WHITE-HOT TOPICS IN BROADBAND

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WHITE-HOT TOPICS IN BROADBAND

The Top 3 Things You Need to Know About the Affordable Connectivity Program

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THE TOP THREE THINGS YOU NEED TO KNOW ABOUT

THE AFFORDABLE CONNECTIVITY PROGRAM
AGENDA

I. What is the Affordable Connectivity Program?

II. The Top Three Things You Need to Know

1. How to Participate
2. The Benefits of Participating
3. Participating Providers’ Obligations
I. WHAT IS THE AFFORDABLE CONNECTIVITY PROGRAM (ACP)?

The Affordable Connectivity Program (ACP) is a Federal Communications Commission (FCC) program administered by the Universal Service Administration Company (USAC) that replaces the Emergency Broadband Benefit Program (EBB) to help low-income households pay for internet service and connected devices.
II. THE TOP THREE THINGS YOU NEED TO KNOW ABOUT ACP
• ACP must be available for ALL service offerings

• Eligible Households Can Receive:
  o Up to a $30/month discount on internet service
  o Up to a $75/month discount for household on qualifying Tribal lands
  o One-time discount of up to $100 for a laptop, tablet, or desktop computer (with a co-payment of more than $10 but less than $50)

• ACP is non-transferable and limited to one monthly internet discount and a one-time connected device discount per household. A household is a group of people who live together and share money even if not related to each other.
• ACP must be available for **ALL** service offerings

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1. HOW TO PARTICIPATE

Existing EBB providers in good standing will automatically transition into ACP and will not need to file new Election Notices to USAC.

All new participating providers must file an Election Notice to participate in ACP.

Existing Eligible Telecommunications Carriers (ETCs) and their affiliates in the states or territories where the ETC is designated, who did not participate in the EBB, or who are seeking to add new jurisdictions, can elect to participate in the ACP by filing an Election Notice with USAC.

Non-ETC participating providers must first apply for and obtain FCC approval with either an automatic approval application or an expedited review process application before filing an Election Notice with USAC.
2. THE BENEFITS OF PARTICIPATING

- EBB was created during the pandemic as a short-term program; ACP is a long-term benefit program with a $14.2B appropriation that will remain until funds are used up.

- With 11M households participating, the monthly spend rate may approximate $350M, which amounts to 40+ months of funding.

- Establishes credentials as a bona fide broadband provider with community interests

- Increases affordability for low-income households and may increase subscribership

- Serves as the low-cost service option for NTIA BEAD Grant and RUS ReConnect
3. PARTICIPATING PROVIDERS’ OBLIGATIONS

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<th>Make</th>
<th>Publicize</th>
<th>Notify</th>
<th>Carry out</th>
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<tr>
<td>Make available the affordable connectivity benefit to eligible households</td>
<td>Publicize the availability of the ACP</td>
<td>Notify in writing or orally all consumers who either subscribe to or renew a subscription to an Internet service offering about the ACP and how to enroll</td>
<td>Frequently carry out public awareness campaigns</td>
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**Make**
- Make available the affordable connectivity benefit to eligible households

**Publicize**
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**Notify**
- Notify in writing or orally all consumers who either subscribe to or renew a subscription to an Internet service offering about the ACP and how to enroll

**Carry out**
- Frequently carry out public awareness campaigns
Thank You!

HAVE ANY QUESTIONS?

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The Fabric and the Broadband Data Collection
The information on these slides and in my presentation are my own, and do not necessarily represent the views of the FCC. To the extent that I will discuss FCC rules, orders, and public notices, my interpretation does not supersede any provision of such rules, orders, or public notices, and should what I say differ from those, the official FCC documents govern.
BDC Timeframe

• FCC Announced BDC timeframe on February 22nd, 2022
• GAO denies Fabric protest on February 24th, 2022
• Filers must submit June 30th, 2022 coverage by no later than September 1st, 2022
• Specifications for Filers released March 4th, 2022
  – Additional specifications posted March 9th, 2022
• For updates from FCC, go to
  – https://www.fcc.gov/BroadbandData
The BDC Components

Per the Fabric RFP, the Broadband Data Collection includes several components:

