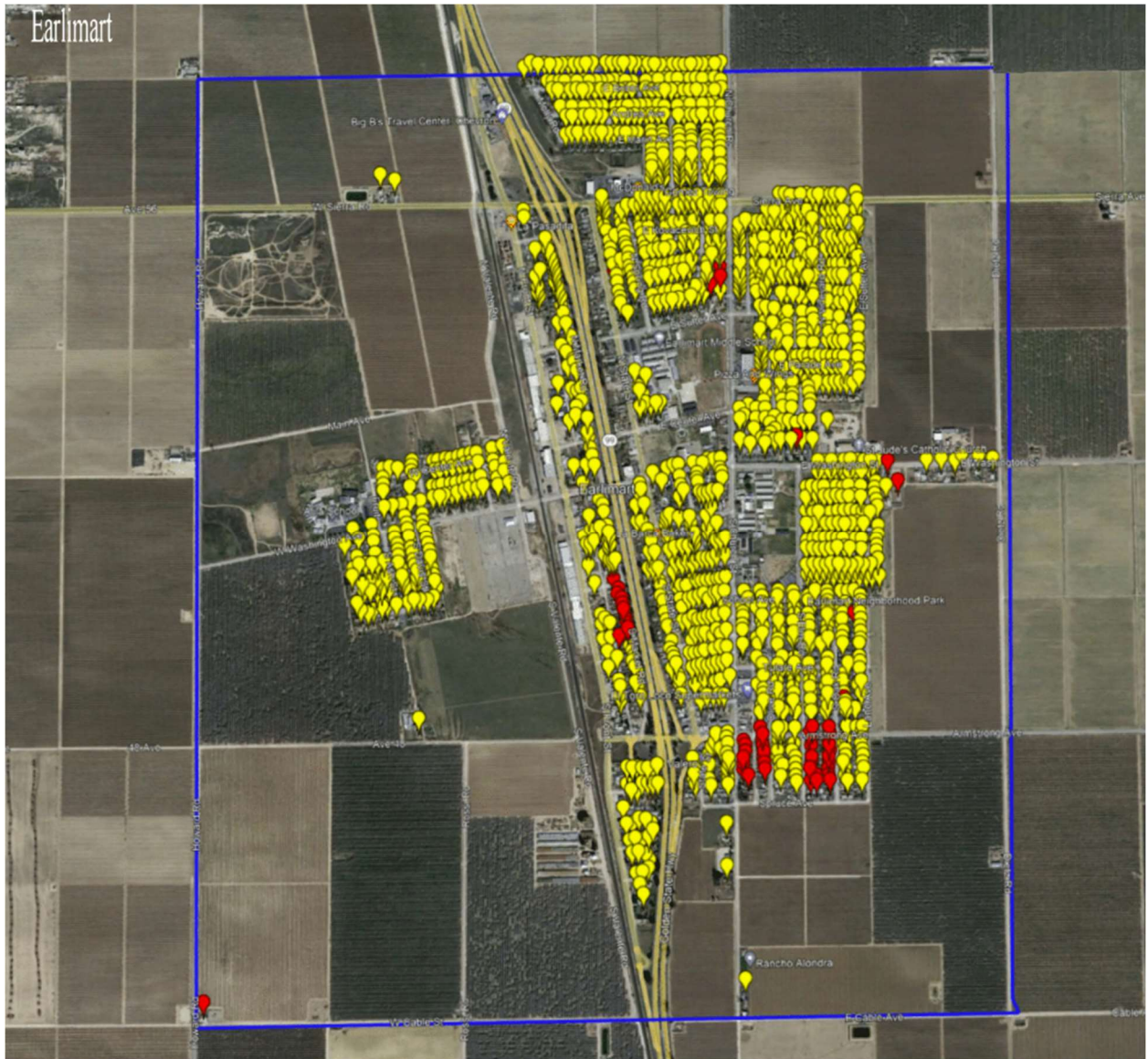
¹ Hereinafter referred to as “the Map”. CCCM’s Application is based on the Map as updated by the Commission on April 25, 2023.



Tipton







If the project is requesting funding in an area with no internet connectivity, it must state the number of serviceable locations with no internet connectivity and the number of other CASF-eligible serviceable locations.

There are 0 serviceable locations with no internet connectivity. There are 2,667 other CASF-eligible serviceable locations, of which 106 are priority unserved areas, i.e., those with service under 10/1 Mbps, as reflected on the Map (red dots).

