



Digital Infrastructure and Video Competition Act (DIVCA) & State Video Franchise Holder Employment

2020 ANNUAL REPORT TO THE GOVERNOR AND THE
LEGISLATURE



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I. INTRODUCTION AND BACKGROUND

This Report is prepared in accordance with California Public Utilities (Pub. Util.) Code §§ 914.3 and 914.4, which provide for annual reporting to the Governor and Legislature of certain information state video franchise (SVF) holders submit to the California Public Utilities Commission (CPUC) pursuant to the Digital Infrastructure and Video Competition Act (DIVCA) of 2006.¹

DIVCA contains dual state policy goals: the promotion of video competition and the deployment of more and better broadband services.

DIVCA was signed into law in 2006, transferring responsibility for issuing cable television franchises from cities and counties to the CPUC.² As of December 31, 2019, the CPUC had issued 56 state video franchises and 210 amendments to those franchises. Amendments typically are to add or subtract areas to the franchise service areas. Both initial franchise applications and amendments are posted on the CPUC website.³ Due to consolidations, mergers and business closures, there were 28 active SVF holders at the end of 2019. A [list of SVF holders](#) is available on the CPUC website in the Video Franchising section of the Communications Division's webpage.

DIVCA requires SVF holders to provide certain information to the CPUC by April 1 annually. Cal. Pub. Util. Code §§ 914.3 and 914.4 require the CPUC to aggregate this data and report it to the Governor and the Legislature each year by December 31.

¹ See, Cal. Pub. Util. Code § 5800 et seq. All statutory references are to the Cal. Pub. Util. Code, unless otherwise noted.

² Cal. Pub. Util. Code § 5840(a).

³ Franchises and amendments can be found on the [CPUC webpage](#).

This Report provides and analyzes the data submitted by SVF holders on April 1, 2020. The data is as of December 31, 2019, and describes services that SVF holders offered pursuant to grandfathered local franchises in addition to their state video franchises.

Prior DIVCA annual reports describe the methods of analyzing video, broadband, employment data, and the background/history of DIVCA.⁴ In addition, prior annual reports contain analyses of historic data collected since DIVCA's implementation. This report will not repeat that information.

II. BROADBAND, VIDEO, AND LOW-INCOME HOUSEHOLD INFORMATION

Cal. Pub. Util. Code § 914.3 directs the CPUC to submit a report that includes, on an aggregated basis, based on year-end data submitted by SVF holders pursuant to Cal. Pub. Util. Code § 5960(b), the following information:

(1) Broadband information:⁵

(A) The number of households to which the SVF holders offer broadband in California.

(B) The number of households that subscribe to broadband that the SVF holder makes available in California.

(C) Whether the broadband provided by the SVF holder utilizes wireline-

⁴ The following link will take you to the CPUC webpage containing previous DIVCA Reports: <https://www.cpuc.ca.gov/General.aspx?id=2241>. The following sections of the report for the year ending 12/31/2017, provide useful background information: Sections (2a) DIVCA Implementation, (3a) Methods Used to Validate Broadband Deployment Data (4a) Video Build-out requirements, (4b) AT&T & Frontier Video Deployment.

⁵ The data in this report reflects households that are offered broadband at speeds faster than 200kbps in at least one direction, which is the reporting threshold. However, deployment and subscription statistics are also presented for speed benchmarks of 25 Mbps down/3 Mbps up and 100 Mbps down. Throughputs greater than 25/3 are considered by many the minimum necessary to facilitate current Internet applications, and the Governor's Executive Order N-73-20, establishes a state broadband deployment throughput goal of 100 Mbps down. For a discussion of how raw broadband data submitted by SVF holders is validated and corrected prior to its use, see Appendix A.

based facilities or another technology.

(2) Video information:

(A) If the SVF holder is a telephone corporation:⁶

(i) The number of households in the SVF holder's telephone service area.

(ii) The number of households in the SVF holder's telephone service area that are offered video service by the SVF holder.

(B) If the SVF holder is not a telephone corporation:⁷

(i) The number of households in the SVF holder's video service area.

(ii) The number of households in the SVF holder's video service area that are offered video service by the SVF holder.

(3) Low-income household information:

(A) The number of low-income households in the SVF holder's video service area.

