

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of )  
 )  
Inquiry Concerning Deployment of Advanced ) GN Docket No. 22-270  
Telecommunications Capability to All )  
Americans in a Reasonable and Timely Fashion )

**REPLY COMMENTS OF  
NTCA–THE RURAL BROADBAND ASSOCIATION**

NTCA–The Rural Broadband Association (“NTCA”)<sup>1</sup> hereby submits these reply comments in connection with the Notice of Inquiry (“NOI”) released by the Federal Communications Commission (“Commission”) in the above-captioned proceeding.<sup>2</sup> Commenters overwhelmingly supported the Commission’s proposal to identify 100/20 Mbps as the minimum threshold speed for broadband service, while multiple parties joined NTCA in also encouraging the Commission to aim higher still to anticipate and accommodate evolution in consumers’ usage trends and need for performance capabilities that enable those uses. Commenters also encouraged the Commission to continue treating fixed and mobile services as complementary, noting the very different uses each service enables and consumer demand for both.

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<sup>1</sup> NTCA–The Rural Broadband Association represents approximately 850 community-based companies and cooperatives that provide advanced communications services in rural America and more than 400 other firms that support or are themselves engaged in the provision of such services.

<sup>2</sup> *Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, Sixteenth Broadband Deployment Report Notice of Inquiry*, GN Docket No. 22-270, FCC 23-89 (rel. Nov. 1, 2023) (“NOI”).

Commenters overwhelmingly supported the Commission’s proposal to identify 100/20 Mbps as the minimum threshold for broadband service today, with many also urging the Commission to set longer-term objectives as guideposts for broadband providers and policymakers alike.<sup>3</sup> Indeed, while the 100/20 Mbps standard is an important and critical step forward from the 25/3 Mbps level used since 2015 – and is a benchmark that aligns with the Broadband, Equity, Access and Deployment (“BEAD”) program and the Enhanced Alternative Connect America Model (“E-ACAM”) program speed requirements – individuals and businesses continue to need and subscribe to higher speeds.<sup>4</sup> Rather than concluding that 100/20 Mbps will always remain sufficient, the Commission should anticipate, and should encourage stakeholders to do the same, that demands for fixed broadband Internet service will continue to increase and to keep this evolving and escalating demand in mind even as near-term objectives must be met. As Next Century Cities demonstrated, symmetrical speeds of 100/100 Mbps are already required for some federal and state broadband funding initiatives.<sup>5</sup>

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<sup>3</sup> See Comments of NTCA – The Rural Broadband Ass’n, GN Docket No. 22-270 (Dec. 1, 2023) at p. 3; Comments of the National Rural Electric Cooperative Ass’n (“NRECA”), GN Docket No. 22-270 (Dec. 1, 2023) at p. 4; Comments of the ACAM Broadband Coalition, GN Docket No. 22-270 (Dec. 1, 2023) at p. 1; Comments of Vantage Point Solutions, GN Docket No. 22-270 (Dec. 1, 2023) at pp. 5-6; Comments of ADTRAN, GN Docket No. 22-270 (Dec. 1, 2023) at p. 9.

<sup>4</sup> NTCA’s 2023 Broadband/Internet Availability Survey found that the percentage of customers subscribing to speeds greater than or equal to 25 Mbps has increased steadily in the past five years—from 50% in 2019 to 86% in 2023, while the percentage of customers subscribing to speeds greater than/equal to 100 Mbps but less than 1 Gig also increased by nearly 12% in 2023 (48.5%) compared to 2022 (36.7%). See also Comments of Benton Institute for Broadband & Society, GN Docket No. 22-270 (Dec. 1, 2023) at p. 3 (“the Commission can do more than simply raise the broadband speeds threshold for 2024; rather, the Commission should adopt a methodology to continually set the threshold to mirror market realities.”).

<sup>5</sup> Comments of Next Century Cities, GN Docket No. 22-270 (Dec. 1, 2023) at p. 4.

By contrast, NCTA unfortunately supports a short-term “good enough for now” position, claiming that “adopting a symmetrical benchmark (even one less than 100/100 Mbps) would undermine efforts to close the digital divide by unnecessarily and arbitrarily rendering the minimum deployment speeds required by most major subsidy programs - 100/20 Mbps - as falling short of ‘broadband speeds’ and treating vast swaths of the country that already have access to gigabit speeds as ‘unserved.’”<sup>6</sup> This claim misses the mark, conflating near-term and longer-term objectives and asserting that progress on the former cannot be made simply because of the existence of the latter. The Commission, as well as broadband service providers, are quite capable of achieving a near-term goal of 100/20 Mbps while *also* planning for progress toward a longer-term goal that keeps pace with consumer demand. In fact, this is precisely what prudent and progressive service providers should be doing every day as they plan for, invest in, and operate their networks.

Indeed, NCTA’s claim is belied by the fact that, as INCOMPAS points out, several of the nation’s largest ISPs, including Charter and Comcast, advertise on their websites not only that the lowest tier available is 300 Mbps, but also that a 1 Gig or multi-gig plan is available.<sup>7</sup> There would seem to be no reason then for the Commission not to encourage these very same providers to deliver and build upon these capabilities. Furthermore, NCTA’s concern that “[p]ortions of the county that are now deemed served would no longer be considered served at a 100/100 level [...] could lead to wasteful overbuilding”<sup>8</sup> misses the point of a long-term goal that sits atop the

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<sup>6</sup> Comments of NCTA – The Internet & Television Ass’n (“NCTA”), GN Docket No. 22-270 (Dec. 1, 2023) at p. 11.

<sup>7</sup> Comments of INCOMPAS, GN Docket No. 22-270 (Dec. 1, 2023) at p. 4.

