



July 2, 2020

Oregon Public Utility Commission
201 High St SE #100
Salem, OR 97301

Re: Carrier of Last Resort Obligation Workshop #4 Comments

The following is League of Oregon Cities (LOC) comments to questions posed by Public Utility Commission (PUC) for the Carrier of Last Resort Obligation (COLR) Workshop #4.

First and foremost, cities have a vested interest in their community members having access to robust and reliable telecommunications and communications services. In an ever technology advancing world, those services are the backbone to how community members work, learn and play. When considering changes of the COLR obligations because of the many options of technology, there must be an equity lens applied to ensure that certain community members or whole communities do not get left behind. In the past, cities have played a role in regulating certain telecommunication services through franchise agreements to ensure service quality and availability. However, as less traditional telecommunications (non-telephone) providers have come into the market, regulations at the federal level has preempted cities from applying the same rules and agreements to those providers to ensure service quality and availability as it once did to traditional telecommunications providers. The PUC is in a unique position as a regulator to ensure all Oregonians have access to affordable, available, and accessible communication services by adding some kind of regulatory consistency for all providers on the state level, whether that is by expanding the COLR obligation or creating new programs/ incentives to replace the COLR obligation.

Protecting Vulnerable Populations

If COLR relief were granted, then the LOC believes that the PUC would need to invest in new and/or current programs to vulnerable populations and incentivize carriers providing service to those same populations. Below are a few examples of how to do that.

Investing in Programs for Vulnerable Populations

Currently, the PUC oversees the Oregon Telephone Assistance Program (OTAP), Oregon Telecommunication Devices Access Program (TDAP), and the Lifeline program. If COLR relief were granted, these programs should be funded/maintained at current levels or expanded to

ensure vulnerable populations have access to technology that works with their social and socio-economic position. Additionally, because COLR relief assumes that consumers have many options to choose from the PUC should provide educational programs to help consumers, especially vulnerable populations, learn the comparability of different services (VOIP, landline, wireless, broadband, etc.). While technology is converging there are still differences that consumers should be aware of before choosing a provider or technology. For example, traditional copper telephones will typically work during a power outage while a VOIP phone will not. Highlighting the differences between services empowers the consumer to make the best decision for themselves. Lastly, the PUC should invest in digital literacy programs so consumers know how to use the technology/service that they choose.

Incentivizing Service to Vulnerable Populations

Currently, the providers that participate in OTAP and Lifeline programs are mostly traditional telephone companies. If COLR relief is granted, then the PUC will need to incentivize broader participation in these programs by other service providers (e.g. wireless), so that these programs will be more widely available to vulnerable populations around the state.

Protecting Low Density Geographic Locations

In Oregon, the majority of cities are along the coast, in the mountains, or in Oregon's great frontier communities on the east side of the state. While these geographical markers and rain make Oregon the beautiful state that it is, it also makes it hard for telecommunications infrastructure to be built. Furthermore, most cities in Oregon are not densely populated. 78% of Oregon cities are under 10,000 population. 68% of Oregon cities are under 5,000 population and 55% of Oregon cities are under 2,500 population. Typically, communication providers build where it makes the most business sense, which is usually highly dense population centers like big cities along the I-5 corridor. The problem with that is that the majority of the state would be left behind because it does not pencil out for businesses. This is one of LOC's main concerns if COLR obligations were to go away.

If COLR relief were granted, then the LOC believes that the PUC would need to invest and incentivize infrastructure to low density communities so that there is a business case for providers to serve all consumers despite their geographic location. This can be done by only allowing those willing to build in low density areas to access infrastructure subsidies from the Oregon Universal Service Fund (OUSF). Additionally, the LOC believes that the PUC should tie funds to service minimums related factors like speed, latency, reliability, data capacity, etc. to ensure that the infrastructure provided to low density areas is comparable to higher density areas and OUSF funded project do not create and/or deepen a digital divide.

Resources

The LOC has found the following resources helpful while preparing these comments, but it should be noted that there are few Oregon specific sources.

- [Local Telecommunications Competition Survey and Annual Report](#)
- [Oregon Statewide Broadband Assessment and Best Practices Study](#)
- [FCC 2020 Broadband Development Report](#)
- [Digital Convergence and Beyond: Innovation, Investment and Competition in Communication Policy and Regulation for the 21st Century](#)
- [Enhancing Competition in Telecommunications: Protecting and Empowering Consumers](#)
- [Convergence and Next Generation Networks](#)
- [Digital Distress: What is it and who does it affect? Part 1](#) and [Part 2](#)
- [Why You Shouldn't Drop Your Landline Just Yet](#)
- [Network Resilience: Preparing for Tomorrow's Challenges and Beyond](#)
- [Digital Divide in the U.S.](#)
- [City of Seattle Technology Access and Adoption Study](#)
- [BRIDGING THE GAP: What Affordable, Uncapped Internet Means for Digital Inclusion](#)
- [Limiting Broadband Investment to "Rural Only" Discriminates Against Black Americans and other Communities of Color](#)
- [Broadband Access And Civic Engagement: How Different Sources Of Connectivity Impact Community Involvement](#)

LOC appreciates the opportunity to provide feedback in this COLR workshop process.

Respectfully,

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