The maximum Mbps upload and download speeds currently offered to serviceable locations in the project area.

Based on the Map, all the proposed addresses in the proposed Project area are currently unserved as defined in the IGA program rules (the “IGA Rules”), and the maximum upload and download speeds currently offered to serviceable locations in the proposed Project area appear to be 10/1 Mbps.

The range of median household incomes in the project area.

The range of median household incomes in the proposed Project area is \$24,000 - \$79,125.

The number of businesses, anchor institutions and public safety locations in the project area that will receive new or improved service.

CCCM proposes to deploy qualifying broadband service to approximately 259 businesses and 18 anchor institutions and/or public safety locations in the proposed Project area.

A description of the major infrastructure to be deployed: miles of planned fiber, Central Offices used, number of remote terminals/fiber huts/wireless towers to be built, and if an IRU is used.

CCCM will install approximately 52.4 miles of broadband network infrastructure (all fiber) to serve locations in the proposed Project area, including the installation of new aerial and underground fiber. Existing utility poles will be used for the aerial installation of the network where attachments are permitted by the pole owner. Underground and aerial laterals and drops will be used to connect serviceable locations to the network within the proposed Project area.

Other necessary infrastructure enhancements include installation of (i) optical line terminals (“OLTs”),² which may be strand-mounted or installed in a pedestal or an underground vault, and

² OLTs are used to connect optical fiber and transfer signals.

(ii) power supplies,³ which may be installed on a pole or a concrete pad. Existing network hubs will also require upgrades to support the proposed Project, including installing or replacing fiber optic transmitters and receivers, and all cabling and combiner equipment needed to connect the hub to the new network.

Additionally, as described below, CCCM plans to construct a new approximately 29-mile transport facility to connect the proposed Project to its existing network. CCCM is paying to construct the transport facility out of pocket; CCCM is not seeking IGA funding for this facility.

Estimated breakdown of aerial and underground installation.

CCCM will run approximately 52.4 miles of new network to serve locations in the proposed Project area. CCCM anticipates that approximately 29.7 miles of the network will be installed above ground and approximately 22.7 miles will be underground.

Major equipment expenses (e.g., number of remote terminals, optical line terminals, fiber switches, fiber distribution hubs, etc.).

Major equipment expenses will include the following: conduit for new underground deployment; messenger strand for aerial deployment; fiber-optic cable; power supplies; vaults and pedestals; fiber-optic transmitters and receivers; OLTs; and all cabling and combiner equipment needed to connect the hubs to the network.

Estimated construction timeline.

See Application Item 7 for CCCM's deployment schedule. As the proposed Project is exempt from CEQA, CCCM will use commercially reasonable efforts to complete construction within 18 months after Commission approval is received. However, delays in the issuance of permits or other factors beyond CCCM's reasonable control, such as extreme weather conditions, strikes, fires, pandemics and epidemics, embargoes, actions of civil or military law enforcement authorities, acts of God or other acts of legislative, judicial, executive, or administrative authorities may necessitate an extension of the construction completion date.

Description of proposed broadband project plan for which CASF funding is being requested, including the type of technology to be provided in the proposed service areas.

The proposed Project's major infrastructure is described above. CCCM's fiber network will be highly reliable and scalable, permitting bandwidth and low latency potential well beyond foreseeable needs. The fiber network will be capable of providing broadband speeds of 1 Gbps

³ Power supplies that support locations in Tier 2 High Fire Threat Districts will be equipped with advanced battery systems that provide at least 72 hours of backup power.

download and 1 Gbps upload. The newly constructed network will meet or exceed the required level of service in the IGA Rules. Serviceable locations in the proposed Project area would have access to the full suite of products and services offered by CCCM and Comcast Corporation's cable division affiliates, including, but not limited to, Comcast Cable Communications, LLC (collectively "Comcast"), which, in addition to broadband service, includes voice, video, and home security services.

Download speed capabilities of proposed facilities.

See previous question and answer.

Upload speed capabilities of proposed facilities.

See previous question and answer.

The project description will provide enough construction detail to enable a preliminary indication of the need for a California Environmental Quality Act (CEQA) review and if proposed project areas contain any environmentally sensitive areas. For example, when trenching is required, the applicant will state and describe the manner in which the site is to be restored, post-trenching.

