

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

In the Matter of)	
)	
Establishing the Digital Opportunity Data Collection)	WC Docket No. 19-195
)	
Modernizing the FCC Form 477 Data Program)	WC Docket No. 11-10
)	

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



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I. INTRODUCTION AND SUMMARY

NTCA–The Rural Broadband Association (“NTCA”)¹ hereby submits these reply comments discussing the response to the Fourth Further Notice of Proposed Rulemaking issued by the Federal Communications Commission (“Commission”) in the above-captioned proceedings.² The *Fourth Further Notice* seeks comment on several proposed amendments to the Commission’s Broadband Data Collection (“BDC”) rules.

The lack of sufficient technical standards to govern Internet Service Providers’ (“ISPs”) initial BDC reporting is contributing to overstated and/or inaccurate coverage claims appearing on the National Broadband Map (“NBM”). It is not enough to celebrate incremental improvements, especially when those must often come through repeated and burdensome efforts to challenge coverage claims and the hard work of Commission staff and other stakeholders

¹ NTCA is an industry association composed of approximately 850 community-based companies and cooperatives that provide advanced communications services in rural America and more than 400 other firms that support or themselves are engaged in the provision of such services.

² *Establishing the Digital Opportunity Data Collection*, WC Docket No. 19-195, *Modernizing the FCC Form 477 Data*, WC Docket No. 11-10, Fourth Report and Order, Declaratory Ruling, and Fourth Further Notice of Proposed Rulemaking, FCC 24-72 (rel. Jul. 12, 2024) (“*Fourth Further Notice*,” or “*Declaratory Ruling*” as applicable).

alike. Instead, the Commission should adopt more robust technical reporting standards that any ISP must meet – regardless of network technology, but tailored of course for each network technology – in order to plausibly claim coverage at specific levels of performance (e.g., speed and latency) across a given geography. These must replace current rules that passively accept limited back-up documentation for claims of coverage that are based upon nothing more than advertised speeds and marketing claims. While the limited *Fourth Further Notice* proposal to gather certain information from fixed wireless providers specifically could be helpful, more must be done to prevent persistent coverage overstatements by all providers from being permanently ensconced within the NBM. Critical funding decisions for everything from the Broadband Equity, Access, and Deployment (“BEAD”) Program to the Universal Service Fund (“USF”) will soon be made and will turn in many respects upon the NBM. The Commission must therefore engage now in a holistic review of processes intended to promote accurate mapping data and that are failing to so do.

For the same reasons, the Commission should reject assertions that the reporting standards it proposes for satellite providers somehow single out these ISPs in a “unique” fashion. To the contrary, the *Fourth Further Notice* proposals for this class of ISPs represent a necessary step to help ensure that better reporting standards for all types of providers are tailored to how their service is delivered, and thus would promote technological neutrality as well as accuracy in availability reporting.

The record does not support the *Fourth Further Notice* proposal to amend its Broadband Service Location (“BSL”) Fabric challenge notification rules. This proposal would undermine the clarity that providers need as to the number and status of BSLs within their service areas.

The record provides the Commission with no basis to eliminate the professional engineering (“PE”) certification rules. No evidence has ever been brought forth that ISPs as a whole cannot comply with this requirement.

Finally, the Commission should proceed with caution with respect to proposals to amend its location restoration rules. Proposals found in the record could undermine the accuracy of the map and undermine the work challengers have done to ferret out inaccuracies in the map.

II. BETTER TECHNICAL STANDARDS ARE NEEDED TO VALIDATE THE CAPABILITIES OF ALL NETWORKS REPORTING COVERAGE THROUGH THE BROADBAND DATA COLLECTION.

NTCA members continue to see highly suspect coverage claims in some of the areas they serve.³ Yet, persistent flaws within the BDC reporting and verification processes fail to prevent these claims from appearing on the BDC in the first place. More specifically, rather than creating parameters around the extent of coverage that can be claimed in the first instance, current BDC reporting rules permit the reporting of claims based upon advertised speeds and passively accept limited back-up documentation for claims of coverage, and thus these rules hinder meaningful verification.

