

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Modernizing the FCC Form 477 Data Program)	WC Docket No. 11-10

COMMENTS OF CTIA

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CTIA¹ submits these comments in response to the Federal Communications Commission’s (“Commission”) *Further Notice of Proposed Rulemaking* in the above-captioned proceeding.²

I. INTRODUCTION & SUMMARY.

CTIA and its member companies recognize the importance and value of mobile wireless coverage data to the Commission, policymakers, and stakeholders. Mobile wireless coverage data can be used to inform and support regulatory actions that promote infrastructure deployment to maintain U.S. global leadership in 5G technologies, and to allocate scarce federal and state resources to support efforts to close the digital divide.

To date, the Commission’s Form 477 data collection process has yielded information that reflects the tremendous investment and innovations in mobile wireless voice and broadband services. Most notably, the Commission’s existing Form 477 data collection has offered flexibility

¹ CTIA® (www.ctia.org) represents the U.S. wireless communications industry and the companies throughout the mobile ecosystem that enable Americans to lead a 21st century connected life. The association’s members include wireless carriers, device manufacturers, and suppliers as well as apps and content companies. CTIA vigorously advocates at all levels of government for policies that foster continued wireless innovation and investment. The association also coordinates the industry’s voluntary best practices, hosts educational events that promote the wireless industry, and co-produces the industry’s leading wireless tradeshow. CTIA was founded in 1984 and is based in Washington, D.C.

² *In re Modernizing the FCC Form 477 Data Program*, Further Notice of Proposed Rulemaking, 32 FCC Rcd 6329, 6329-30, para. 1 (2017) (“FNPRM”).

for providers to submit data that reflects their unique network characteristics and performance and has proven to be a valuable resource for the Commission.

At the same time, CTIA supports the Commission's effort to evaluate whether modifications to the Form 477 data collection could better reflect the availability of mobile wireless services across the U.S., including evaluating whether to set consistent propagation map parameters and how best to consider consumer experiences. For example, CTIA believes that the Commission's one-time data collection for Mobility Fund II ("MF-II") may yield useful lessons for the Commission to consider before adopting consistent propagation map parameters for Form 477. The Commission should therefore exercise caution and carefully analyze the results of the MF-II one-time data collection before adopting any permanent Form 477 obligations.

CTIA also supports efforts to streamline and ease unnecessary burdens on providers, while also reforming the data collection process in ways that yield useful and relevant information. Specifically, the Commission should: (1) collect data on an annual, rather than bi-annual basis; (2) eliminate reporting by spectrum band; and (3) if the spectrum band reporting is eliminated, simplify reportable technology tiers to 3G/4G and 4G LTE, and allow voluntary submissions of 5G. Most importantly, under any new or modification collection, the Commission must continue to provide filers with flexibility to determine how to categorize their reported technologies.

CTIA cautions the Commission against adopting its proposal to collect mobile subscribership data at the census-tract level. Not only is the Commission able to derive such information from the existing number-based Numbering Resource Utilization Forecast ("NRUF") data, but the Commission's proposal to use subscriber billing address to determine the location of a mobile customer is highly flawed and unlikely to yield more accurate information. It also would

impose significant burdens on providers, who would have to develop and maintain entirely new systems to collect and process subscriber data for more than 74,000 census tracts.

Finally, while CTIA supports the Commission's efforts to increase public access to mobile deployment and advertised speed data, the Commission must take care not to disclose certain competitively-sensitive data, including filer's individual subscription counts (even after a certain amount of time has passed) and unique propagation model parameters. In fact, because the Commission only needs to know certain high-level details in order to evaluate the accuracy of providers' coverage maps (*e.g.*, projected throughput speeds, edge probability, clutter factor, etc.), the Commission should refrain from requiring providers to disclose their unique propagation model parameters to the Commission in the first instance.

II. THE EXISTING FORM 477 DATA CONTINUES TO BE A VALUABLE RESOURCE FOR THE COMMISSION.

In 2013, the Commission modified the Form 477 to require mobile broadband providers to submit to the Commission, for the first time, deployment data representing nationwide coverage areas, as well as required minimum advertised or expected speeds for those coverage areas.³ As the Commission acknowledges, these modifications have yielded several positive benefits for the Commission and providers.⁴

First, the Form 477 has afforded providers flexibility to submit data that reflect their unique network characteristics and performance. Such flexibility minimizes the burdens on providers by

³ *In re Modernizing the FCC Form 477 Data Program*, Report and Order, 28 FCC Rcd 9887, 9897-98, paras. 22, 24 (2013) (“2013 NPRM”).

