

Removing Barriers to Connecting Communities

OUR DIGITAL
ECONOMY SUPPORTS

10.5
MILLION
AMERICAN JOBS

MODERN BROADBAND NETWORKS DESERVE A CONTEMPORARY REGULATORY APPROACH

Congress should move quickly to address policies that create barriers to broadband deployment and cross-technology competition. All policies should be viewed through the lens of removing barriers to connecting communities—from expedited permitting to retiring requirements that companies sustain outdated networks rather than devote those resources to deploying next-generation networks, to rooting-out discriminatory and anti-competitive pole attachment rates and rules. Congress should chart a clear and collaborative infrastructure policy course that encourages all to invest with confidence in our nation's broadband future.

- **Pole Attachment Reform:** Give the FCC authority under section 224 of the Communications Act to ensure poles owned by municipal governments, and cooperatively owned utilities, are subject to the same cost-based pole attachment rates and non-discriminatory access as those owned by the private sector.
- **Carrier of Last Resort (COLR) Obligations for New Auction Winners:** Ensure the Carrier of Last Resort-like voice obligations transfer to the auction winner as soon as it begins receiving federally allocated funds to serve an area with broadband rather than remain with the incumbent so that customers can maintain voice service. Carrier of Last Resort Obligations ensure customers have adequate voice services and access to crucial public safety resources such as 9-1-1.
- **Permitting Reform in Conjunction with Next Generation Technologies:** Standardize and streamline permitting for fiber deployment on federal land to increase the speed and reach of broadband infrastructure, from wired broadband to wireless backhaul and tower connectivity.
- **Cost Recovery for Relocation & Disaster Recovery:** Ensure any infrastructure package allows providers to recover all or a portion of the costs related to relocating telecommunications facilities during municipal road moves or during a federally recognized natural disaster. Every dollar of capital spent to relocate facilities or rebuild following a natural disaster is one less dollar spent deploying broadband or upgrading broadband speeds.

INTERAGENCY BROADBAND COORDINATION

For decades, there has been little to no coordination among different executive branch agencies that have meaningful broadband support programs. The USDA, the FCC and various stimulus grants over the years have often appeared

BY 2022, U.S. BROADBAND NETWORKS WILL CARRY THE EQUIVALENT OF EVERY MOVIE EVER MADE

EVERY 3 MINUTES

to be at odds with one another in determining which areas are served and unserved. As a result, these various federal broadband programs continue to define and redefine their own definition of broadband service. This has allowed them to build and overbuild in the same areas for decades. As a result, only a select few communities continue to get better speeds, while millions more are left without any real broadband service at all.

Congress should require that agencies work off of one unified broadband map, like the modern version the FCC is developing as part of their Digital Opportunity Data Collection rulemaking and the Broadband DATA Act. Interagency coordination will ensure the efficient allocation of funds, avoid funding duplications, and accelerate broadband deployment. Before an agency awards funding for a broadband project, the FCC should certify that the area is unserved as defined by the new federally created broadband map.

BROADBAND AS A PUBLIC UTILITY WILL HAMPER DEPLOYMENT AND INNOVATION

Treating broadband like a public utility would hamper deployment and innovation. To be clear—broadband is essential. But we must decisively reject any proposal that would treat broadband networks like a government utility. Like grocery stores and hospitals, which are essential for Americans, but not regulated like utilities because there is sufficient competition for the product, there is robust competition in the broadband market that grows more competitive each year. From 2015-2019, the percentage of Americans with access to two or more broadband service providers doubled—and this is even before factoring in fixed wireless internet service providers that also compete for customers.

The coronavirus has challenged networks with unprecedented demand—and our members have risen to the challenge. Smart and forward-looking policies have made it possible for broadband providers to compete, innovate, and invest in their networks to support the sharp increases in online traffic. Our nation's recovery requires that we sustain and encourage this outstanding performance, not put it at risk under the heavy weight of bureaucracy and red tape.

Regulating broadband like a utility would only take us backward and obstruct innovation. Unlike the monopoly utility water or electric systems that municipalities have operated historically, broadband networks require almost constant maintenance and updating to meet contemporary demands for speed, performance, and security. The costs associated with maintaining a state of the art communications network and the dynamic decisions network engineers must make to swiftly solve network challenges does not lend itself to additional, time-consuming government control.