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

In the Matter of	)	
	)	
#Solutions2020 Call to Action Plan	)	
	)	
Connect America Fund	)	WC Docket No. 10-90
	)	
Lifeline and Link Up Reform and Modernization	)	WC Docket No. 11-42
	)	
Modernizing the E-rate Program for Schools and Libraries	)	WC Docket No. 13-184
	)	
Use of Spectrum Bands Above 24 GHz For Mobile Radio Services	)	GN Docket No. 14-177

COMMENTS
OF
NTCA–THE RURAL BROADBAND ASSOCIATION

I. INTRODUCTION & SUMMARY

NTCA–The Rural Broadband Association ("NTCA")[1] hereby submits these comments in response to the Public Notice seeking comment on the Solutions 2020 Call to Action Plan.[2] NTCA discusses herein several action items that if undertaken can improve the business case for deployment of broadband service in the areas served by rural rate of return-regulated local exchange carriers ("RLECs"). As discussed in further detail below, in the rural areas served by RLECs, a properly functioning and properly sized High-Cost Universal Service Fund ("USF") is the cornerstone to solving for the economics of deploying *and* also operating broadband

[1] NTCA represents more than 800 independent, community-based telecommunications companies. All NTCA members are full service local exchange carriers and broadband providers, and many of its members provide wireless, cable, satellite, and long distance and other competitive services to their communities.

[2] #Solutions2020 Call to Action Plan, Public Notice (rel. Dec. 19, 2016) ("Public Notice").

networks in areas where the cost of doing so far exceeds what any consumer could afford to pay. This program must also work hand-in-hand with the USF Lifeline and Schools and Libraries ("E-rate") programs, ensuring that once networks become available and affordable for rural consumers that low-income consumers and Community Anchor Institutions can have access as well to everything that a broadband connection can deliver.

NTCA also discusses below methods by which communities and existing providers can overcome barriers to broadband availability by partnering with each other and bringing each party's strengths to the table. Communities seeking access to broadband service can have perhaps the greatest and most immediate impact through actions such as expedited permitting and access to rights-of-way and easements, among other things, actions that can help existing providers to make the business case to build in areas where service is lacking today.

II. SOLVING THE "BUSINESS CASE" FOR DEPLOYMENT OF BROADBAND SERVICE IN RURAL AREAS CAN ENSURE THAT ALL CONSUMERS, LOW-INCOME OR OTHERWISE, AS WELL AS SCHOOLS AND LIBRARIES, CAN HAVE ACCESS TO AFFORDABLE AND HIGH-QUALITY BROADBAND

In its discussion of the "Deployment of Next-Generation Communications Services," the Solutions 2020 Call to Action Plan correctly focuses on barriers to broadband deployment, as it also rightly acknowledges that "[t]o have affordable service, you must first have service."[3] In rural America, the single most difficult barrier to overcome is making a business case to deploy broadband networks in the first instance when a lack of population density, as well as the challenges of great distances and difficult weather and terrain all significantly increase the costs of both building and then maintaining broadband networks. It is here that the High-Cost USF program is the cornerstone; simply put, the very point of the High-Cost program is to

[3] *Id.*, p. 3.

solve for the economics of deploying *and* also operating broadband networks in areas where the cost of doing so far exceeds what any consumer – low-income or otherwise – could afford to pay. This vital program thus provides the incentive to invest in building networks in areas of the nation where no provider would otherwise choose to serve.

Of course, it must be remembered that achieving the end goal of affordability of broadband service rests on more than simplistic efforts to "get broadband out there." Once out there, policymakers must ensure that networks built in high cost rural areas remain sustainable over time, ensuring that once built service offered over those networks remains affordable and "reasonably comparable" (in terms of quality and rates) over the long haul. Here too the High Cost program does its important work, by ensuring not only that networks are in place in the first instance but that rates in rural areas are then reasonably comparable to those in urban areas. Put another way, the High-Cost program's aim is to "normalize" for the difference in rates that would otherwise arise between urban and rural areas.

Of course, rates "normalized" by a properly functioning High-Cost program only means (theoretically) that the rates for services in rural areas are affordable and "reasonably comparable" to those in urban areas. The cost of adopting services even at "reasonably comparable" rates can still be a barrier for lower-income consumers in rural America just as it is in urban areas, and this is where the Lifeline program does its important work in helping to close that gap, ensuring that once networks become available and affordable for rural consumers that low-income consumers can have access as well to everything that a broadband connection can deliver. The E-rate program has a similar and interdependent relationship with the High-Cost program; it is not enough merely that broadband-capable networks "get there," but that the networks "stay there" and that the services offered over them remain both

affordable and high-quality such that the schools and libraries can rely upon them over the long run.