To correct this fundamental flaw in BDC reporting rules, the Commission should establish, **for each technology**, specific technical standards that an ISP must meet in order to plausibly claim coverage at specific levels of performance (e.g., speed and latency) across a

³ Comments of NTCA–The Rural Broadband Association, WC Docket Nos. 19-195, 11-10 (fil. Oct. 7, 2024), p. 4; NTCA *ex parte* letter, WC Docket No. 19-195 (fil. May 2, 2024), Attachment B, pp. 7-10, 14-16. In a presentation to Commission staff on this issue, NTCA highlighted BDC reporting from an ISP claiming to serve a large geographic area that includes significant portions of rural Iowa, Minnesota, and South Dakota and at speeds of 150/50 Mbps. Speed test data and NTCA members’ bulk availability challenges called these claims into question. In a similar manner, NTCA highlighted claims by another ISP claiming to serve a large portion of Iowa and Nebraska, and discussed as well how reported speeds failed to match what the provider advertised to potential subscribers. Attachment B available at: <https://www.fcc.gov/ecfs/document/1050212166523/2>.

given geography. However, even as the *Fourth Further Notice* seeks comment on how to “better verify terrestrial fixed wireless service availability data submitted in the BDC,”⁴ the only specific proposal to do so in the item is the collection of certain “licensing” data from these providers. As the *Fourth Further Notice* states, adoption of this proposal would help identify overreaching claims of coverage because “service availability would be invalid if the service provider’s operations were unauthorized.”⁵

NTCA submits that more must be done across the board to improve the standards for reporting by all providers using all kinds of technologies; this limited proposal to gather certain information from fixed wireless providers specifically could be helpful, but it is hardly sufficient standing alone. It is telling, however, that even just this limited proposal from the *Fourth Further Notice* is largely opposed by fixed wireless provider interests. In particular, some parties claim that this proposal is unnecessary because the Commission already possesses some of this information generally for other purposes and because current BDC audit and verification processes are already sufficient to address concerns about overstatements of coverage based on unauthorized operations.⁶ Yet, whether the goal is to narrowly address concerns with respect to

⁴ *Fourth Further Notice*, ¶ 58.

⁵ *Id.*, ¶ 62 (“Collecting this information will provide the most direct way to verify the permissibility of these operations, as it will allow staff to compare the reported coverage with the geographic areas associated with spectrum licenses or leases, as well as any transmitter locations, in ULS. If a BDC coverage area is found to be incongruous with the geographic area associated with the provisioning authorization(s) as assessed via call sign data, this may prompt further review by staff, form a credible basis for a verification request, or potentially trigger a future audit.”).

⁶ *See e.g.* Comments of USTelecom, WC Docket Nos. 19-195, 11-10 (fil. Oct. 7, 2024), p. 4 (stating that “the Commission has other existing tools that would more effectively address claims of substantial coverage discrepancy without adding to the already substantial filing requirements. To the extent the Commission has any concerns about potential claims of service availability based on unauthorized operations in any providers’ biannual submissions, it can use its existing audit and verification processes to investigate and address these concerns.”); *See also* Comments of T-Mobile USA, Inc (“T-Mobile”), WC Docket Nos. 19-195, 11-10 (fil. Oct. 7, 2024), pp. 11-14; Comments of CTIA, WC Docket Nos. 19-

service providers’ coverage claims based on unauthorized operations – or whether the aim is instead to address more broadly continuing concerns about the lack of reliability in reporting – BDC reporting and verification processes must be enhanced. The adoption of better technical standards for all of the various network platforms that are used to deliver broadband services is the most efficient and effective method for doing so. To be clear, NTCA does not oppose the *Fourth Further Notice* proposal as a general matter; any additional reporting standards that tie availability reporting to the actual infrastructure/licensed assets that a provider has access to are a welcome and helpful step. *Yet, this step is too small still, as it addresses only a narrow sliver of an overall larger problem.* Even as availability reporting based on authorized spectrum use can and should be addressed specifically, a course correction that includes the further steps described above and in greater detail in NTCA’s initial comments is urgently needed as well.⁷ The iterative

195, 11-10 (fil. Oct. 7, 2024), pp. 14-16; Comments of WISPA – The Association for Broadband Without Boundaries (“WISPA”), WC Docket Nos. 19-195, 11-10 (fil. Oct. 7, 2024), pp. 2-3 (stating that the proposal is “reasonable” but that this information “would not provide the Commission with direct information to verify coverage, as it would just be an equipment list that would require the provider to expend time creating.” As WISPA goes on to note, a “better alternative would be for the provider to report the unlicensed spectrum band(s) it is using at a particular location.”).

