

# Broadband Pipes and A Flood of Regulation

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CBI

## Outline

- Broadband - Regulatory History
- Current Findings
- FCC Efforts
- Other Efforts
- Conclusion

## Slide 2

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**CB1** Chris Barron, 10/21/2015

**“Advanced Telecommunications Capability is not being deployed to all Americans in a reasonable and timely manner”**

- FCC, 2015 Broadband Progress Report

Americans Without Access to Fixed 25/3 Broadband

Area	Population Without Access	Percent of Population
United States	54,560,019	17%
Rural Areas	32,628,319	53%
Urban Areas	21,931,700	8%
Tribal Lands	2,468,534	63%
Rural Areas	1,674,188	85%
Urban Areas	794,346	41%
U.S. Territories	2,571,849	63%
Rural Areas	880,144	79%
Urban Areas	1,691,706	57%

Source: FCC 2015 Broadband Progress Report

## Broadband Speeds Worldwide

Country	2013 Avg Download Speed	2013 Rank
Luxembourg	47.32	1
Singapore	42.52	2
Sweden	41.53	3
United States	19.55	25

Source: FCC International Broadband Data Report, 2/4/2015

## A Brief (Regulatory) History of Broadband

- 1934 Act - Basic and Enhanced Services
- 1996 Act - Information Services
  - Section 706 Advanced Services
- FCC jurisdiction over broadband services
  - GTE ADSL Tariff - 1998
  - Brand X
  - DSL Classification
- Open Internet
  - Differing Approaches
  - Current regime

## The FCC's Recent Broadband Efforts

- National Broadband Plan - 2010
- Transformation Order
  - Connect America Fund - Phase I and II, Mobility, Tribal Mobility
  - Revised legacy programs
- Rural Broadband Experiments
- Other programs
  - Lifeline
  - Rural Health Care
  - Schools and Libraries

## The FCC's Recent Activities

- Section 706/Broadband Progress Reports
  - Most Recent, 2015 (10<sup>th</sup>)
  - Last three reports, negative finding on Section 706
  - Steps to be taken to meet Section 706
  - 10<sup>th</sup> Report - speed definition, increase to 25/3
- Broadband Progress Report NOI
  - 11<sup>th</sup> Broadband Progress Report
  - Area must have both fixed and wireless (at different standards)

Section 706 Reports  
*Determine whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion*

## ConnectEd

- Connect 99% of students to next-generation broadband and high speed wireless by 2018
- Includes connections to schools and libraries
  - FCC supporting through E-rate
  - Other supporters include Apple, Microsoft, Sprint, and Verizon
- Teacher Training also included

## Broadband Opportunity Council

- Created by Presidential Memorandum (March 23, 2015)
- Look at ways to encourage broadband deployment and adoption by addressing regulatory barriers
- Report and Recommendations Released August 20, 2015
- Overarching Recommendations:
  - Modernize Federal programs to expand program support for broadband investments
  - Empower communities with tools and resources to attract broadband investment and promote meaningful use
  - Promote increased broadband deployment and competition through expanded access to federal assets
  - Improve data collection, analysis and research on broadband

## Rural Utilities Service Activity

- Rural Broadband Access Loans and Loan Guarantees - proposed rule revisions
  - Broadband Loan Program history
    - Began in 2003
    - 2007 - Revised in response to criticisms about funding competitive areas
    - Final rule published in 2013
    - 2014 Farm Bill suspended the program until additional requirements were met

## RUS Activities

- Rural Broadband Access Loans and Loan Guarantees - proposed rule revisions (cont'd)
  - Revised Rules, General Headings
    - Definitions
    - Substantially Underserved Trust Areas
    - Eligible and Ineligible Loan Purposes
    - Eligibility Requirements
    - Direct Loan Terms
    - Application Review and Underwriting
    - Closing, Servicing and Reporting

## BroadbandUSA

- Guide to Federal Funding of Broadband Projects
- Infrastructure Deployment, Adoption and Digital Literacy, Public Computer Access, Planning, Research, Other
- Examples
  - *Infrastructure Deployment*
    - [FCC CAF, E-Rate RHC](#)
    - [RUS](#) - Broadband Loan Program, SUTA
    - [US Dept of Commerce](#) - Public Works, Economic Adjustment Assistance
    - [US Dept of Housing and Urban Development](#) - Indian Community Development Block Grants, Indian Housing Block Grants
  - *Adoption and Digital Literacy*
    - [US Dept of Housing and Urban Development](#) - Community Development Block Grant, Public Housing Operating Fund
    - Institute of Museum and Library Services, Office of Library Services - Native American Library Services Basic Grants, National Leadership Grants for Libraries

## Conclusion

- Broadband is and will continue to be a focus
  - Where do states fit in?
- FCC activities - help, hurt, both, neither?
- Non-FCC Activities
- Need to differentiate between deployment, affordability, and digital literacy
  - Lifeline findings - price is everything for adoption
- Many common issues with universal voice service
- Advocacy in the new administration will be vital
  - What does the RLEC industry want?