The Commission must therefore focus on the twin goals of deployment of next-generation communications networks *and* their sustainability over time, and doing so requires a strong and sustainable High-Cost program that is properly sized to accomplish its important work. As the above discussion makes clear, while the E-rate and Lifeline programs will remain valuable as part of solving the affordability puzzle, the success of the High-Cost program will remain an unequivocal condition precedent to the success of these other programs in rural America. The High-Cost program must therefore be sized based on a realistic assessment of the program's challenges, the goals set forth by both Congress and the Commission, and the need to deploy and sustain high-quality and affordable communications services in rural America for the benefit of every resident, low-income or otherwise, and every business, school, library, and other anchor institution. Unfortunately, as it stands today, reforms previously undertaken to the High-Cost program to provide support for broadband service – a great and welcome first step toward modernizing the program – have been unquestionably undermined by a lack of sufficient USF support, resulting in retail rates that remain unaffordable for rural consumers of all kinds – including once again Lifeline-eligible consumers and schools and libraries. NTCA looks forward to working with the Commission to tackle this significant barrier to the availability and affordability of broadband service for each and every rural consumer of all kinds.

III. THE COMMISSION SHOULD ENCOURAGE COMMUNITIES SEEKING ACCESS TO BROADBAND TO PARTNER WITH PROVIDERS

The Public Notice seeks comment on ways in which the Commission can empower communities to deploy broadband infrastructure where the market hasn't resulted in broadband

availability.[4] NTCA offers herein several methods by which communities and existing providers can overcome barriers to broadband availability by partnering with each other and bringing each party's strengths to the table.

As discussed above and in detail in the Public Notice, providers face a number of barriers to broadband deployment. It is in this area where communities can have perhaps the greatest and most immediate impact. Expedited permitting and access to rights-of-way and easements, and access to government-owned buildings for wireless infrastructure or municipally-owned poles or conduit can factor into an existing broadband provider's evaluation of a market and the cost to enter that market.[5] So too can tax credits, grants, and other financial incentives. In short, communities have much to bring to the table in terms of helping existing providers to make the business case to build in areas where service is lacking today. In fact, the Public Notice discusses "municipalities and providers work[ing] together to ensure timely rollout of robust wireless networks throughout the country"[6] and points to initiatives such as "putting in place processes to streamline the permitting process," and "making municipal assets such as fiber, light and power poles, rooftops, street furniture and traffic signals available on a nondiscriminatory basis and attractive terms."[7] These and others referenced in the Public Notice are potentially

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4 *Id*, p. 3.

5 The Public Notice also seeks comment on the future of 5G wireless service. *Id*., p. 4. While this exciting new technology is largely in the testing phase and its potential uses in rural areas are not entirely clear, it is clear that deployment of 5G wireless service will require the use of a significant number of small cells. The infrastructure needs (fiber to small cells) will therefore be enormous, and the need for permitting, rights-of-way, and access to poles and government buildings will only become more important.

6 *Id*., p. 5.

7 *Id*.

communities' greatest assets in terms of solving the broadband availability problem they face.[8]

Communities should also work with state, county, tribal, and even federal authorities to harmonize their own processes in order to expedite providers' interactions with local government agencies. Rights-of-way application processes, for example, can be further complicated by a multijurisdictional effort that requires providers to navigate different processes at various different levels of government, and a harmonization of such processes would undoubtedly encourage providers to invest in areas they might have otherwise chosen not to.

In addition, communities should also be encouraged to explore "broadband clearinghouses," for example, that could pair unserved communities lacking access to any broadband provider with experienced and proven providers looking to expand their reach. Such a "clearinghouse" would enable communities and existing providers to connect in order to leverage the relative strengths of the different parties. In many cases, there appears to be a lack of awareness of service providers available to extend service to entirely unserved communities that seek access to a provider, while at the same time providers may not be aware of a community's unserved status or its willingness to coordinate efforts. A "broadband clearinghouse" can enhance community/provider connections and make possible efficient and effective public/private partnerships under which each entity brings its strengths and experiences to the equation. Under such an approach, unserved communities could publicly post a Request for Proposal ("RFP") signaling a need for broadband service. Communities could create a simple but standard web-based interface accessible to providers, allowing the community to fill

[8] *Id*., p. 5. The Public Notice also points to important initiatives that can reduce barriers to deployment such as "creating capacity for permitting and make ready work," as well as "establishing stakeholder committees to understand upcoming construction and build-out opportunities," and "creating broadband ready building stock by integrating future looking broadband practices into the process of developing residential and commercial real estate." *Id*.

in certain relevant fields, such as their location, population, existing providers (if any), and the existing broadband speeds typically available to residents, businesses, and other community anchor institutions such as schools, libraries, and government buildings. In keeping with the public/private partnership theme, these communities could also indicate the assets they are willing to contribute to such a partnership, for example (but not limited to) tax abatements to providers, streamlined permitting, easements, conduit access, and/or rights-of-way.

IV. CONCLUSION

For all of the reasons discussed above, NTCA urges the 2020 Call to Action Plan to focus on ensuring that the High-Cost Program is properly functioning and properly sized and coordinated with the Lifeline and E-rate programs such that each program can complete its vital universal service mission. The Call to Action Plan should also encourage communities and existing providers to overcome barriers to broadband availability by partnering with each other and bringing each party's strengths to the table.

Respectfully submitted,

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