⁷ Comments of NTCA–The Rural Broadband Association (“NTCA”), WC Docket Nos. 19-195, 11-10 (fil. Oct. 7, 2024), pp. 3-9. As one example, in the case of fixed wireless providers, these objective technical standards should be tied to the spectrum band(s) used as well as physical infrastructure already in place (such as towers, antennas and backhaul), and the standards should specify assumptions as to oversubscription and the reach of various spectrum bands. The fixed wireless provider would then provide reasonable documentation indicating how it satisfies such standards (e.g., the amount of spectrum it has in a sector and its own propagation assumptions) that would be used to validate that the claimed level of performance is realistic and achievable based upon the standards the Commission has adopted. In initial comments, in addition to the technical standards discussed in this section, NTCA proposed: (1) closing the “CSV” reporting loophole that only requires certain infrastructure data accompany BDC submissions if coverage maps versus lists of locations are filed; (2) granting would-be challengers access to key data such as propagation models used, base station locations and height for the purposes of preparing and filing challenges (under protective order); (3) allowing challengers submit statistically valid samples of speed tests as part of bulk availability challenges that in turn trigger further Commission review of what appears to be overstated coverage claims; and (4) the assessment of meaningful forfeitures in the case of chronic and/or widespread overstatements of coverage followed by public notice of the results of investigations.

improvement of the NBM is welcome to be sure, and the Commission deserves credit for its development. But several cycles in, it is time for a more critical and probing look at process improvement, and the standards by which providers report stand out as warranting review and enhancement.

III. THE COMMISSION SHOULD REJECT THE ASSERTION THAT ADOPTING REPORTING STANDARDS FOR SATELLITE PROVIDERS – INTENDED TO ENSURE AVAILABILITY REPORTING MATCHES ACTUAL NETWORK CAPABILITY – WOULD BE “ARBITRARY AND CAPRICIOUS.”

For the same reasons noted above with respect to the need for enhanced technical standards for reporting with respect to the use of all terrestrial technologies, the Commission should adopt the *Fourth Further Notice* proposal to require satellite providers’ submissions of mapping data to include the supporting data as found in Section 2.3 of the BDC Verification Specifications dated February, 2024.⁸ As an initial matter, Space X misses the mark in asserting that the *Fourth Further Notice* opens a line of inquiry “unique to satellite providers.”⁹ For one, the *Fourth Further Notice* seeks comment on fixed wireless providers’ reporting standards as well,¹⁰ and the Commission has consistently since 2019 sought comment on reporting and verification standards for providers utilizing technologies of all kinds and has sought to adopt standards tailored to a specific technology.¹¹ Applying standards to every technology but

⁸ *Fourth Further Notice*, ¶ 70.

⁹ Comments of Space X, WC Docket Nos. 19-195, 11-10 (fil. Oct. 7, 2024), p. 1.

¹⁰ *Fourth Further Notice*, ¶ 58.

¹¹ See *Establishing the Digital Opportunity Data Collection*, WC Docket No. 19-195, *Modernizing the FCC Form 477 Data*, WC Docket No. 11-10, Report and Order and Second Further Notice of Proposed Rulemaking, FCC 19-79 (rel. Aug. 19, 2019), ¶ 79 (“We seek comment on whether Commission staff should prescribe rules for reporting fixed wired broadband deployment that will provide consistently reliable results for similarly-situated filers? For example, should we establish fixed buffers around network facilities to define coverage for specific fixed technologies (e.g., 200-meter buffers around the

tailoring them to each technology platform and to account for their differences is entirely consistent with the concept of technological neutrality. On the other hand, an approach that applies *no standards* to one class of providers, such as satellite, would merely grant one group of ISPs license to “self-define” availability. Indeed, as the *Fourth Further Notice* indicates, data on satellite availability is unreliable in at least one critical context,¹² and thus it would seem likely that the lack of standards contributes to this.

While Space X pushes back on the *Fourth Further Notice* by pointing to the “dynamism of next-generation satellites to respond to capacity needs as they arise,”¹³ this misses the point of the specific information (including “capacity” data) that the Commission proposes to collect.¹⁴ Space X apparently wants the “capacity” question to be only about whether an ISP has the ability to dynamically serve incremental customer interest. But the question the NBM needs to address is the degree to which any reporting provider – regardless of technology – can realistically serve every location claimed if those locations were to order service. Oversubscription and peak usage constraints, for example, must be taken into account by any responsible operator in determining

location of distribution or coaxial plant)? Would this promote consistency and reliability among submissions?”).

