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Advocacy Urges FCC to Consider Alternatives for Broadband Reporting by Small Carriers

On August 24, 2004, the Office of Advocacy (Advocacy) filed a letter with the Federal Communications Commission (FCC) on its notice of proposed rulemaking (NPRM) for Local Competition and Broadband Reporting. A complete copy of Advocacy's letter may be accessed at <http://www.sba.gov/advo/laws/comments/>.

- Section 706 of the Telecommunications Act of 1996 requires the FCC to report regularly to Congress on the state of broadband deployment in the United States. To fulfill this mandate, the FCC requires telecommunication carriers to file semi-annual reports on local telephone service and broadband deployment.
- In the NPRM, the FCC asked for comment on: (1) extending the local competition and broadband reporting program for five years beyond its current sunset in March 2005; and (2) revising the program to improve data collection on broadband deployment.
- The FCC sought to improve the data collection by obtaining more detailed data and additional data on broadband deployment in rural areas. Under the current exemption for carriers with fewer than 250 broadband lines, the FCC believes its data collection misses small facilities-based providers including rural local exchange carriers.
- With the NPRM, the FCC published a draft of the reporting form and instructions, reflecting the proposal to report on broadband deployment by ZIP code, speed, and type of technology used to deliver the service. The FCC requested comment on whether it should lower or eliminate the thresholds that exempt small carriers from reporting.
- The initial regulatory flexibility analysis accompanying the NRPM listed the changes proposed in the NPRM and asked for comment, but did not identify or analyze the impacts of the proposed reporting requirements on currently exempt small entities. Similarly, the FCC did not identify or analyze significant alternatives that would meet the FCC's objective.
- Advocacy recommends that the FCC consider simplifying the revised reporting form or establishing a short form for small carriers previously exempt from reporting. Advocacy urges the FCC to consider comments from small carriers on ways for the FCC to meet its improved data gathering objectives while minimizing the impact on small entities.

For more information, visit Advocacy's website at <http://www.sba.gov/advo/> or contact Eric Menge at (202) 205-6533.