- The FCC first **must collect data on the availability** and quality of broadband Internet access service from both fixed and mobile providers, as well as from State, local, and Tribal government entities, other federal agencies, and third parties, if determined to be in the public interest.
- Second, to support this collection, the **FCC must also establish the Fabric**, a set of data on all locations in the United States where fixed broadband Internet access service has been or could be installed, consistent with certain specified parameters, and incorporate the Fabric into the availability collection.
  - Fixed broadband providers must report their service area in the form of either a polygon shapefile or a list of addresses or locations, and the Fabric will form the foundation for the location-based or address-based reporting.
  - This RFP focuses on this component.
- Third, based on the availability collections, **the FCC must create and publish maps** that depict the availability of fixed and mobile broadband services (both separately and combined).
- Fourth, **the FCC must establish a user-friendly challenge process for the public, as well as State, local, and Tribal governmental entities**, to challenge the information included in the Fabric or depicted in the public availability maps, and for providers to respond to such challenges (see 47 CFR § 642(b)(5)(A)).
- Fifth, **the FCC must verify the accuracy and reliability of the availability data collected** from providers and other entities.
- Sixth, to improve data accuracy, **the FCC must conduct audits and collect crowdsourced data** from entities or individuals on an ongoing basis about the deployment and availability of broadband service.
- Finally, **the FCC must provide technical assistance** to: 1) small broadband service providers, those with less than 100,000 connections, to assist them in complying with the requirements of the availability collection; 2) consumers and State, local, and Tribal governments to support their participation in the challenge process; and 3) Indian Tribes, in the form of 12 regional workshops to assist them with submitting verified deployment data.
Fabric Overview

The Fabric shall include information (as defined below) on each structure, which is defined as:

1. **A building where people live**, to include Census-defined housing units; a house, an apartment, a mobile home, a group of rooms, or a single room that is occupied (or if vacant, if intended for occupancy) as separate living quarters; or a building where people live in group quarters (e.g., a skilled nursing facility or college dormitory). Each such building would be classified as “residential.”

2. **A building where people work**, including buildings that house businesses, government entities or not-for-profit entities. Each such building would be classified as “non-residential.”

3. **A structure that includes both** residential and non-residential units would be classified as “multi-use.”
The Fabric shall include the following information as fields for each structure:

1. A unique, standardized, alphanumeric string for each structure in the dataset that can be used to identify that structure
2. The latitude and longitude of a point falling within the boundary of the structure, to at least 5 digits of precision in WGS84 coordinate reference system
3. An address or addresses, if any, associated with each structure in a standardized format
4. The estimated number of residential and/or business units within each Multiple Dwelling Unit (MDU) and Multiple Tennant Unit (MTU)
5. An indication of whether each structure is a BSL, a location to which mass-market broadband Internet access service is or should be made available, made in consultation with the FCC
6. For each BSL, a classification of the structure as residential, business, or multi-use; or for each structure not classified as a BSL, a classification for the reason it is not a BSL (e.g., a government building, schools, library, hospital or other structure used by an entity that likely subscribes to enterprise/non-mass market service; or secondary structures on a property)
What is the Fabric and it’s Role

- The Fabric is a comprehensive data set of all individual structures capable of receiving broadband service in the U.S.
- The Fabric will reflect each location as a single point defined by a set of geographic coordinates that fall within the footprint of a building
- A “location” is defined as a business or residential location in the United States at which fixed broadband Internet access service is, or can be, installed.
- The Providers will overlay the Fabric data on top of their coverage data and report to the Commission which locations are served, by what technology, and at what speed.
The Fabric – How it is created

- Goal: Identify the structure(s) needing service
- Challenges:
  - Secondary structures (chicken coops, barns, garages, etc.)
  - Addresses aren’t automatically geocoded
The Fabric – How it is created

• Step 1:
  – Overlay parcel data
  – Use Tax Assessor and parcel attribute data to categorize parcels
    • Are there multiple locations?
    • Does the land use indicate there may be a serviceable structure?
    • Consider improvement value, information on secondary structures, etc.
The Fabric – How it is created