⁴ *See FNPRM*, 32 FCC Rcd at 6332, para. 9 (observing that “[t]he current Form 477 data on deployment of mobile broadband services represents a significant improvement over the data that were previously available from earlier data sources”).

permitting them to report coverage using the same methods that they use to evaluate their coverage for business purposes.

In addition, the current Form 477 has provided the Commission with a wealth of data, which has allowed the Commission to gain valuable insights into the state of mobile broadband deployment and competition. For instance, Form 477 data has allowed the Commission to determine the percentages of U.S. consumers with and without access to 4G LTE coverage—including in rural areas—as well as the percentage of consumers served by multiple providers.⁵ Additionally, Form 477 data has assisted the Commission in its ability to compare coverage among mobile carriers,⁶ and between rural and non-rural areas.⁷ Such insights have, in turn, allowed the Commission to make more data-driven decisions when deciding how best to advance mobile broadband deployment,⁸ and to better assess the state of competition in the market for mobile services.⁹

⁵ *In re Implementation of the Omnibus Budget Reconciliation Act of 1993, Annual Report and Analysis of Competitive Market Conditions With Respect to Mobile Wireless, Including Commercial Mobile Services*, WT Docket No. 17-69, Twentieth Report, FCC 17-126, para. 77 (2017) (“*Twentieth Mobile Competition Report*”); *In re Inquiry Concerning the Deployment of Advance Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, as Amended by the Broadband Data Improvement Act*, 2016 Broadband Progress Report, 31 FCC Rcd 699, 734-35, paras. 82-83 (2016) (“*2016 Broadband Progress Report*”).

⁶ *Twentieth Mobile Competition Report*, at para. 78.

⁷ *Id.* at paras. 81-84.

⁸ *2016 Broadband Progress Report*, 31 FCC Rcd at 709, para. 22 (noting that improvements to the Form 477 data have helped the Commission “better analyze mobile broadband deployment than in years past”).

⁹ *Twentieth Mobile Competition Report*, Appendix III.

Notwithstanding these substantial benefits, CTIA understands and appreciates the Commission's desire to consider modifications to the Form 477 data collection, including whether to establish consistent propagation map parameters and how to further take into account the consumers' experience. However, as discussed below, CTIA urges the Commission to evaluate providers' MF-II one-time data submissions before establishing any new Form 477 propagation model parameters. While evaluating the MF-II collection, the Commission should move forward with actions that eliminate unnecessary burdensome reporting obligations.

III. THE COMMISSION SHOULD EVALUATE THE MOBILITY FUND II ONE-TIME DATA COLLECTION BEFORE ADOPTING CHANGES TO THE FORM 477.

In its *Mobility Fund II Challenge Order*, the Commission adopted a new, one-time data collection of 4G LTE coverage data that will be submitted by 4G LTE providers consistently using certain propagation model parameters.¹⁰ The Commission recognized that new data collected with consistent propagation map parameters was necessary for the limited purpose of identifying and distributing scarce federal universal service support to areas most in need.¹¹ The Commission predicted that this one-time data collection would address concerns regarding the lack of consistency in the Form 477 data and allow the Commission to determine more accurately those rural areas that currently lack 4G LTE coverage.¹²

¹⁰ *In re Connect America Fund*, Order on Reconsideration and Second Report and Order, 32 FCC Rcd 6282, 6296, 6298-302, paras. 28, 34-39 (2017) (requiring providers to file propagation maps indicating their current 4G LTE coverage, as defined by download speeds of 5 Mbps at the cell edge with 80 percent probability, a 30 percent cell loading factor, and a clutter factor and terrain model with a resolution of 100 meters or better).

¹¹ *Id.* at 6286-87, paras. 8-10.