(B) The number of low-income households in the SVF holder's video service area that are offered video service by the SVF holder.

Most of the data in this Report reflect data provided by SVF holders and their locally franchised affiliates. However, to illustrate the relationship between SVF holders and the broader broadband service provider market, the broadband deployment tables (Tables 1 & 2) also include data reported by all Internet Service Providers (ISPs) in the state. Broadband deployment data provided by cable companies that only have local franchises and by fixed wireless providers (Wireless

⁶ There are six telephone corporations/ILECs in California that are SVF holders. As used in the context of DIVCA, "telephone corporation" refers to SVF holders, who were Incumbent Local Exchange Companies (ILECs) at the time DIVCA was enacted. This includes: AT&T, Frontier (now including Verizon), Consolidated Communications, Calaveras (Telephone), Volcano (Telephone) and Sierra Telephone.

⁷ As used in the context of DIVCA, SVF holders that are not "telephone corporation[s]" refer to entities that were incumbent cable operators at the time DIVCA was enacted and new entrants since then. There are 22 "non-telephone corporations" that are SVF holders in California. Of these 22, fourteen were Incumbent cable operators at the time DIVCA was enacted and eight are new entrants since that date.

Internet Service Providers, or WISPs) are included in the “All ISPs” category in the broadband deployment table. Satellite Internet Service Provider data are not included in this report.

A. Broadband Information

1. Households Offered and Subscribing to Broadband at Speeds \geq 200 kbps

Table 1 below shows the number of households offered broadband and households subscribing to broadband at speeds of \geq 200 kbps in at least one direction using wireline technologies. Table 2 shows additional speed benchmarks.

Wireline technologies typically include service based on cable modems deployed by incumbent cable operators⁸, digital subscriber line (xDSL) technologies deployed by telephone corporations, and fiber optic technologies deployed by incumbent cable operators, telephone corporations and new entrants. Other technologies used by SVF holders typically consists of fixed wireless, which includes licensed or unlicensed point-to-point, and point-to-multipoint microwave.

⁸ Cal. Pub. Util. Code § 5830 (i) defines Incumbent cable operator as “a cable operator or OVS serving subscribers under a franchise in a particular city, county, or city and county franchise area on January 1, 2007.”

Deployment: Table 1 below shows that 586,416 (85%) rural households in California were offered broadband \geq 200kbps by December 2019.⁹ In contrast, 12.3 million (98%) of urban households in California were offered broadband \geq 200kbps.

Subscriptions: 11.6 million (87%) of statewide households in California subscribed to broadband \geq 200kbps on December 2019.¹⁰

Table 1– Broadband Deployment and Subscriptions at \geq 200 kbps

	Statewide Households	Households offered By SVF Holders	Households offered By All ISPs	Subscriptions To SVF Holders	Subscriptions To All ISPs
Urban	12,582,522	12,340,183	12,356,573	11,330,159	11,596,186
Rural	690,418	442,075	586,416		
Total	13,272,939	12,782,258	12,942,990		

⁹ SVF holder **rural** broadband deployment at speeds \geq 200 Mbps was 64% (442,075)

¹⁰ SVF holder **statewide** broadband subscriptions at speeds \geq 200 Mbps was 85% (11.3 million)

2. Rural, Urban, and Statewide Households Offered Broadband at Advertised Speeds of >=25/3 Mbps and >=100 Mbps

Table 1 above provides analysis of deployment and subscription at broadband speeds of >=200 kbps, as set forth in DIVCA's reporting requirements.

Table 2 below provides analysis of broadband deployment at faster speeds, which is more relevant to understanding broadband statistics at speed benchmarks necessary for current Internet access applications.

Table 2 shows that a substantial rural divide clearly exists.¹¹ Broadband service is offered at these faster benchmarks statewide to 95% of households, and in urban areas to more than 97% of households. In contrast, of the 690,418 rural households in CA, only 73.8%¹² (509,496) were offered broadband at advertised speeds >=25/3 Mbps and only 48.7%¹³ (336,192) were offered broadband at advertised speeds >=100 Mbps by all ISPs. The blue half of the table shows that SVF holders offer broadband to far fewer rural households than "All Internet Service Providers," which is shown in the brown half of the table. This is because rural households are often served by rural telephone companies and niche broadband providers.