• Step 2:
  – Incorporate building footprint data
    • Footprints identify candidate locations for the Fabric
    • Footprints replace an interpolation of textual address data with real-world accuracy of where serviceable structures are
The Fabric – How it is created

• Step 3:
  – Location and Structure logic is applied to aggregate data
  – The Fabric identifies serviceable structure(s), circled, on each parcel

• Step 4:
  – Once the location is identified, the best address for the location is selected
BDC Requirement Summary

1. Coverage Map
   - Polygon shapefile
   - List of Addresses
   - List of Locations
   - Methodology for Polygon Shapefile, list of Addresses, or list of Locations
   - Methodology for Polygon Shapefile, list of Addresses, or list of Locations
   - Certification from a Corporate Officer
   - Certification from a Professional Engineer
   - For Polygons:
     - Coordinates of Base Stations
     - Terrain and Clutter information
   - Propagation Map if Fixed Wireless or Mobile Polygons
   - Methodology of Propagation Map
   - Methodology for Model Details
   - This can be one person if said person is both a Corporate Office and Professional Engineer
   - Height and Power values used for the receivers/CPE antenna modeling

2. Methodology Explanation
   - Certifications from Corporate Officer & PE

3. Certifications from Corporate Officer & PE
   - Infrastructure Information
New Coverage Challenge Process

- Consumers can challenge based upon the following preset categories:
  - no service offering at location, the provider failed to install a functioning service within ten business days of valid order for service, the provider denied the request for service, reported speed not offered

- 60 days to respond to a consumer/governmental/other entity challenge to coverage

- The service provider must demonstrate to Commission staff that by the “preponderance of the evidence,” it in fact offers service at that location, however, the challenger is required to demonstrate initial facts indicating that a location is most likely unserved.

- Provider must reply by either:
  - accept the assertions raised by the challenger and submit a correction for the challenged location in the online portal within 30 days of its portal reply; or
  - deny the challenger’s assertions and provide evidence the provider serves, or could and is willing to serve, the challenged location.
New Coverage Challenge Process

- Multi-Step Dispute Resolution Process
  - Provider disagrees with the challenger - provider has 60 days from the date of its reply to resolve the dispute with the challenger
  - No consensus in 60 days - provider must report the outcome of efforts to resolve the dispute to FCC
  - Then FCC will review the evidence and make the determination about whether there is service.
  - If FCC finds in favor of the challenger - provider must remove the specified location from its coverage polygon or customer list within 30 days of the decision.
  - If FCC finds in favor of the service provider - the location will no longer be subject to the “in dispute/pending resolution” designation on the coverage maps.

- A provider’s failure to timely respond to a challenge will result in a finding for the challenger and mandatory corrections to the provider’s data will be made.

- Providers must submit any such corrections within 30 days of the missed reply deadline, or the FCC will.
WHITE-HOT TOPICS IN BROADBAND

• Holding Funding Applicants Accountable

• What’s Next on the Supply Chain Woes List?

Fletcher Kittredge
CEO, GWI
• GWI develops financing for, designs, builds and operates fiber networks in Northern New England for private investors and municipalities
• Founded in 1994; currently serve over 65 towns and cities
• In 2009, received a $25 million ARRA BTOP grant to build an open access, dark fiber middle mile network. NTIA administered.

• In 2019 received a $7 million USDA Reconnect loan/grant to build a last mile fiber network. Declined it.

• We have clients who are RDOF awardees
• Regulation is hard because of:
• Long life of fiber assets: 30-40 years
• Lack of NTIA enforcement infrastructure
• Lack of State level enforcement infrastructure (?)
• Potential Remedies:
• Create mechanism for enforcement (penalties, security interest)
• Fund enforcement long term
• Transparency and crowd sourcing enforcement at least through “name and shame”
WHITE-HOT TOPICS IN BROADBAND

Microtrenching

Duke Horan
Vice President, Operations, Mears Group, Inc.
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Overbuilding

Christopher Mitchell
Director, Community Broadband Networks, Institute for Local Self-Reliance

Bob Knight
Commissioner of Economic and Community Development, Town of Ridgefield, Conn.