¹² *Fourth Further Notice*, ¶ 69 (“In the context of recent reports under section 706 of the Communications Act, the Commission has found that both FCC Form 477 deployment data and BDC service availability data for satellite broadband service may overstate the extent to which satellite broadband service is available. Given this, and the relatively low subscription rate and capacity limitations for satellite services indicated by available FCC Form 477 data, the Commission declined to include in its analysis of fixed broadband service availability any data on satellite services.”) (internal citations and quotations omitted).

¹³ SpaceX, p. 3.

¹⁴ *Fourth Further Notice*, ¶ 72 (“We propose to require satellite providers to submit all of the information requested in sections 2.3.1 and 2.3.2 of the BDC Infrastructure Data Specifications (as applicable, depending upon the satellite system type), as well as the capacity data in section 2.3.4 for each state or territory for which the provider claims to make service available as part of its BDC filing. We do not propose requiring satellite providers to submit system capacity information on a county-by-county basis.”).

what it can serve as a practical matter. Indeed, this is exactly what the Commission proposal aims to capture, seeking data that enables it to determine the extent of such capability on satellite networks.

Stepping back, and taking account of the same arguments made in the preceding section of these replies, the Commission should remain focused on the technologically neutral idea that detailed and commonly applied reporting standards for the BDC should apply to *all* providers – regardless of platform. The Commission adopting tailored standards for satellite providers just as they should for fixed wireless operators or wireline providers would no more violate the concept of technological neutrality than such action would be “arbitrary and capricious.”

IV. THE RECORD DOES NOT SUPPORT THE *FOURTH FURTHER NOTICE* PROPOSAL TO ELIMINATE FABRIC CHALLENGE NOTIFICATIONS AND THE ABILITY TO RESPOND TO SUCH CHALLENGES.

The *Fourth Further Notice* proposes to eliminate the notifications that providers receive when a Fabric challenge has been filed against it and accepted, as well as the opportunity currently available to respond to these challenges.¹⁵ Like NTCA, ACA Connects states that this would only undermine efforts to promote accuracy in the Fabric “at least insofar as it would deny providers the opportunity to learn the outcomes of their fabric challenges until the next version of the fabric is released.”¹⁶ NTCA in initial comments discussed a related concern, noting that limiting “providers’ ability to know when other entities’ challenges in their service areas have been accepted and to respond to evidence submitted by that challenging party would result in

¹⁵ *Id.*, ¶ 90.

¹⁶ Comments of ACA Connects – America’s Communications Association (“ACA Connects”), WC Docket Nos. 19-195, 11-10 (fil. Oct. 7, 2024), p. 8.

discovery of such changes only upon the publishing of a new Fabric version. In such cases, the only recourse would be to then file their own challenges to correct these mistakes.”¹⁷ As both NTCA¹⁸ and ACA Connects¹⁹ have noted, the Fabric challenge process is already lacking in transparency, and the Commission should not take a step back from the limited transparency that exists currently.

While supporting the proposal to eliminate these notifications, USTelecom notes the value of providers having “clarity on changes that have been made to each successive version of the Fabric so that their filings can be as accurate as possible.”²⁰ “Clarity” is indeed critical to accuracy; yet notice is equally critical and as NTCA and ACA Connects have demonstrated, the current lack of notice in certain instances leaves providers with little clarity as to why a Fabric challenge result went one way or the other. What the Commission proposes to do now is eliminate a notification sent to a provider in the wake of a Fabric challenge filed by a third party that is in turn accepted by the Commission, as well as the opportunity for that provider to respond and dispute evidence filed by the challenger.²¹ In these cases, BSLs could be removed

¹⁷ NTCA, p. 12.

¹⁸ *Id.*, pp. 11-12 (“Under existing rules, NTCA members frequently report that the Fabric challenge process lacks transparency and communication – in fact, as NTCA recently noted in this proceeding with respect to challenges these providers themselves file, there appears to be little to no communication as to whether a Fabric challenge has been accepted after filing.”) Internal citations and quotations omitted.

¹⁹ ACA Connects, p. 8 (stating that “ACA Connects Members report instances where challenges to add locations to the fabric have been denied, even though the Member submitted evidence that it offers service and has an active service history at the location. By denying providers an opportunity to address such oversights once again until a new version of the fabric is published, the Commission risks “doubling down” on the publication of inaccurate fabric data that would then stand for at least another six months, despite evidence of the error having been brought to the Commission’s and CostQuest’s attention months earlier”).