Table 2 – Rural, Urban and Statewide Households Offered Broadband at Advertised Speeds of >=25/3 Mbps and >=100 Mbps

Speed Benchmarks	Broadband Deployment By SVF Holders						Broadband Deployment By All Internet Service Providers					
	Urban		Rural		Statewide		Urban		Rural		Statewide	
	Households	Percentage	Households	Percentage	Households	Percentage	Households	Percentage	Households	Percentage	Households	Percentage
>=25/3	12,271,419	97.5%	335,402	48.6%	12,606,822	95.0%	12,301,015	97.8%	509,496	73.8%	12,810,510	96.5%
>=100 down	12,248,986	97.3%	297,502	43.1%	12,546,488	94.5%	12,262,018	97.5%	336,192	48.7%	12,598,210	94.9%

Number of Households in CA as of January 1, 2020: 13,272,939

¹¹ Table 1 also shows that the Digital Divide between urban and rural areas exists, even at the lowest broadband benchmark speed of 200 kbps.

¹² SVF holder **rural** broadband deployment of **>=25/3 Mbps** was 48.6%

¹³ SVF holder **rural** broadband deployment of **>=100 Mbps** was 43.1%

It is important to note that the data showing the number of households offered broadband may overstate the number of households that are actually offered broadband for the following reason: As with the FCC's broadband data, when at least one household in a census block is offered broadband service, we count all the households in that census block as being offered broadband service. In some cases, services may only be offered to a portion of the households in a census block. However, the CPUC's broadband data in this DIVCA Report differs significantly from the FCC's in how we validate using a combination of subscriber data and public feedback.

Appendix A describes the methods used to validate broadband deployment data, which is the same method that has been used in prior DIVCA Annual Reports. Appendix C shows the number of households offered broadband service by zero, one, two, three, or four SVF holders at three broadband speed benchmarks.

Federal and state policymakers have recognized the problems caused by overstatement of broadband deployment due to collecting data at the census block level. Therefore, the Federal Communications Commission (FCC) has adopted, and will be implementing, a new more granular method of collecting broadband data as part of its Digital Opportunity Data Collection (DODC) proceeding, subject to Congressional budget authorization.¹⁴ The CPUC will also be requiring this improved method of data collection, concurrently with the FCC, for broadband data submissions to the CPUC.

¹⁴ In the Matter of Establishing the Digital Opportunity Data Collection; Modernizing the FCC Form 477 Data Program, *Second Report and Order and Third Further Notice of Proposed Rulemaking*, WC Docket Nos. 19-195, 11-10 (FCC 20-94) (rel. July 16, 2020) (*Third FNPRM*).

3. Households Subscribing to Broadband at Advertised Speeds of $\geq 25/3$ Mbps and ≥ 100 Mbps

Table 1 above shows subscriptions to broadband at speeds ≥ 200 kbps, as required by DIVCA's reporting requirements. The data in Table 3 below, which provides analysis of broadband subscriptions at faster speeds, is more relevant to understanding broadband statistics at speed benchmarks necessary for current Internet access applications.

Of the 11.3 million subscribers reported having broadband ≥ 200 kbps provided by SVF holders:

84% (9.5 million) subscribe to broadband at advertised speeds of $\geq 25/3$ Mbps

63.7% (7.2 million) subscribe to broadband at advertised speeds of ≥ 100 Mbps

Note that Table 3 does not break out rural and urban subscriptions.

Table 3 – Households Subscribing to Broadband at speeds of $\geq 25/3$ Mbps and ≥ 100 Mbps

Speed Benchmarks	Broadband Subscription To SVF Holders			Broadband Subscription To All Internet Service Providers		
	Number of Subscriptions	Percentage of Total Subscriptions to SVF Holders	Percentage of Total HH	Number of Subscriptions	Percentage of Total Subscriptions to All ISPs	Percentage of Total HH
$\geq 25/3$	9,520,292	84.0%	71.7%	9,633,356	83.1%	72.6%
≥ 100 down	7,216,755	63.7%	54.4%	7,310,263	63.0%	55.1%

Number of Households in CA as of January 1, 2020: 13,272,939

Number of Subscribers to broadband offered by **SVF holders** at 200 kbps: 11,330,159

Number of Subscribers to broadband offered by **All ISPs** at 200 kbps: 11,596,186

B. Video Information

1. Video Data from SVF Holders that are Incumbent Local Exchange Carriers

For SVF holders that are Incumbent Local Exchange Carriers (ILECs),¹⁵ Table 4 shows the aggregate number of households in their video service areas and the number that are offered video service¹⁶. Just over half (56%) of households have video service available.

