

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of )  
)  
Protecting Against National Security ) ET Docket No. 21-232  
Threats to the Communications Supply )  
Chain through the Equipment )  
Authorization Program )  
)  
Petition for Expedited Waiver to Permit )  
Targeted Class I and Class II Permissive )  
Hardware Changes to Covered Routes )  
)  
To: Chief, Office of Engineering and  
Technology

**PETITION FOR EXPEDITED WAIVER  
OF  
NTCA–THE RURAL BROADBAND ASSOCIATION AND  
AMERICA’S COMMUNICATIONS ASSOCIATION–ACA CONNECTS**

**I. INTRODUCTION**

Pursuant to Section 1.3 of the Federal Communications Commission (the “Commission”) rules,<sup>1</sup> NTCA–The Rural Broadband Association (“NTCA”)<sup>2</sup> and America’s Communications Association (“ACA Connects”)<sup>3</sup> respectfully file this Petition for Expedited Waiver of Sections 2.932(b) and 2.1043(b) of the Commission’s rules<sup>4</sup> to allow suppliers of consumer-grade routers produced in foreign countries that are used by NTCA and ACA Connects’ members to make

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<sup>1</sup> 47 C.F.R. § 1.3.

<sup>2</sup> 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

<sup>3</sup> ACA Connects is a trade organization representing approximately 500 small and medium-sized, independent companies that provide high-speed internet, video, phone, and mobile services covering nearly 30 million households.

<sup>4</sup> 47 C.F.R. §§ 2.932(b) and 2.1043(b).

certain Class I and Class II permissive changes to previously certified routers. Specifically, NTCA and ACA Connects request that members' suppliers be permitted to make hardware Class I and Class II permissive changes to previously certified routers that are now on the Covered List,<sup>5</sup> including substrate materials, memory modules, and end-of-life components, including diodes, crystals, and inductors, as well as functionally equivalent non-RF passive components, timing-support elements, power-management parts, connectors, mechanical components, thermal materials, and related board-layout adjustments as identified by Semcomm and USTelecom.<sup>6</sup> As noted by others in this docket, these changes would fall within Class I or Class II treatment, would not expand functionality or RF capability, and would prevent avoidable disruption to broadband equipment supply and service continuity. The Commission has already recognized the need to allow Class I and Class II permissive hardware changes for previously certified routers in Orders approving similar waiver requests by similarly situated entities. NTCA and ACA Connects seek equal treatment on this matter.

Consumer-grade routers are critical to NTCA's and ACA Connects' members' provision of residential broadband service. Absent a waiver allowing certain permissive hardware changes to such routers, members could face a shortage of permissible routers due to the recent addition of such routers to the Covered List, compounded by the current memory and component shortages in the global market. This waiver is also critical to NTCA members' and many ACA Connects members' ability to comply with the annual Universal Service Fund certification that

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<sup>5</sup> See 47 C.F.R. § 1.50002. See also Secure and Trusted Communications Networks Act of 2019, Pub. L. No. 116-124, 133 Stat. 158 (2020) (codified as amended at 47 U.S.C. §§ 1601–1609).

<sup>6</sup> See *Sercomm Petition for Expedited Waiver of Sections 2.932(b) and 2.1043(b) of the Commission's Rules to Permit Targeted Class I and Class II Permissive Hardware Changes to Covered Routers*, Order, DA 26-572 (June 9, 2026) ("*Sercomm Order*").

no federal subsidies are used to purchase, obtain, or maintain any covered equipment or services.<sup>7</sup>

Accordingly, grant of this waiver would provide necessary assurance to NTCA's and ACA Connects' members of the ongoing availability of routers, while allowing time for members' equipment suppliers to relocate router production to the United States. Expedited grant of this waiver is warranted to avoid unnecessary burdens and costs that would be caused by a shortage of authorized routers or an inability to make the modifications described herein without risk of violating Commission rules. Grant of this waiver will also help further the Commission's goal of expanding broadband service throughout the country by ensuring NTCA members can continue serving new customers, all without harm to national security or public safety.

