

Nebraska State Legislature

SENATOR CURT FRIESEN

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COMMITTEES

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Telecommunications
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June 18, 2018

National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Avenue, N.W., Room 4887
Attn: Douglas Kinkoph, Associate Administrator
Washington, D.C. 20230

Re: Docket No. 180427421-8421-01
RIN 0660-XC042
Improving the Quality and Accuracy of
Broadband Availability Data

Dear Sir or Madam:

I am writing in my capacity as a state senator representing District 34 in the Nebraska Legislature and as the Chairperson of the Transportation and Telecommunications Committee. In particular, I want to comment on the question of identifying gaps in broadband availability, and what data improvements the government can implement to better identify areas with insufficient broadband capacity. The issues that have been outlined in the request for comments are ones that have proven to be inhibitors in Nebraska for making informed policy decisions

Nebraska is one of many states with a significant urban/rural digital divide. Based on data from the 2016 FCC Broadband Progress Report, almost 70 percent of Nebraskans without access to fixed advanced telecommunications capacity live in rural areas of the state. I have also had personal experience with customers of telecommunications companies living in rural census blocks who, based on FCC Form 477 data, supposedly had access to advanced telecommunications services, but did not have actual access to those services.

I am sympathetic to business owners who do not want new data collection requirements that impose unnecessary and burdensome requirements on their businesses. Avoiding costly requirements, if possible, should allow those owners to deploy broadband resources to networks faster. However, I am concerned that the current Form 477 data collection process does not provide sufficient data accuracy and granularity in rural census blocks, and causes frustration for rural consumers who want and need advanced broadband telecommunications services.

I appreciate the work of NTIA in its State Broadband Incentive Program, because I believe the validation mechanisms provided by individual states and SBI grantees greatly improved the quality of the data and the broadband mapping in rural areas. Even without a current SBI program in Nebraska, I believe we can improve the quality of data going forward. Following are my recommendations.

First, we should encourage the FCC to limit Form 477 reporting to once per year to decrease the burden on carriers, but should continue to strive to improve accuracy of the reporting and to make those reports public as quickly as possible.

Second, we should encourage the FCC to require more granular reporting in large census blocks, as the FCC is doing in its Connect America Fund dockets requiring carriers to report geocoded location information for all newly deployed locations that are capable of delivering broadband meeting or exceeding the speed tiers in order to be reimbursed. I believe that granular reporting is especially critical in those census blocks that are eligible for or that have received federal or state universal service fund support, in addition to census blocks that are so sparsely populated that they are ineligible for federal universal service funds.

Third, there are potential options for obtaining data at a more granular level than the census block. In Nebraska in particular, datasets exist at the parcel level, where areas of land ownership are designated. Additionally, as Next Generation 911 is implemented in Nebraska, address point information will be developed (and made publicly available) that could also be used to provide more granular information about broadband development. The level of granularity and information contained would be extremely useful to policy makers in determining where service levels need to be enhanced in rural areas within states.

Finally, while the broadband type and speed information collected during the FCC Form 477 process is helpful, it can also contain flawed information. "Maximum Advertised" speeds may overstate what is actually offered, and it often does not match what is shown on the carrier's own website. Knowing what actual speeds are available at a location would enhance the ability of states with their own funds for deployment of infrastructure to target those funds to areas most in need of better broadband services. A "maximum available" speed might be a better indicator of whether consumers could actually subscribe to broadband capable services.

I look forward to working with the NTIA and other policy makers in improving the quality of advanced telecommunications services in rural areas of the United States. Thank you for inviting comments on these important issues.

Sincerely,

A handwritten signature in blue ink that reads "Curt Friesen". The signature is written in a cursive style with a large initial "C".

Curt Friesen
Senator, District 34