Table 4 – Households Offered Video by ILECs

	Number of Households in Video Service Area	Number of Households Offered Video
Households	13,920,081	7,829,315

Appendix B shows the number of census tracts in which video service was offered by zero, one, two, three, or four SVF holders.

¹⁵ There are six SVF holders that are considered incumbent telephone corporations. They are AT&T, Frontier, Consolidated, Calaveras Telephone, Sierra Telephone and Volcano Telephone.

¹⁶ DIVCA requires AT&T to offer video service to 50% of the households in its telephone service area, and Frontier to offer video service to 40% of the households in its telephone service area. Neither incumbent cable operators nor new entrants have numeric deployment requirements.

2. Video Data for SVF Holders that are not ILECs

For SVF holders that are not ILECs, table 5 shows the aggregate number of households in video service areas and the number that are offered video. This category predominantly consists of providers of cable television video services. Nearly all households (96%) in these service areas are offered video service.¹⁷

Table 5 – Households Offered Video by SVF Holders that are not ILECs

	Number of Households in Video Service Area	Number of Households Offered Video
Households	14,408,309	13,882,647

Appendix B shows the number of census tracts in which video service was offered by zero, one, two, three, or four SVF holders.

¹⁷ This table shows that not all households are offered video by non-ILECs. This because (1) State-issued video franchise holders are not obligated to offer service to all households in their franchise territory. (2) The aggregation unit for this calculation is the census tract, and many of the census tracts that overlap their territories contain remote, rural households, which are not necessarily served.

C. Low-Income Households Offered Video

SVF holders also provide data to the CPUC indicating the number of low-income households in their video service areas, and the number of low-income households to which they offer video service. Each of the SVF holders determine the number of low-income households in their video service area by applying the percentage of low-income households that existed in each census tract in 2007,¹⁸ to the total number of households in each tract at the end of 2019. Note that the household numbers shown are aggregations for all SVF holders.

Table 6 – Video Service Offered in Low-Income Areas

	Low-Income Households in Video Service Area	Low-Income Households Offered Video
Households	8,552,197	6,357,713

III. EMPLOYMENT INFORMATION

Cal. Pub. Util. Code § 5920 requires the CPUC to collect certain employment information from SVF holders employing more than 750 full-time employees in California. Cal. Pub. Util. Code § 914.4 directs the CPUC to report this information to the Assembly Committee on Utilities and Commerce and the Senate Committee on Energy, Utilities and Communications and to post the information on the CPUC's website annually.¹⁹ In this Report, we combine the broadband and video information above required by Cal. Pub. Util. Code § 914.3 with the employment information required by Cal. Pub. Util. Code § 914.4.

¹⁸ Cal. Pub. Util. Code § 5890 (j) (2) defines low-income household as: "those residential households located within the holder's existing telephone service area where the average annual household income is less than \$35,000 based on the United States Census Bureau estimates adjusted annually to reflect rates of change and distribution through January 1, 2007."

¹⁹ Cal. Pub. Util. Code §§ 914.4, 5920.

This is the ninth report on SVF holder employment data.²⁰ The data in this Report are current as of December 31, 2019.

Pursuant to Cal. Pub. Util. Code § 5920, the following information is submitted to the CPUC by the qualifying SVF holders:

- Number of California residents employed on a full-time basis (Section A; Table 5).
- Percentage of the SVF holder's total domestic workforce that resides in California (Section B; Table 8).
- Employees categorized by occupation (Section C; Table 9).
- Average wages and salaries (including benefits) categorized by occupation (Section D; Table 10).
- Number of out-of-state residents employed by independent contractors, which personally provide services to the SVF holder, unless the SVF holder is contractually prohibited from disclosing this information to the public (Section E).
- Forecast of the number of net new positions expected to be created during the next year (2020) (Section F; Table 11).

