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May 10, 2016

The Honorable Evan Low
Member, California State Assembly
State Capitol, Room 2175
Sacramento, CA 95814

RE: Assembly Bill 2395 - OPPOSE AS AMENDED

Dear Assembly Member Low:

The Nevada County Board of Supervisors respectfully informs you of our opposition to your Assembly Bill 2395, which attempts to establish a framework for telecommunication providers to relinquish their traditional landline services that guarantee basic two-way telephone service.

AB 2395 provides that starting in 2020, a phone company could discontinue landline phone service so long as an alternative service is available in the area. Telephone companies would have three years to educate the public about alternative phone services.

We understand that the legacy landline infrastructure is becoming costlier to maintain as more customers have abandoned their landline phone service for VoIP or IP exclusively. While on the surface AB 2395 offers consumers the promise of an alternative telecommunications service, often available through and/or wireless services, these services primarily rely on technologies that are not yet deployed in our communities. For example, AT&T wants to convert all their current voice only phone service (POTS) customers over to Voice over Internet Protocol (VoIP) or Internet Protocol (IP) exclusively. This requires high speed broadband services. For those who can't get their broadband services, then AT&T would disconnect them if they can get an "alternate service provider." Our challenge is that for many of these customers, there is no reliable alternate service provider in Nevada County.

In fact, providing universal and equal broadband (Internet) services in sparsely populated rural, hilly/mountain areas is a major challenge for our local service providers. Low-density, isolated clusters/pockets of homes, often on larger acreage lots don't provide an economy of scale for larger "wireline" providers to build their infrastructure. Our rugged Nevada County topology places many homes in out-of-sight valleys, canyons, or depressions. The dense forests of large trees effectively block direct line of sight to wireless towers as well. Wired-line providers find it difficult to get access and run their "cable" through the topology and across numerous ravines. All together, these

challenges create a patchwork of coverage and non-coverage areas across our county. Where coverage is available, prices are often out of reach for low-income residents. As a result, "availability" is not the same as accessibility. The utilities' service coverage maps may show they provide broad coverage in this area but not everyone has access to them.

The deployment and expansion of modern telecommunication networks in Nevada County remains a priority in order to maintain our economic competitiveness and provide our schools, libraries, businesses and constituents with 21st Century connectivity. We are working hard to achieve that goal. However, we will not be there in three years. Nevada County is extremely concerned that the bill allows carriers to abandon their current subscribers without a guarantee that consumers will have access to these alternative services.

Additionally, the California Public Utilities Commission is responsible for enforcement and should the Commission fail to meet the very strict timeframes under the AB 2395 regulatory requirements, the relinquishment will be deemed automatically approved.

AB 2395 contains various other provisions of serious concern, including unknown economic and public safety impacts that may leave our rural and remote communities without any reliable communications services. We are concerned that the bill does not ensure alternatives are affordable, provide good quality-of-service, and remain viable over the long-term.

For these reasons and others, Nevada County must strongly oppose your AB 2395. If you should have any questions concerning our position, please don't hesitate to contact me directly at 530-265-1480 or dan.miller@co.nevada.ca.us

Sincerely,

Dan Miller
Chair, Board of Supervisors

cc: Governor Jerry Brown
Members, Assembly Appropriations Committee
Senator Ted Gaines
Senator Jim Nielsen
Assembly Member Brian Dahle
Jennifer Galehouse, Deputy Chief Consultant, Assembly Appropriations Committee
Jennifer Swenson, Principal Consultant, Assembly Appropriations Committee
Greg Norton, Rural County Representatives of California
Paul Yoder, Shaw/Yoder/Antwih