



April 25, 2025

Assemblymember Tasha Boerner
 Chair, Assembly Communications & Conveyance Committee
 1020 N Street, Room 169
 Sacramento, CA 95814

RE: AB 353 - Support

Dear Chair Boerner,

The undersigned organizations and leaders write in support of the concept of your bill, AB 353, establishing a requirement that companies providing broadband services in California must offer an affordable plan that meets minimum service standards to qualified low-income households.

We applaud your leadership in quickly and decisively moving to ensure California households benefit from the US Supreme Court's decision to let New York's groundbreaking affordable internet law stand. The Supreme Court affirmed that California lawmakers can act directly to address the affordability crisis in California by putting common-sense consumer protections in place and establishing a floor for affordable broadband service.

We look forward to continuing to work with you to clarify and strengthen AB 353, incorporate lessons learned from New York's implementation of their similar policy, and ensure California's iteration of this critical affordability intervention is an efficient and effective solution in our state's unique context. In that effort, we hope to work with you on the following:

- We would strongly support a bill that bypasses the complexities and roadblocks of an eligibility-based program in favor of a policy that requires the largest internet service providers to offer an affordable plan that meets minimum standards to every California household they serve. California is increasingly unaffordable for households that make a few dollars too much to qualify for public assistance programs and for people who lack the skills, time, or internet access required to apply for those programs successfully. While solving a problem for and offering a

lifeline to struggling California families who may not be on any public assistance programs, a broad affordability approach will also avoid creating additional (potentially costly) bureaucracy and sidestep verification challenges.

- We strongly oppose making verification the responsibility of providers. We also have grave concerns over any process that follows the model set up by the Affordable Connectivity Program, or ACP, without incorporating lessons learned from that program. The experience of consumers trying to access New York's affordable broadband program should be taken seriously: ISP-based verification does not work and represents a major barrier to access. Many of our organizations, either directly or indirectly, worked to enroll eligible community members in the ACP program. Despite its best efforts, the ACP enrollment process was full of paperwork quagmires, false positive rejections, and burdensome documentation requirements hampered by a lack of standardization and uniformity. All of these factors led to lower enrollment numbers, in part driven by folks who simply gave up trying to sign up for the program due to its inaccessibility. Constant frustrations, eroded public trust, and disillusioned family members who were simply trying to utilize a lifeline they qualified for to keep them afloat are not ingredients for success and are mistakes we should not repeat.

Any verification or enrollment process should build on existing state verification programs, such as the CA LifeLine program. Clear parameters and processes for verification of eligibility, including maximum processing times, as well as mechanisms for accountability, enforcement, and a consumer appeals or escalation process that is *external to providers* are all necessary to ensure verification is not a roadblock to access. We cannot overstate our concern regarding this issue and hope to work with you as soon as possible to resolve it.

- We encourage adding language that ensures that the baseline minimum service standard is adjusted as needs and standards change over time. At a minimum, the CA affordable internet baseline service standard should at no point be less than the federal standard.
- We strongly encourage amendments to the bill to clarify requirements for outreach and advertising of low-income plans and application processes, including clear direction to meet language and other accessibility standards. At minimum, the bill should require equal or like advertisement, display, and enrollment of an ISP's affordable plan, on par with their other offerings, in order to protect against adversarial or subversive efforts to *not* display such plan or *discourage* enrollment; as has already been demonstrated in the New York's implementation.

Thank you, Chair Boerner, for your leadership, partnership, and commitment to ensuring every California household has access to the fast, reliable, and affordable internet we all need.

Sincerely,

Organizations

- Shayna Englin, Director, Digital Equity Initiative, California Community Foundation
- Natalie Gonzalez, Deputy Director, Digital Equity LA
- Arnold Sowell Jr., Executive Director, NextGen California

- Patrick Messac, Director, #OaklandUndivided
- Amy Cortina Mathias, Executive Vice President, UNITE-LA
- Ana Ponce, Chief Executive Officer, GPSN
- Kyra Mungia, CEO, TRiO Plus
- Kevin Miller, Board President, Fresno Coalition for Digital Inclusion
- Cristal Mojica, Sr Program Manager, Digital Equity Initiative, Michelson Center for Public Policy
- Samia Zuber, Executive Director, Hack the Hood
- Chao Jun Liu, Senior Legislative Associate, Electronic Frontier Foundation
- Drew Furedi, President and CEO, Para Los Ninos
- Azucena Hernandez, Executive Vice President, Families In Schools
- Maria Elena Meraz, CEO, Parent Engagement Academy
- Jorge Rivera, Executive Co-Director, Healing and Justice Center
- Evelyn Aleman, Founder, Our Voice: Communities for Quality Education
- Ricky Abilez, Director of Policy & Advocacy, Arts for LA
- Eric Ohlsen, Director of Community Coalition of the Antelope Valley
- Elmer Roldan, Executive Director, Communities In Schools Los Angeles (CISLA)
- DeAnne Cuellar, Associate Director for Outreach, Community Broadband Networks, Institute for Local Self Reliance (ILSR)
- Antonia Fabian, Director, Pacoima Beautiful
- Ulises Zatarain, Executive Director, Tech Exchange

Individuals

- Luisa Calumpong, Broadband Manager, City of Oakland

CC: Members of the Assembly Communications & Conveyance Committee
 Emilio Perez, Chief Consultant, Assembly Communications & Conveyance Committee