The tables below show the five SVF holders which had more than 750 full-time employees in California and were therefore required to report employment data for 2019.

The employees of the SVF holders, which are shown in the following tables, may be involved in wireline telephone, video, and/or data services. DIVCA does not require SVF holders to categorize their employees by the type of services they work on. Employees of locally franchised affiliates of SVF holders are included in these employee counts. The business operations for which Frontier and AT&T submitted employment data include their wireline telephone, broadband and video operations. Employees of AT&T's mobile operations were not included.

²⁰ This Report and previous DIVCA Employment Reports, which were published as stand-alone documents, can be found at [this link](#) on the CPUC website.

A. Number of Employees of Five Largest SVF Holders

Table 7 shows that the five reporting SVF holders with more than 750 employees reported a total of 27,597 employees in California, as of December 31, 2019.

Table 7 - Total Number of Employees of SVF Holders

SVF Holder	2019 Employees
AT&T	9,538
Frontier	3,214
Comcast	4,232
Cox	1,630
Charter	8,983
Total	27,597

B. Percentage of the SVF Holder’s Workforce Residing in California

Table 8 -Percentage of Workforce Residing in California

SVF Holder	% Workforce Residing in CA
AT&T	99.6%
Frontier	100%
Comcast	100%
Cox	99.6%
Charter	99.7%

C. Total Employees by Occupation

Table 9 categorizes the 27,597 employees who were employed by the five reporting SVF holders at the end of 2019 into eight different occupational categories. Skilled craft workers made up the largest category of workers for all the SVF holders.

Most SVF holders that are required to report employee information under DIVCA provide the CPUC with copies of their U.S Equal Opportunity Commission EEO-1 filings. The CPUC uses the same categories listed in these filings to show the statistics below. However, some similar categories have been grouped together for the purposes of this report. For example, Frontier categorizes all of its field employees as skilled craft employees, while the other SVF holders report both “Technicians” as well as “Skilled Craft” employees. Frontier reports both “Pres – Senior V.P.” and “Vice Presidents.” In this Report we combine those into the category “Exec/Sr. Leaders.” Frontier reports both “analysts/engineers” and “other support.” In this Report we combine those into the category “Professionals.” Frontier reports both “Managers” and “Directors/Assistant VPs.” In this report we combine those into the category “Officials/Managers.”

Table 9 - Total CA Employees by Occupation – 2019

Occupational Categories	AT&T	Frontier	Comcast	Cox	Charter	Total
Exec / Sr. Leaders	0	9	34	0	3	46
Officials / Managers	151	121	758	274	1,163	2,467
Professionals	846	70	486	128	649	2,179
Technicians	1,013	0	448	209	203	1,873
Sales / Associates	238	318	519	316	1,837	3,228
Office / Clerical	2,138	0	601	201	2,115	5,055
Skilled Crafts	5,152	2,696	1,305	466	3,011	12,630
Oper/Labor/Serv	0	0	81	36	2	119
Total	9,538	3,214	4,232	1,630	8,983	27,597

D. Average Wages Categorized by Occupation

Table 10 shows the average wages that each SVF holder reported for each occupational category.

Table 10 - Average Wages by Occupation by SVF Holder

Occupational Categories	AT&T	Frontier	Comcast	Cox	Charter
Exec / Sr. Leaders	N/A ²¹	\$233,350	\$265,683	N/A ²²	\$666,099
Officials / Managers	\$116,339	\$123,961	\$110,323	\$122,109	\$128,222
Professionals	\$95,273	\$74,078	\$87,451	\$95,066	\$107,167
Technicians	\$82,649	N/A	\$107,256	\$79,497	\$92,756
Sales / Associates	\$48,095	\$91,955	\$58,489	\$87,118	\$73,095
Office / Clerical	\$75,867	N/A	\$49,249	\$65,347	\$54,691
Skilled Crafts	\$87,866	\$77,448	\$75,829	\$72,182	\$62,773
Operators. /Labor/Serv	N/A	N/A	\$56,604	\$50,030	\$65,766

E. Number of Out-of-State Residents Employed by Independent Contractors

None of the five companies reported out-of-state residents employed by independent contractors, companies, and consultants hired by the SVF holder.

