Bandwidth

NTCA **DIGITAL NEWS** DIGEST

May 3, 2024

HELLO COMMISSIONER: *NTCA CEO Shirley Bloomfield and FCC Commissioner Anna Gomez discuss universal service and rural connectivity challenges during the NTCA 2024 Legislative + Policy Conference, which brought nearly 500 NTCA members to Washington this week.*

2024 Legislative + Policy Conference Features Critical Discussions About Universal Service, Broadband Regulation

The NTCA 2024 Legislative + Policy Conference brought nearly 500 NTCA members to Washington, D.C., this week to advocate for federal policies that support sustainable rural broadband connections and to hear from a variety of policymakers and experts on the latest in broadband regulation, affordability, cybersecurity, and deployment challenges.

The conference featured discussions with FCC Commissioner Anna Gomez, Rural Utilities Service Administrator Andy Berke, National Telecommunications and Information Administration (NTIA) Administrator Alan Davidson and Jen Easterly, director of the Cybersecurity and Infrastructure Security Agency. Reps. Bob Latta (R-Ohio), Mark Pocan (D-Wis.), Eric Sorensen (D-Ill.), Dusty Johnson (R-S.D.) and Ben Cline (R-Va.) expressed appreciation to NTCA members for connecting more rural communities before sharing legislative updates and Congressional priorities. Ian Swanson, managing editor of The Hill, gave an election analysis, while Evan Swarztrauber, senior vice president of AxAdvocacy, and Alisa Valentin, broadband policy director at Public Knowledge, debated recent changes in broadband regulation. A panel of Pamela Arluk, vice president and associate general counsel at NCTA–The Internet and Television Association and Caroline Boothe Olsen, director of communications and legislative affairs at INCOMPAS, discussed the future of the Universal Service Fund (USF).

Hundreds of NTCA members participated in meetings with members of Congress and their staff on Tuesday, touching on a plethora of topics important to rural broadband

providers, including building a sustainable USF, net neutrality, and the taxing of broadband grants.

PHOTOS

NTCA and Rural Providers Raise Concerns Over Broadband Data Collection

NTCA staff and representatives of rural broadband providers **met separately** with staff from the offices of FCC Chairwoman Jessica Rosenworcel and Commissioners Brendan Carr and Geoffrey Starks, as well as with staff from the Wireline Competition Bureau, Office of Economics and Analytics and Broadband Data Task Force to raise concerns over the impacts of unreliable Broadband Data Collection (BDC) data and "broadband overreach" on policy and funding decisions made by the commission.

The group urged the commission to make a series of systematic and process-oriented changes related to broadband availability mapping and BDC processes, highlighting eight solutions to address concerns about broadband overreach. Finally, the group discussed the importance of timely action as decisions are being made in short order with long-lasting implications based upon questionable data.

NTCA Applauds Broadband Provisions in Senate Farm Bill

U.S. Senate Agriculture, Nutrition, and Forestry Committee Chairwoman Debbie Stabenow (D-Mich.) on Wednesday **introduced** the Rural Prosperity and Food Security Act (Farm Bill), including several broadband provisions of interest to NTCA. The proposal, which must be reconciled with a companion bill in the U.S. House, among other things:

- Establishes a grant, loan, and grant and loan combination program under the existing U.S. Department of Agriculture's (USDA) ReConnect program for the construction of broadband in rural areas that provide speeds not less than 100-Mbps/100-Mbps.
- Requires eligible projects to provide broadband service of at least 100 Mbps/100 Mbps in areas where at least 75% of the households lack access to broadband service of at least 100 Mbps/20 Mbps.
- Requires the prioritization of projects in areas where at least 90% of the households lack access to broadband

service of at least 100 Mbps/20 Mbps.
- Allows for the prioritization of projects proposing to serve areas with fewer than 10,000 residents, areas isolated from significant population centers, areas with high low-income populations, areas experiencing outmigration, areas with a need for precision agriculture technology, and applicants paying prevailing wages for construction.

The measure also proposes to expand USDA's Community Connect Grant and Distance Learning and Telemedicine programs and to support construction of middle mile infrastructure in rural areas. NTCA CEO Shirley Bloomfield **applauded the bill**, noting the proposed speed standards will help ensure rural consumers can receive the same level of service as those in urban areas, while targeting funding to areas most in need.