## **II. DISCUSSION**

NTCA members include approximately 850 independent, community-based broadband providers that promote innovation in rural and small-town America. These small rural providers serve customers in 44 states, covering about one third of the nation's landmass. NTCA members have worked for decades to invest in our nation's future by deploying essential state-of-the-art, advanced communications infrastructure in the most rural, hard-to-reach areas of the country. On average, NTCA members had 5,988 residential fixed broadband connections in service in 2025, up from an average of 5,257 in 2024.<sup>8</sup>

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<sup>7</sup> 47 C.F.R. §§ 54.9, 54.10.

<sup>8</sup> NTCA 2025 Broadband/Internet Availability Survey Report (Dec. 2025), p. 3, *available at* <https://www.ntca.org/sites/default/files/documents/2025-12/2025BroadbandInternetAvailabilityReport.pdf> (last visited June 18, 2026).

ACA Connects' members include about 500 independent communications providers who serve customers in all 50 states, delivering fixed broadband, cable, and digital phone services. ACA Connects members offer connectivity to about 30 million households, nearly one-quarter of all households in the United States. This includes nearly six-million households in rural communities.

On March 23, 2026, the Commission released a Public Notice announcing that routers produced in foreign countries had been determined to pose an unacceptable risk to national security and public safety.<sup>9</sup> Based on this determination, the Commission added all consumer-grade routers produced in foreign countries to the Covered List while at the same time providing instructions on how equipment manufacturers could seek Conditional Approval to continue producing routers outside of the United States.<sup>10</sup> Notably, the addition of routers produced in foreign countries to the Covered List came without notice, leaving NTCA and ACA Connects members without any opportunity to plan in advance to have an adequate supply of previously authorized routers or even to determine whether alternative permissible routers are or would soon be available. Consistent with Commission rules and policies, broadband providers of all sizes continue to rely extensively on authorized foreign-produced routers to serve customers. Smaller providers with limited resources represented by NTCA and ACA Connects would be disproportionately burdened if access to these routers were disrupted due to supply-chain shortages beyond the control of any member or its suppliers.

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<sup>9</sup> *FCC's Public Safety and Homeland Security Bureau Announces Addition of Routers Produced in Foreign Countries to FCC Covered List*, Public Notice, DA 26-278 (PSHSB Mar. 23, 2026).

<sup>10</sup> *FCC Updates Covered List to Include Foreign-Made Consumer Routers, Prohibiting Approval of New Models*, News Release (Mar. 23, 2026).

The Commission's rules may be waived for good cause shown.<sup>11</sup> Waiver of the Commission's rules is appropriate if: (1) special circumstances warrant a deviation from the general rule, and (2) such deviation will serve the public interest.<sup>12</sup> Furthermore, a rule may be waived where the particular facts make strict compliance inconsistent with the public interest.<sup>13</sup> The Commission may also consider hardship, the promotion of equitable outcomes, and/or more effective implementation of rules.<sup>14</sup> Based on these guiding criteria, grant of the requested waiver is appropriate.

**A. Grant of the Waiver would Prevent Hardship**

Residential subscribers to NTCA and ACA Connects members' broadband service use consumer-grade routers provided by members to access the internet. NTCA and ACA Connects members in turn rely upon multiple suppliers to ensure an adequate supply of consumer-grade routers compatible with members' networks to serve new residential customers and to replace existing residential customers' routers as needed. The addition of consumer-grade routers produced in foreign countries to the Covered List places a significant restriction on members' ability to ensure they will have the routers necessary to continue expanding their residential broadband service and to replace routers already in use, on top of supply-chain and other challenges NTCA and ACA Connects members face in accessing routers. This includes demand for substrate materials and a shortage of semiconductors and memory components.