²¹ "N/A" for this table means information was not provided.

F. Forecasts of Job Creation

The only company showing a net growth in employees was Cox with 13 employees added in 2019. Charter forecasts an increase of 184 employees in 2020, but they forecasted 936 additional in 2019 and instead decreased the number of employees by 1,093. The other four SVF holders did not forecast net new employees in 2020.

Table 11 – Comparison of Forecasted Net-New Employees with Actual Number of Employees

SVF Holder	2007 Employees	2018 Employees	2019 Employees	Change in Number of Employees During 2019	Forecasted Net New Employees in 2019	Forecasted Net New Employees for 2020
AT&T	29,509	10,901	9,538	-1,363	+34	Did not forecast
Frontier	8,110 ²³	3,519	3,214	-305	Did not forecast	Did not forecast
Comcast	7,167	4,266	4,232	-34	Did not forecast	Did not forecast
Cox	3,243	1,617	1,630	+13	Did not forecast	Did not forecast
Charter	N/A ²⁴	10,076	8,983	-1,093	+936	+184
Total	N/A	30,379	27,597	-2,782	+970	N/A

²³ Frontier acquired Verizon in 2016. Frontier's 2007 number of employees was reported by Verizon.

²⁴ Charter acquired companies since 2008, so the number of employees between, 2008 and 2019 are not comparable.

APPENDIX A - Methods Used to Validate Broadband Deployment Data

The method of estimating the broadband deployment/availability data begins with SVF holders providing data to the CPUC, at specified granularities, by census block.

The broadband data provided by SVF holders is validated by CPUC staff using other available commercial and government data, as well as subscriber data provided by SVF holders, and public feedback. For example, if a SVF holder reports that it offers broadband service in a census block, but it reports no subscribers in that block, staff consults with the SVF holder and may remove that census block from the served category. Similarly, public feedback to the CPUC that describes where service is *not* available from a SVF holder in many cases invalidates the availability information provided by that SVF holder.²⁵

²⁵ For details about how broadband data is gathered and analyzed, in addition to the limitations and challenges of broadband data collection and reporting, click on the following link: [California Broadband Data Processing and Validation document](#)

APPENDIX B – Number of SVF Holders Offering Video Per Census Tract

Table 12 shows the number of census tracts in which video service was offered by zero, one, two, three, or four SVF holders. The data includes video services provided by ALL SVF holders.

- 14.5 % of the census tracts had **one (1) video service provider**
- 83.8% of the census tracts had **two (2) or more video service providers**

Table 12 – Number of SVF Holders Offering Video Service Per Census Tract

Number of SVF Holders per Census Tract	0	1	2	3	4
Number of Census Tracts	131	1,169	6,098	633	12

APPENDIX C - Number of Households Offered Broadband by Multiple SVF Holders at Three Speed Benchmarks

Table 13 shows the number of households offered broadband service by zero, one, two, three, or four SVF holders at three broadband speed benchmarks. The data includes broadband services provided by all SVF holders. Each row in the table allocates the 13,272,939 households in the state between each of the columns. The data show that:

- 666,117 (5%) of the HHs had **no** SVF holders offering broadband at $\geq 25/3$
- 726,451 (5.5%) of the HHs had **no** SVF holders offering broadband at ≥ 100
- 3.6 million (27.2%) of the HHs had **one** SVF holder offering broadband at $\geq 25/3$
- 5.2 million (39.5 %) of the HHs had **one** SVF holder offering broadband at ≥ 100
- 9 million (67.7%) of the HHs had **two or more** SVF holders offering broadband at $\geq 25/3$
- 7.3 million (55.1%) of the HHs had **two or more** SVF holders offering broadband at ≥ 100

Table 13 – Number of Households Offered Broadband by Multiple SVF Holders

Speed Benchmark	Number of SVF Holders Per Census Block				
	0	1	2	3	4
≥ 200 Kbps at either direction	490,681	1,159,613	11,122,268	499,325	1,052
$\geq 25/3$ Mbps	666,117	3,614,427	8,581,069	410,530	796
≥ 100 Mbps Download speed	726,451	5,238,336	6,999,106	308,496	550

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End of DIVCA Video, Broadband and Employment Report

For the Year Ended December 31, 2019