²⁰ USTelecom, p. 6.

²¹ 47 C.F.R. § 1.7006(d) states as follows: “Fixed service challenge process. State, local, and Tribal governmental entities, consumers, and other entities or individuals may submit data in an online portal to

from a provider’s service area and the provider would only obtain the “clarity” that USTelecom seeks upon the next publication of the Fabric.

V. THE COMMISSION SHOULD RETAIN THE PROFESSIONAL ENGINEERING CERTIFICATION REQUIREMENT.

The record in this proceeding provides no reasonable evidentiary basis upon which to conclude that ISPs as a group are unable to comply with the requirement that a PE certify BDC submissions if not submitted by a corporate engineering officer.²² A brief look back at the history of this provision is instructive. Adopted in 2021,²³ the Commission has on two separate occasions issued a waiver²⁴ based upon assertions that, “a scarcity of licensed PEs in the RF community” made compliance with the rule challenging.²⁵ At no time has the Commission

challenge the accuracy of the coverage maps at a particular location, any information submitted by a provider regarding the availability of broadband internet access service, or the Fabric.” Section 1.7006(d)(2) of this provision states that the “online portal shall alert a provider if there has been a challenge with all required elements submitted against it.” Section 1.7006(d)(9) states that, for “challenges to the Fabric, after a challenge has been filed containing the required information in paragraph (d)(1) of this section, the provider will receive a notice of the challenge from the online portal and can respond to the challenge in the online portal.” The *Fourth Further Notice* proposes to eliminate these provisions.

²² *Fourth Further Notice*, ¶ 95 (seeking comment on eliminating “the requirement in our rules that parties submitting verified broadband data in the BDC provide a certification by a licensed professional engineer if not submitted by a corporate engineering officer.”).

²³ *Establishing the Digital Opportunity Data Collection*; WC Docket No. 19-195; *Modernizing the FCC Form 477 Data Program*, WC Docket No. 11-10, Third Report and Order, FCC 21-20 (rel. Jan. 19, 2021), ¶¶ 42-46.

²⁴ *Establishing the Digital Opportunity Data Collection*; *Competitive Carriers Association Petition for Declaratory Ruling or Limited Waiver Regarding the Requirement for a Certified Professional Engineer to Certify Broadband Data Collection Maps*, WC Docket No. 19-195, Declaratory Ruling and Limited Waiver, DA 22-733 (rel. Jul. 8, 2022); *Establishing the Digital Opportunity Data Collection*; *Competitive Carriers Association and USTelecom – The Broadband Association Petition for Extension of Waiver Regarding the Requirement for a Certified Professional Engineer to Certify Broadband Data Collection Maps*, WC Docket No. 19-195, Order, DA 23-1123 (rel. Nov. 30, 2023).

²⁵ Petition of Competitive Carriers Association (CCA) for Declaratory Ruling or Limited Waiver, WC Docket No. 19-195 at 8-9 (filed May 13, 2022).

received meaningful evidence or documentation to back up these assertions. Rather, bald assertions of a general industry-wide inability to comply with the PE requirement have been made by those seeking a waiver and have been accepted as sufficient.

As NTCA noted in initial comments, “[e]ven if the Commission has thus far accepted assertions as to the inability to retain a PE and issued blanket waivers twice previously, it should expect those facing that problem several years ago to have planned ahead or to at least present more particularized evidence of such challenges.”²⁶ Yet the record in response to the *Fourth Further Notice* falls far short of such a showing, repeating nothing more than bald assertions of the continued “scarcity of PE’s in the RF community.”²⁷ At the very least, by the third time around and after several years of “trying,” the Commission should expect those claiming a continued inability to comply with the requirement to come forward with some evidence documenting the alleged shortage of PEs.

As the *Fourth Further Notice* acknowledges, the Commission has “explained that the purpose of the engineering certification is to ensur[e] the accuracy of coverage maps and that

²⁶ NTCA, p. 14.