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<sup>11</sup> 47 C.F.R. § 1.3.

<sup>12</sup> See *Northeast Cellular Telephone Co. L.P. v. FCC*, 897 F. 2d 1164, 1166 (D.C. Cir. 1990).

<sup>13</sup> *Id.* at 1166.

<sup>14</sup> See *WAIT Radio v. FCC*, 418 F. 2d 1153, 1159 (D.C. Cir. 1969).

As others have identified, the telecommunications industry is facing a severe shortage of critical components due to demand from artificial intelligence.<sup>15</sup> Major suppliers of memory components, including Broadcom and Samsung, identified supply-chain constraints that are causing delays. Additionally, costs for DDR4 memory have surged 2,200%,<sup>16</sup> causing manufacturers and consumers alike to see significant pricing increases for all devices that require memory.<sup>17</sup> One source estimates that 30% of the total manufacturing cost for products alone will be memory.<sup>18</sup>

As a result of the shortage of critical components faced by router manufacturers, NTCA and ACA Connects members risk a supply-chain shortage of permissible routers. These providers must be able to replace existing routers prior to the routers' "end-of-life" date when the manufacturer no longer issues software and hardware patches or updates for such routers.<sup>19</sup> The combination of a shortage of critical components used in routers and the time needed for manufacturers to produce new routers in the United States in sufficient capacity to meet

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<sup>15</sup> See *Petition of NCTA – The Internet & Television Ass’n for Expedited Waiver to Permit Targeted Class I and Class II Permissive Hardware Changes to Covered Routers*, ET Docket No. 21-232 (June 2, 2026), p. 8; *Petition of Verizon for Expedited Waiver of Sections 2.932(b) and 2.1043(b) of the Commission’s Rules to Permit Targeted Class I and Class II Permissive Hardware Changes to Covered Routers*, ET Docket No. 21-232 (June 11, 2026), p. 6; *Petition of USTelecom for Waiver of Sections 2.932(b) and 2.1043(b) of the Commission’s Rules to Permit Targeted Class I and Class II Permissive Hardware Changes to Previously Authorized Covered Routers and Broadband Gateways*, ET Docket No. 21-232 (June 22, 2026), p. 7.

<sup>16</sup> Darren Allan, *After soaring 2,200%, DDR4 RAM prices finally fall – but don’t get too excited*, TechRadar (Apr. 10, 2026) available at <https://www.techradar.com/computing/memory/after-soaring-2-200-percent-ddr4-ram-prices-finally-fall-but-dont-get-too-excited>.

<sup>17</sup> Kif Leswing, *Memory Crisis Hits Such Extremes that ‘even Apple can’t be safe’*, CNBC (June 19, 2026) available at <https://www.cnbc.com/2026/06/19/memory-crisis-hits-such-extremes-that-even-apple-cant-be-safe.html>.

<sup>18</sup> Isiah Williams, *Samsung RAM prices have doubled – and the worst is yet to come*, TechRadar (Jan. 26, 2026) available at <https://www.techradar.com/computing/memory/samsung-ram-prices-have-doubled-and-the-worst-is-yet-to-come>.

<sup>19</sup> The Commission’s Office of Engineering and Technology announced waivers of the Commission’s rules to allow software and firmware updates, “such as those that patch vulnerabilities and facilitate compatibility with different operating systems.” *Office of Engineering and Technology Announces Extension and Expansion of Waiver of Prohibitions on Certain Software and Firmware Permissive Changes to Certain Covered UAS, UAS Critical Components, and Routers*, Public Notice, DA 26-454 (May 8, 2026), p. 2.

demands, creates significant challenges for NTCA and ACA Connects members. The small size of the typical NTCA or ACA Connects member is a further challenge to quickly adapt to any changes in the Covered List. For instance, some NTCA members report ordering consumer routers once a year, with minor additions throughout the year, while others estimated that if they were required to deploy all new routers to residential customers, the task would take 1-2 years to complete. As a result, these providers must plan significantly ahead, and, without a waiver, NTCA and ACA Connects members could be faced with routers that are no longer serviceable before new routers are available or fully installed in residences, to the detriment of ongoing broadband deployment.