¹² *Id.*

The Commission now seeks comment on requiring the submission of coverage data for 4G LTE and later-generation mobile wireless technologies using consistent propagation map parameters as part of the regular Form 477 program going forward. Specifically, the Commission requests input on the extent to which it should require that providers submit coverage data using consistent propagation map parameters, “with the goal of allowing more meaningful comparisons among service providers’ mobile broadband deployment.”¹³

CTIA believes it is premature for the Commission to establish any permanent Form 477 propagation model parameters until it has evaluated the MF-II submissions. The one-time MF-II collection will be the first time the Commission collects propagation maps with consistent parameters, and it is critical that the Commission study the impact of such approach and determine whether there are lessons learned that could be applied to the Form 477. For example, the Commission may decide after review that certain parameters should be refined or that other parameters are unnecessary altogether. Likewise, the Commission needs to understand whether the benchmark adopted for MF-II (*i.e.*, 4G LTE at 5 Mbps), upon which the consistent propagation map parameters are based, is appropriate beyond the universal service context to the more general evaluation of mobile wireless coverage.

Assuming, as the Commission has suggested, that submissions with consistent propagation model parameters are more likely to accurately reflect carriers’ 4G LTE coverage, the Commission could consider using the MF-II parameters as a model for any new Form 477 requirements. In this way, the Commission may ensure that it has consistent coverage information on which to base its policy decisions going forward, while at the same time avoiding imposing unnecessary burdens on providers. Furthermore, because the one-time collection that the Commission adopted in MF-II

¹³ *FNPRM*, 32 FCC Rcd at 6333, para. 12.

was modeled closely after an industry consensus proposal filed by CTIA,¹⁴ the Commission is more likely to have industry support for its proposals.

While it considers changes to the existing collection, the Commission should continue to utilize third-party data sets to supplement Form 477 data.¹⁵ Although the Form 477 deployment data provides a robust picture of mobile broadband and voice coverage, CTIA believes it continues to be useful to consider third-party data, where available, that can provide the Commission with a more complete data set and to supplement the Form 477 submissions where appropriate.

IV. IN THE NEAR-TERM, THE COMMISSION SHOULD TAKE ACTION TO REDUCE UNNECESSARY BURDENS ON PROVIDERS WHILE ENHANCING THE UTILITY OF COLLECTED DATA.

CTIA also supports efforts to streamline and ease unnecessary burdens on providers, while also reforming the data collection process in ways that yield useful and relevant information for a variety of purposes. First, CTIA agrees that the Commission can reduce the burden of the filing requirement by shifting to an annual collection for all filers, as proposed in the *FNPRM*.¹⁶ Reducing the filing frequency would necessarily reduce the time and resources that providers must devote to collecting and submitting the Form 477 data (not to mention reduce the burdens on

¹⁴ The CTIA proposal was filed with the support of a broad coalition of CTIA members, including the four national mobile carriers—AT&T, Verizon, T-Mobile, and Sprint—as well as U.S. Cellular. *See* Comments and Petition for Reconsideration of CTIA, WC Docket No. 10-90 et al. (Apr. 26, 2017). CCA also filed reply comments, in which it voiced support for many of the consistent propagation map parameters proposed by CTIA. *See* Reply Comments of Competitive Carriers Association at 3, WC Docket No. 10-90 et al. (May 11, 2017).

¹⁵ *See, e.g.*, 20th Mobile Wireless Report, Web Appendix III: Elements of Inter-Firm Rivalry, <https://www.fcc.gov/20th-mobile-wireless-report-web-appendices> (last visited Oct. 6, 2017) (presenting estimates of overall mobile wireless coverage, 3G or better, and LTE coverage based on Mosaik data); *2016 Broadband Progress Report*, 31 FCC Rcd at 748, para. 112 (estimating, based on Mosaik data, that “up to 99.6% of the U.S. population is covered by at least one carrier with LTE”).

¹⁶ *FNPRM*, 32 FCC Rcd at 6348, para. 56.

Commission staff of reviewing such filings), but would have a minimal impact on the usefulness of the data collected. In fact, CTIA observes that the Commission already relies on the prior year's Form 477 data in preparing its annual Broadband Progress Report¹⁷ and when reviewing transactions.¹⁸

In any case, the Commission is not statutorily required to collect data on a bi-annual basis. Even the annual Broadband Progress Report—the congressionally-mandated report to which Form 477 data is most obviously relevant—only requires the Commission to report *annually* on whether advanced telecommunications capability “is being deployed to all Americans in a reasonable and timely fashion.”¹⁹ Thus, nothing compels the Commission to collect Form 477 data on a bi-annual basis, and it is reasonable for the Commission to align the Form 477 data collection process to support the Commission's annual reporting obligations.