²⁷ Comments of CCA, WC Docket Nos. 19-195, 11-10 (fil. Oct. 7, 2024), p. 5 (“The lack of RF engineers with PE licenses continues to be very limited and would still present a significant challenge for BDC filers today.”); Comments of WISPA – *The Association for Broadband Without Boundaries* (“WISPA”), WC Docket Nos. 19-195, 11-10 (fil. Oct. 7, 2024), p. 4; T-Mobile, p. 15 (“The Commission’s proposal recognizes the realities of the ongoing shortage of licensed PEs with expertise in RF engineering and broadband network design, and avoids the need for future waivers to address this workforce limitation.”); USTelecom, p. 6 (“It remains true that so few companies can afford to employ a PE, and that there are not enough skilled PE’s available to ensure that providers can meet this obligation.”); CTIA, p. 19 (“Given the continuing shortage of licensed PEs with expertise in Radio Frequency (“RF”) engineering and broadband network design, permanently eliminating the PE certification requirement would provide certainty to providers regarding their certification obligations and avoid the need to continue using piecemeal waivers to address this persistent feature of the broadband industry and RF engineering workforce”).

they be based on data that are consistent with professional engineering standards.”²⁸ Particularly in the absence of more robust technical reporting standards that form the basis of availability reporting on the front-end, the PE certification can serve as a valuable check on overstated coverage claims being made in the first instance. Thus, the Commission should at the very least reinstate the provision for one reporting cycle subject to a streamlined, evidence-based waiver process. Those ISPs unable to comply and able to demonstrate their difficulty in procuring the help of a PE should be granted a waiver based upon individual circumstances and evidence of failed efforts to find a PE.

VI. THE RECORD DOES NOT SUPPORT CALLS FOR THE COMMISSION TO RELAX THE LOCATION RESTORATION PROCESS STANDARDS.

Addressing the *Fourth Further Notice* inquiries on data requirements for restoration of locations lost or conceded to challenges,²⁹ a few parties propose steps intended to reduce the burden this process imposes on providers. First, while couched as a “*de minimis*” threshold, the CTIA proposal to amend the fixed wireless restoration process rules and allow “providers to restore up to 2% of the locations in the provider’s BDC filing in each state without submitting additional data”³⁰ should be rejected as anything but *de minimis*. Pursuant this proposal, a large fixed wireless provider could restore dozens if not hundreds of locations previously removed from the NBM within a state in the wake of a successful challenge and without providing *any* evidence that it can now serve those locations. Tellingly, CTIA has presented no evidence that the restoration process recently established by the *Declaratory Ruling* or the data specifications

²⁸ *Fourth Further Notice*, ¶ 96. Internal citations and quotations omitted.

²⁹ *Id.*, ¶¶ 110-114.

³⁰ CTIA, pp. 4-5.

delegated to Office of Economics and Analytics, et al., and not yet even adopted,³¹ are overly burdensome such that adoption of the *de minimis* proposal is even necessary.

Second, the Commission should take a highly skeptical view of the T-Mobile discussion on location restoration. Noting that its “fixed wireless service is available where there is excess capacity in its mobile network,” T-Mobile states that for its networks and “other providers’ wireless networks, a snapshot will almost immediately be out of date as a provider’s ability to serve a given location depends on its capacity to add subscribers at that location to the network, as well as the availability of additional spectrum resources, assets, and infrastructure sites.”³²

While this may be true – and the NBM is in *all* respects a snapshot in time of course – accepting this as a governing principle for any BDC rules and using it as an excuse for overriding prior challenges should be rejected. Any BDC rules – whether for initial reporting or for location restoration purposes – should be based upon the degree to a fixed wireless provider can realistically serve every location claimed if those locations were to order service. T-Mobile thus highlights the urgent need for technical standards that underpin *any* reporting and operate in the place of letting any ISPs’ ability to dynamically serve incremental customer interest operate as the driving factor. These technical standard should govern initial availability reporting as well as the restoration of locations removed, for any purpose,³³ in the wake of a challenge, to reduce the risk of overstated coverage in the first instance and as well as the potential for perpetuating such

³¹ *Declaratory Ruling*, ¶ 44.

³² T-Mobile, p. 5.

³³ T-Mobile’s discussion of the dynamic nature of its network is made in the specific context of the location restoration process in the wake of “concede, service change” removals of locations. That said, even the restoration of locations for this limited purpose should be governed on the realistic assessment of ISP’s ability to serve a location every location that seeks to take the providers’ service.

claims even after these are revealed on and removed from the map through verification and challenge processes.

VII. CONCLUSION

For all of the reasons discussed above, NTCA respectfully requests that the Commission proceed consistent with the recommendations set forth herein.

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