Thus, NTCA and ACA Connects members and their suppliers require flexibility to substitute substrate materials, memory modules, and end-of-life components, including diodes, crystals, and inductors, as well as functionally equivalent non-RF passive components, timing-support elements, power-management parts, connectors, mechanical components, thermal materials, and related board-layout adjustments in existing certified routers to ensure they can continue to serve their communities in rural America. Allowing NTCA and ACA Connects members and their suppliers to substitute these materials will enable continued use of already approved routers, consistent with the Commission's Covered List and equipment authorization rules.<sup>20</sup> This will ensure consumers in rural America are not left behind.

#### **B. Grant of the Requested Waiver would Promote an Equitable Outcome**

The Commission has granted similar requests for waiver allowing other entities to make “hardware Class I and Class II permissive changes to substitute substrate materials and memory

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<sup>20</sup> FAQs on Recent Updates to FCC Covered List Regarding Routers Produced in Foreign Countries (“Foreign-produced routers that have previously received FCC authorization (as shown by the FCC ID on the device) may continue to be imported, sold, and used in the U.S.”), available at <https://www.fcc.gov/faqs-recent-updates-fcc-covered-list-regarding-routers-produced-foreign-countries>.

modules in previously-certified routers that are now on the Covered List.”<sup>21</sup> In granting these waiver requests, the Commission recognized the “unavoidable supply-chain shortages” that would result in existing, certified router designs if substitution of substrate components, volatile, and non-volatile memory were not permitted.<sup>22</sup> The Commission also recognized that allowing suppliers of consumer-grade routers to make these hardware Class I and Class II permissive changes will not undermine national security or public safety.<sup>23</sup>

NTCA and ACA Connects members face the same supply-chain risks as other entities whose waiver requests have been granted and consistent with the Commission’s findings in those instances, grant of the instant request for waiver will not undermine national security or public safety as the routers at issue have already been approved pursuant to the Commission’s equipment authorization procedures. As other entities have emphasized, and the Commission has recognized in recent Orders approving this type of waiver, the hardware changes contemplated (i) would not improve performance or capability or alter the functionality of the previously-authorized device; (ii) will not be used to market the device as a distinct model; and (iii) will not involve swapping a U.S.- produced component for a foreign produced component.<sup>24</sup>

### **III. CONCLUSION**

NTCA and ACA Connects members are vested in serving their communities and share the Commission’s goals of guarding against security threats to the nation’s communications

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<sup>21</sup> *AT&T Services, Inc. Petition for Expedited Waiver of Sections 2.932(b) and 2.1043(b) of the Commission's Rules to Permit Targeted Class I and Class II Permissive Hardware Changes to Covered Routers*, Order, DA 26-491 (May 15, 2026) (“*AT&T Order*”); *NCTA – The Internet & Television Association Petition for Expedited Waiver to Permit Targeted Class I and Class II Permissive Hardware Changes to Covered Routers*, Order, DA 26-571 (June 9, 2026) (“*NCTA Order*”); *Sercomm Order*, *supra* n. 6.

<sup>22</sup> *Id.*

<sup>23</sup> *NCTA Order* at ¶ 6; *AT&T Order* at ¶ 6; *Sercomm Order* at ¶ 6.

<sup>24</sup> *See AT&T Order, NCTA Order, Sercomm Order.*

infrastructure and protecting public safety. Grant of the instant waiver also will similarly not harm national security or public safety. Rather, granting the instant waiver request will provide NTCA and ACA Connects members with much needed certainty regarding their ability to continue delivering and expanding reliable, high-speed broadband services to their communities without interruption.

Respectfully submitted,



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