<sup>8</sup> NCTA Comments at p. 11.

designation of a *current benchmark*. Setting a long-term goal does not preclude providers capable of providing only 100/20 Mbps today from securing funds while also considering the capability to meet the demand they will experience from consumers in the future. Nor does setting a longer-term objective result in overbuilding of networks that are capable now of meeting the immediate goal; rather, the immediate objective of 100/20 Mbps *is* the standard that applies now, and there should be no confusion that reliable networks truly capable of such performance will be at risk of program-or policy-driven overbuilding.

Establishing future speed goals also will not create a *de facto* preference for broadband services that use fiber as USTelecom suggested. USTelecom’s assertion that “[t]oday, the only deployed technology capable of providing 1 Gbps/500 Mbps is fiber,”<sup>9</sup> misses the point – the point with the long-term objective is to aim higher for the *future* and drive *future* investment in technology that can meet the speed requirements necessary to meet consumer demand. WISPA’s claim that “the availability of advanced services ... must be measured empirically based on year-over-year advancement rather than by setting artificial *a priori* goals that may be more aspirational than realistic”<sup>10</sup> is similarly misplaced. Finally, NRECA undercuts the notion that anything other than 100/20 Mbps is “aspirational,” pointing out that “[a]ll terrestrial broadband technologies being deployed today, whether it be fiber, coax, or fixed wireless architecture, have symmetrical 100 Mbps capability, making the standard technology-neutral.”<sup>11</sup>

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<sup>9</sup> Comments of USTelecom – The Broadband Ass’n, GN Docket No. 22-270 (Dec. 1, 2023) at p. 3.

<sup>10</sup> Comments of WISPA – Broadband Without Boundaries, GN Docket No. 22-270 (Dec. 1, 2023) at p. 4.

<sup>11</sup> NRECA Comments at p. 4.

Even with this as the backdrop, NTCA is not suggesting that the Commission should set the broadband speed standard at anything other than 100/20 Mbps today; measuring progress against the standard set for BEAD/E-ACAM is important, but the Commission should adopt policies not just on where we are now but also on where we need to be.<sup>12</sup> For similar reasons, the Commission should reject the SpaceX assertion that “[b]ecause satellite and other spectrum has not been allocated symmetrically, a symmetrical speed requirement is necessarily not technology-neutral.”<sup>13</sup> This is nothing more than an argument for coddling the limitations of certain service platforms, turning “technological neutrality” into “quality neutrality” and, as NTCA noted in initial comments, settling for “good enough.”

In the end, the focus should be on consumer demand and experience and the advancement of the broadband marketplace rather than upon the limitations that make certain providers eager to define the market downward. For example, as the Fiber Broadband Association commented, “[f]iber not only provides the performance that supports the enormous data flows engendered by video transmissions and other innovative applications that consumers rely on today, but it will meet these needs for decades to come, including for 5G/6G, Quantum Networks, metaverse applications, and smart grid modernization.”<sup>14</sup> More specifically, as described by NTCA, wireless communications services must connect to wireline facilities for backhaul, and the more robust the wireline backhaul, the more reliable the speeds available to

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<sup>12</sup> See, e.g., “‘Just Good Enough’ Broadband Isn’t Good Enough,” by Shirley Bloomfield, CEO, NTCA, available at <https://www.ntca.org/ruralischool/newsroom/just-good-enough-broadband-isnt-good-enough>.

<sup>13</sup> Comments of Space X, GN Docket No. 22-270 (fil. Dec. 1, 2023), p. 6.

<sup>14</sup> Comments of The Fiber Broadband Ass’n (“FBA”), GN Docket No. 22-270 (Dec. 1, 2023) at p. 11.

wireless customers will be.<sup>15</sup> Thus, setting a long-term higher speed goal in the instant proceeding will help drive the investment needed for consumers of all types of services to continue to have access to broadband Internet services capable of meeting their needs, whether employment, academic, healthcare, or anything else.<sup>16</sup>

Turning to perspectives on fixed and mobile service availability, the ways in which individuals and businesses have come to rely on broadband necessitates that the Commission continue to treat mobile and fixed broadband services as complementary. INCOMPAS, for example, pointed out that fixed and mobile services “continue to meet different consumer expectations, and most consumers prefer to have both fixed and mobile services.”<sup>17</sup> Using mobile services to complete homework assignments or to complete applications for broadband grants is as unpreferable as using a computer to take and send photos, for instance. Both types of services can be used for the intended purpose, but doing so is challenging at best, leading consumers and businesses to rely upon both types of technologies for different uses.

In summary, providers of all types and sizes are offering speeds at or greater than 100/20 Mbps on a widespread basis (even as there is more work to do to reach remaining unserved Americans), and consumers are already migrating to 100/20 Mbps or faster speeds. Thus, while 100/20 Mbps has rightly been identified as sufficient for purposes of BEAD and E-ACAM, the Commission through the *NOI* correctly recognizes that longer-term goals are helpful to ensure speeds will continue to match consumers’ needs over time. Accordingly, while NTCA supports

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<sup>15</sup> See NTCA Comments at p. 6.

<sup>16</sup> "By settling on a 100/20 Mbps benchmark, the Commission is ignoring the advanced telecommunications capability - gigabit symmetric - that [broadband service providers] are offering and consumers are selecting today and will certainly opt for tomorrow." FBA Comments at p. 13.

<sup>17</sup> INCOMPAS Comments at pp. 8-9.

adoption of a 100/20 Mbps speed threshold in the instant proceeding, the association supports the establishment of a longer-term objective as well, while also urging the Commission to continue to view fixed and mobile services as complementary.

Respectfully submitted,



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