CCCM expects that all construction in connection with underground or aerial installations will fall within one or more categorical exemptions under CEQA. Such exemptions may include, *inter alia*, construction projects involving existing facilities (CEQA Guidelines Section 15301), replacement or reconstruction (CEQA Guidelines Section 15302), and new construction or conversion of small structures (CEQA Guidelines Section 15303). Additionally, no exceptions identified in CEQA Guidelines Section 15300.2 to these categorical exemptions apply.

CCCM plans to install approximately 81.3 *total* miles of broadband network infrastructure, consisting of (i) 52 miles of facilities that will serve locations in the Project area and (ii) approximately 29 miles of transport facilities that will be used to connect the proposed Project to CCCM's existing network.⁴ CCCM anticipates that approximately 52 miles of the network will be installed above ground and approximately 29 miles will be underground.

⁴ As is explained in this Application, CCCM is not seeking grant funding for locations which are already served (and thus are not eligible for IGA funding) or for its newly constructed transport facilities. For the purposes of the CEQA evaluation, however, CCCM is including the mileage for all of the facilities it proposes to construct in connection with the proposed Project (i.e., both those facilities proposed to be supported with grant funding and those that are not) so that the Commission can undertake the environmental review of the totality of the construction activities.

Any ground-disturbing activities as part of the construction for the proposed Project will take place in existing rights-of-way and utility easements. The proposed Project will not involve work in any new right-of-way or on previously undisturbed ground. New aerial strand will be placed on existing utility poles where attachments are permitted by the pole owner. CCCM will support make ready to condition poles/attachments, where feasible, and or where required for attachment by the pole owner. Underground and at-grade installation will occur in existing utility routes and within previously disturbed right-of-way adjacent to existing roadways.

CCCM's methods for aerial installation of the network will follow General Order 95 pole safety and loading requirements. All permits and traffic control will be obtained to allow for proper placement of aerial equipment. Permits will be obtained for access to manholes/handholes and necessary underground equipment to allow for proper placing of underground facilities. CCCM's methods for underground installation of the network will follow the permitting jurisdiction's requirements. Following the installation of underground facilities, the site will be reasonably returned to its original condition to the extent feasible.

See also Attachment Item 18_Tipton CEQA Questionnaire_CCCM_Tulare; Attachment Item 18_Pixley CEQA Questionnaire_CCCM_Tulare; and Attachment Item 18_Earlimart CEQA Questionnaire_CCCM_Tulare.

Identification of the leveraging of existing available facilities (e.g., interconnection in lieu of overbuilding existing facilities of another provider).

CCCM will leverage compatible and available facilities to support the proposed Project. Specifically, CCCM will rely on existing utility poles in the right-of-way for the aerial installation of its last mile network facilities where attachments are permitted by the pole owner. CCCM will support make ready to condition poles/attachments, where feasible, and or where required for attachment by the pole owner. Additionally, CCCM will rely on its existing core network infrastructure (including hubs) to support the proposed Project area and will connect the proposed Project area to its core network through its own facilities (the cost of which is not included in the proposed Project).

A statement of whether the applicant is disputing the Broadband Map depiction of served status.

CCCM selected unserved locations on the Map as discussed further in Application Item 6 and does not dispute the Map depiction of served status for purposes of this Application.

A statement of whether the applicant is seeking Ministerial Review and, if so, information that the application meets all requirements for Ministerial Review.

CCCM seeks ministerial review of this Application and meets the requirements for such review, as explained below:

1. CCCM and the proposed Project meet the program eligibility requirements.
2. The proposed Project offers a low-income broadband plan, as defined in Section 3 of the IGA Rules, at a co-pay amount (i.e., out-of-pocket expense) of \$15 or less per month.⁵
3. As explained in this Application, CCCM is only seeking funding for unserved locations as defined in the IGA Rules and depicted on the Map; CCCM is not seeking funding for served locations as defined in the IGA Rules. As such, CCCM reasonably expects that its Application will not be challenged or, if challenged, the challenge will not be upheld, or that Staff will determine that the proposed Project area is unserved.
4. The total grant amount requested for the proposed Project is \$22,637,281, which does not exceed \$25,000,000.
5. As explained in this Application, the proposed Project is California Environmental Quality Act (CEQA)-exempt.
6. CCCM is unable to identify at the time of filing whether there are competing applications for the same proposed Project area in this application period.
7. Costs per serviceable location are low:
 - a. The proposed Project will deploy wireline connections and the proposed Project costs are \$9,431 per serviceable location, which does not exceed \$24,700.

An explanation of why any middle mile facilities in the proposed project are necessary for accessing the proposed last-mile infrastructure.

