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March 18, 2020

Via E-Mail

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Re: Small LECs' Customer Protections in Response to COVID-19 Health Crisis

Honorable President Batjer and Honorable Commissioners:

I am writing on behalf of the Small Local Exchange Carrier (“LEC”) group¹ to inform you of efforts that these small, rural telephone companies have taken to protect consumers during this difficult time, as California grapples with the effects of COVID-19, also known as the “Coronavirus.” As you know, the Small LECs serve rural areas of California, including some of the most remote parts of the state. To date, the health effects of COVID-19 in these areas has

¹ The Small LECs are the following companies: Calaveras Telephone Company (U 1004 C), Cal-Ore Telephone Co. (U 1006 C), Ducor Telephone Company (U 1007 C), Foresthill Telephone Co. (U 1009 C), Happy Valley Telephone Company (U 1010 C), Hornitos Telephone Company (U 1011 C), Kerman Telephone Co. (U 1012 C), Pinnacles Telephone Co. (U 1013 C), The Ponderosa Telephone Co. (U 1014 C), Sierra Telephone Company, Inc. (U 1016 C), The Siskiyou Telephone Company (U 1017 C), Volcano Telephone Company (U 1019 C), and Winterhaven Telephone Company (U 1021 C)

been less significant than in more urban areas, but the overall economic and social impacts of this crisis have been profound, and the Small LECs recognize the critical role that they serve in keeping their customers and communities connected, especially in times of hardship. In this context, the Small LECs believe that proactive steps are appropriate to anticipate the needs of customers who may be struggling in the face of this pandemic, and each Small LEC has implemented additional measures to protect consumers during this time.

Consistent with the “pledge” enunciated by the Federal Communications Commission (“FCC”) on March 13, 2020, each Small LEC has voluntarily suspended all disconnections, late fees, and collection efforts for all customers.² The companies will abide by this practice for at least the 60-day period suggested by the FCC. The policy will apply to all customers, without the need for any attestations of specific impacts from COVID-19. In addition, to the extent that the Small LECs’ affiliates maintain “Wi-Fi hotspots,” as described in the FCC’s pledge, those wireless Internet connections will remain free and publicly-available to all users, subject only to any limitations necessary to properly manage and maintain these networks. In addition, the Small LECs are aware of the FCC’s recent directive to suspend the recertification process for the Lifeline program, and we understand that California will be pursuing a parallel suspension. The Small LECs will work with the Commission to implement these important consumer protection measures.

Yesterday, the Small LECs also received the letter from the Commission’s Executive Director, dated March 17, 2020, which invokes the “disaster relief” protocols in D.19-08-025 in response to the Governor’s declaration of a state of emergency surrounding COVID-19. The Small LECs will implement the applicable provisions of D.19-08-025 and keep those measures in place for 12 months, or as otherwise directed by the Commission in light of guidance from the Governor. The Small LECs note that some of the provisions from D.19-08-025 are more suited to the context of a natural disaster, in which customers are likely to be physically displaced. Nevertheless, the Small LECs will activate the applicable protections of D.19-08-025 and make them available to customers, effective immediately.

The circumstances facing California and the world are unprecedented and dynamic. The Small LECs will continue to monitor the situation and consider their roles in providing critical services to rural Californians. In the months to come, additional steps may be appropriate, and the Small LECs will keep the lines of communication open with the Commission about how they are working with rural communities to best meet customer needs in response to a rapidly-changing set of circumstances.

² The FCC-endorsed pledge can be found at the following link: <https://docs.fcc.gov/public/attachments/DOC-363033A1.pdf>. The three Small LECs who are affiliated with TDS Telecom are listed as supporters of the pledge, and the other Small LECs have supported the pledge through their national trade association, NTCA—The Rural Broadband Association.

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The Small LECs appreciate the Commission's interest in health and safety issues, and the Small LECs hope that this information helps contextualize the efforts to address the telecommunications impacts of the pandemic. Should you have any questions about the Small LECs' practices with respect to their responses to this crisis, or wish to discuss these issues further, please contact me at 415-765-0369 or prosvall@cwclaw.com.

Very truly yours,

Patrick M. Rosvall

PMR:dl

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