Appeals Court Upholds New York Law for $15 Broadband

The U.S. Second Circuit Court of Appeals last week reversed a ruling preventing implementation of New York's Affordable Broadband Act, which requires Internet service providers to offer $15 broadband plans to low-income consumers. NTCA and several other telecom trade groups argued the state law is rate regulation and preempted by federal law.

"We are disappointed by the court's decision and New York state's move for rate regulation in competitive industries," **NTCA said in a statement** with ACA Connects, CTIA, New York State Telecommunications Association, Satellite Broadcasting & Communications Association and USTelecom. "We urge Congress to maintain support for low-income Americans on a nationwide basis."

CREATING JOBS: Dustin Durden, CEO of Pineland Telephone Cooperative, Inc. (Metter, Ga.), Candace Wright, CEO of Blue Valley Tele-Communications (Home, Kan.), and NTCA's Tamber Ray join a meeting of the White House Office of the National Cyber Director about creating pathways to cybersecurity jobs. **Read more from the White House here,** including statements from both companies.

Smart Communities Discuss Broadband Adoption, Affordability, Digital Inclusion

Before heading home, NTCA Smart Rural Community℠ providers in Washington this week joined policymakers, representatives of the Appalachian Regional Commission and American Farm Bureau Federation and other broadband industry leaders for "Smart Communities in Conversation" highlighting locally driven initiatives

that are spurring digital adoption, economic development and community engagement in rural communities.

The event held in conjunction with the NTCA 2024 Legislative + Policy Conference examined the important role community-based providers and their partners play in building, sustaining and advancing rural communities. Sen. Amy Klobuchar (D-Minn.) received the inaugural Smart Rural Community℠ Champion Award for being a passionate advocate for connecting small communities across Minnesota for more than a decade. FCC Commissioner Geoffrey Starks shared perspectives on broadband affordability and universal service, and panelists shared success stories and ideas to help grow more Smart Rural Communities across the country with a live and online audience. A recording of the event is **available on the NTCA website**, and members are encouraged to review it with community partners.

WATCH

PHOTOS

Need to Know

The Universal Service Administrative Co. **released a calculation** of the Budget Control Mechanism for 2024-2025 with an adjustment factor of 1.85% affecting broadband providers who receive Connect America Fund-Broadband Loop Support and High Cost Loop Support.

The window to submit applications in response to the **Notice of Funding Opportunity for the Rural eConnectivity (ReConnect) Program for Fiscal Year 2024** is now open. All applications must be submitted through the Rural Utilities Service online application portal by 11:59 a.m. ET on May 21, 2024.

NTCA **joined a letter** with several other trade associations supporting an amendment to the Securing Growth and Robust Leadership in American Aviation Act to fully fund the FCC's Secure and Trusted Communications Networks Reimbursement ("rip and replace") Program.

Sen. John Fetterman (D-Pa.) **introduced a bill**, supported by NTCA, that would fund the Affordable Connectivity

Program by incorporating it into the Universal Service Fund (USF) and expand the USF contribution base by assessing the revenues of broadband and edge providers. The Senate Commerce Subcommittee on Communications, Media and Broadband also discussed the program during the hearing, **The Future of Broadband Affordability**, on Thursday.

The White House **this week released** a National Security Memorandum to help secure and enhance the resilience of U.S. critical infrastructure. The memorandum replaces a decade-old presidential policy on critical infrastructure.

The Cybersecurity & Infrastructure Security Agency released the blog, "**Under the Digital Radar: Defending Against People's Republic of China's Nation-State Cyber Threats to America's Small Businesses**," outlining its work to defend federal, state, local tribal, and territorial governments and private sector partners from malicious cyber activities emanating from the People's Republic of China (PRC).

NTCA **filed an amicus curae brief** supporting other industry petitioners who are appealing the FCC's recent Digital Discrimination Order, which introduced the potential for sweeping review of independent business decisions. In the filing, NTCA focused on small business impacts, explaining the Infrastructure Investment and Jobs Act does not permit the FCC to impose rate regulation or oversee marketing and advertising of ISPs. NTCA also argued that the FCC standard for economic and technical infeasibility cannot reasonably be met by ISPs.

Power & Telephone Supply Company (Piperton, Tenn.) announced the retirement of Dale Stevenson after 42 years of service, the last 10 as president. The company also announced the promotion of current Chief Operating Officer Matt Spinolo to president and COO.