As explained elsewhere in this Application, CCCM plans to connect the proposed Project area to its core network through the construction of its own facilities (the cost of which is not included in this application). CCCM is not seeking funding for middle mile facilities in this Application.

A statement accepting the open access requirements for any middle mile facilities in the proposed project. Projects will interconnect with the statewide open-access middle mile network, where reasonable and feasible; if interconnection to the statewide middle mile network is not feasible or reasonable, a verifiable statement explaining why interconnection is not feasible or reasonable is also required.

⁵ As explained in Application Item 11, income-qualified customers in the proposed Project area will be eligible for Comcast's Internet Essentials Plus, which offers speeds of 100/20 Mbps at a cost of \$29.95/month. As explained in the Funding Request section of Application Item 1, CCCM also commits to participating in the Affordable Connectivity Program ("ACP") or its successor program or to otherwise offer a broad-based affordability program for low-income customers in the proposed Project area that provides benefits commensurate with those provided under the ACP for five years following completion of the proposed Project. The ACP program provides eligible customers with a \$30 monthly discount. Therefore, CCCM is offering a low-income broadband plan in the proposed Project with speeds of 100/20 Mbps for no monthly out-of-pocket monthly costs.

The open access requirements for any middle mile facilities funded by the IGA in the proposed Project area are specifically identified in IGA Rules 5.1 and 5.2. Those requirements do not apply in this instance because CCCM is not seeking any funding for middle mile facilities. To the contrary, as explained in this Application, CCCM is paying to construct these facilities out of pocket.

Interconnection with the statewide middle mile network is neither feasible nor reasonable. Such interconnection is not feasible because, to the best of CCCM's knowledge, there is no statewide middle mile network in the proposed Project area available for CCCM to lease.⁶ Further, such interconnection is not reasonable because CCCM will construct its own transport facilities, and therefore will not need to interconnect with the statewide middle mile network. See details in Application Item 3.

Funding Request

The proposed Project qualifies for at least 110% of funding because it meets the following criteria:

- **Areas with internet connectivity (60%):** On the Map, the only available broadband service that appears to be offered to the locations in the proposed Project area for which funding is sought is at speeds below the statutory threshold to be considered served (25/3 Mbps). Therefore, the proposed Project qualifies for a baseline funding amount of 60%.
- **Low-Income service (10%):** CCCM commits to participate in ACP in the proposed Project area for five years. Should ACP end, for the remainder of the five-year commitment period, CCCM will either participate in a successor program identified by the Commission or otherwise offer a broad-based affordability program for low-income customers in the proposed Project area that provides benefits commensurate with those provided under the ACP.
- **The proposed Project is located in a low-income area (30%):** The proposed Project is located in a low-income area as defined in the IGA Rules and thus is eligible for this additional 30% of funding. Specifically, per the Map, 100% of households in the census block groups that intersect with the proposed Project area have a median 5-year household income of no more than \$79,125 per the U.S. Census Bureau American Community Survey, which falls below 80% of the statewide median income of \$81,280, as designated by the Department of Housing and Community Development.⁷
- **The proposed Project significantly contributes to the program goal (10%):** The proposed Project makes a significant contribution to achieving the program goal because

⁶ CCCM is not aware of any map which shows which section(s) of statewide middle mile facilities have been constructed and are available for lease.

⁷ See the Department of Housing and Community Development, Division of Housing Policy Development, May 13, 2022 Memo Re. State Income Limits for 2022. [inc2k22.pdf \(ca.gov\)](https://www.dhcd.ca.gov/Programs/IncomeLimits/2022/2022IncomeLimitsMemo.pdf)

the Proposed project area is within the San Joaquin Broadband Consortium region, which has only deployed broadband Internet service at speeds of 25/3 Mbps to 96.38 percent of households, which is less than the 98 percent service program goal.

Although CCCM believes that the proposed Project is eligible for 110% of funding, CCCM elects to seek funding for only 90% of the proposed Project from the IGA. This approach results in a less expensive project for the Commission's approval, which stretches the IGA to fund more projects to connect unserved areas. Relatedly, as explained further in Application Item 3, CCCM is constructing just under 29 miles of transport facilities with its own funds to connect the last mile proposed Project being applied for, which also reduces the amount of money CCCM seeks. The combination of this private investment and CCCM's decision to seek less funding than it qualifies for demonstrate CCCM's commitment to the state's goal of connecting all unserved Californians to broadband service.