



COMMONWEALTH OF MASSACHUSETTS

Department of Telecommunications and Cable

1000 Washington Street, Suite 600, Boston, MA 02118

(617) 305-3580

www.mass.gov/dtc

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALY
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

EDWARD A. PALLESCHI
UNDERSECRETARY

KAREN CHARLES PETERSON
COMMISSIONER

April 15, 2020

Filed Via ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

In re Rural Digital Opportunity Fund, WC Docket No. 19-126

Dear Ms. Dortch:

The Massachusetts Department of Telecommunications and Cable (MDTC) writes in support of the Vermont Department of Public Service's Petition for Reconsideration and Clarification (Petition) of the Federal Communications Commission's (FCC) Report and Order issued on February 7, 2020 in the above-captioned docket.¹ Specifically, we endorse Vermont's position that the federal government should work more closely with state broadband efforts. In the referenced order, the FCC held that census blocks that have been awarded funding through the U.S. Department of Agriculture's ReConnect program or other similar federal or state broadband subsidy programs will be excluded from funds in the Rural Digital Opportunity Fund

¹ *In re Rural Digital Opportunity Fund*, WC Docket No. 19-126, *Vt. Dep't of Pub. Serv. Petition for Reconsideration & Clarification* (Apr. 3, 2020).

(RDOF).² The MDTC endorses two particular points in the Petition, both of which encourage better federal coordination with state broadband efforts.

First, the MDTC agrees with Vermont that the FCC should partner with states to facilitate more efficient broadband investment.³ Vermont notes that the FCC has acknowledged that states play an important role in achieving universal service.⁴ The MDTC agrees that states and localities understand best where broadband is needed most. Federal-state partnerships enable the FCC to leverage this position to better achieve the ultimate goal of bridging the digital divide. The MDTC also agrees that a partnership with states can help reduce some of the burden on the federal government and spur innovation because states can develop solutions at the local level.

Second, the MDTC supports Vermont's proposal to create a grant program that will coordinate with states to use federal funding to further the goals of Section 254 of the Communications Act.⁵ This approach correctly recognizes that even with RDOF funding there is no certainty that broadband service will reach every area of a census block. Similar to market forces that have failed to bridge the digital divide, the competitive bidding process also has shown to be problematic in certain areas. As a result, states must think creatively about how to distribute funds in a manner that allows grant funds to reach the most deserving communities. For example, Massachusetts has implemented the Last Mile Infrastructure Grant program as an offshoot of the Massachusetts Broadband Institute's (MBI) Last Mile Program, ensuring valuable

² *In re Rural Digital Opportunity Fund*, WC Docket No. 19-126, *Report & Order*, ¶ 13 (Feb. 7, 2020).

³ *See* Petition at 8-10. The MDTC also supports the California Public Utilities Commission's request for greater federal coordination with state broadband programs. *See In re Rural Digital Opportunity Fund*, WC Docket No. 19-126, *Comments of the Cal. Pub. Utils. Comm'n* at 8 (Mar. 27, 2020).

⁴ *Id.*; *see also In re Inquiry Concerning Deployment of Advanced Telecomms. Capability to All Ams. in a Reasonable & Timely Fashion*, GN Docket No. 17-199, MDTC Comments at 6 (Sept. 21, 2017); MDTC Ex Parte, *In re Connect Am. Fund*, WC Docket No. 10-90 (Jan. 9, 2017); MDTC Ex Parte, *In re Connect America Fund*, WC Docket No. 10-90 (May 17, 2016); Joint Comments of the MDTC and MBI, *In re Connect Am. Fund*, WC Docket No. 10-90 (July 21, 2016) (advocating for a grant-based CAF mechanism to support broadband deployment projects funded under appropriate state initiatives).

⁵ Petition at 11.

municipal input into the grant process in Massachusetts.⁶ These programs support broadband projects that provide access to minimum speed requirements, demonstrate viable funding and financing plans, and achieve operating sustainability. Each of these programs would continue to benefit from additional coordination with the federal government.

In sum, the MDTC continues to believe that the FCC should facilitate partnerships with states and their broadband programs, and thus respectfully requests that the FCC grant Vermont's Petition. Thank you for your consideration, and please do not hesitate to contact me with any questions you may have regarding this matter.

Sincerely,

/s/_____
Commissioner Karen Charles Peterson
Attorney William Bendetson

⁶ For details, see <https://www.mass.gov/service-details/last-mile-infrastructure-grant> and <https://broadband.masstech.org/last-mile-programs/program-unserved-towns>.