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FCC Aims to Make Broadband Deployment Data More Precise

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Responding to widespread concern that its existing methods for determining where broadband service is available are inaccurate, the FCC has released a draft Report and Order and Second Further Notice of Proposed Rulemaking seeking comment on a new methodology. If adopted at the FCC's August 1 meeting, the draft order would establish the Digital Opportunity Data Collection (DODC). The draft notice asks for comments on additional technical standards to be used in the DODC.

The DODC would be focused on collecting geospatial broadband coverage maps from fixed broadband providers so the FCC can accurately identify unserved areas and promote its goal of universal service. As the FCC notes, precise "broadband deployment data is critical to the Commission's efforts to bridge the digital divide. Effectively targeting federal and state efforts to bring broadband to those areas most in need of it means understanding where broadband is available and where it is not." The DODC would require fixed service providers to provide information directly keyed to the locations they can provide service at a much higher level of detail than current collections, which ask only whether any service is available in a specific census block. The DODC also would include a mechanism to gather public input regarding the accuracy of service providers' broadband maps. The FCC anticipates that states, localities, tribal entities and members of the public will contribute data regarding the availability of fixed broadband. The DODC would not initially replace the reports now filed by broadband providers on Form 477. Rather, the draft order would modify Form 477 to minimize reporting burdens and address new technologies such as 5G.

In the draft Second Further Notice of Proposed Rulemaking, the FCC would seek comment on the creation of additional technical standards to increase the precision of DODC deployment reporting. In particular, the notice would ask how the FCC can incorporate location-specific, fixed broadband deployment data into the DODC and include reliable, accurate mobile wireless voice and broadband coverage data in the collection. The notice would propose to eliminate reporting on Form 477 after implementation of the DODC.

Comments and reply comments on the Second Further Notice of Proposed Rulemaking will be due in 30 and 45 days, respectively, following Federal Register publication. Cooley lawyers can provide additional information and assist parties interested in participating in the proceeding.

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