Finally, to the extent more current data may be necessary to support Commission decision-making, the Commission could seek updated data from third-party commercial services or, for a transaction, request such data from relevant parties.²⁰ Such an approach has the salutatory effect

¹⁷ 2016 *Broadband Progress Report*, 31 FCC Rcd at 710, para. 26 n.79 (relying on data from providers' December 31, 2014 Form 477 submissions).

¹⁸ See *Media Bureau Makes Available Broadband Subscriber Data Relevant To Review Of Proposed Charter-Time Warner Cable-Advance/Newhouse Transactions*, Public Notice, 30 FCC Rcd 12,748, 12,749-52, Exh. 1-3 (MB 2015) (releasing deployment data from December 2014 Form 477 relevant to Charter-Time Warner Cable-Advance/Newhouse transaction); *In re Applications Filed by Altice N.V. and Cablevision Systems Corporation to Transfer Control of Authorizations from Cablevision Systems Corporation to Altice*, Memorandum Opinion and Order, 31 FCC Rcd 4365, 4380, para. 31 (2016) (relying on December 2014 Form 477 data to determine Altice's projected share of the national, fixed BIAS market).

¹⁹ 47 U.S.C. § 1302(b).

²⁰ FCC, *Overview of the FCC's Review of Significant Transactions*, <https://www.fcc.gov/reports-research/guides/review-of-significant-transactions> (last visited Oct. 6, 2017) (explaining that, when reviewing a transaction, the Commission may seek information from the applicants and from third-parties, such as competitors or customers of the applicants).

of placing the burdens of providing such additional data on the parties most immediately impacted by the proceeding, rather than on Form 477 filers as a whole.

CTIA also supports the Commission's proposal to eliminate unnecessary reporting by spectrum band, which is unnecessary to inform the Commission or relevant stakeholders. As the *FNPRM* notes, "the Commission has not used the spectrum band information from Form 477 in its mobile broadband coverage information."²¹ At the same time, such reporting requires providers to create and maintain additional shapefiles, costing providers time and resources.²² Thus, the Commission should dispense with the requirement that providers report coverage by spectrum band.

If the Commission eliminates the spectrum band reporting requirement, CTIA believes that the Commission should consider continuing to collect Form 477 data by technology, but limiting the categories of reported technologies to 3G/4G and 4G LTE.²³ Currently, the Commission requires providers to submit shapefiles for nine different categories of technologies.²⁴ What matters to the consumer experience, however, is whether a mobile wireless technology can support the services they demand, including voice, text, video, and other data-based services. By simplifying the categories of technologies reported, and continuing to give providers flexibility to

²¹ *FNPRM*, 32 FCC Rcd at 6335, para. 18.

²² Comments of Sprint Nextel Corporation at 3, WC Docket No. 07-38 (July 17, 2008) (explaining that the "[m]apping of service availability is highly complex...requir[ing] enormous amounts of data, modeling and analyses, and ongoing maintenance of these maps is also very expensive" (footnote omitted)).

²³ The Commission should continue to grant providers flexibility to determine how to categorize their reported technologies while it evaluates the MF-II collection and weighs whether to require that deployment shapefiles represent coverage at certain median download speeds.

²⁴ The nine technology codes are: WCDMA/UMTS/HSPA; HSPA+; EVDO/EVDO Rev A; LTE; WiMAX; CDMA; GSM; Analog; Other. FCC, *FCC Form 477 Instructions*, at 31 (Dec. 2016), <https://transition.fcc.gov/form477/477inst.pdf>.

determine how to categorize reported technologies, the Commission can ease burdens on providers while making the information more relevant to stakeholders. Meanwhile, CTIA believes that lessons learned from the MF-II one-time data collection process can help bring more direct comparability to future Form 477 submissions through consistent propagation map parameters.

In addition, the Commission should consider allowing providers to voluntarily report their 5G deployments. Since, as the Commission observes, there is currently no standard definition of what qualifies as 5G, CTIA believes that it is premature for the Commission to define 5G for Form 477 reporting purposes; indeed, as technology continues to evolve, any FCC definition may be underinclusive and thus fail to capture the full range of 5G deployment. Even so, given the rapid deployment of 5G, it may be useful for the Commission to begin collecting such information on a voluntary basis provided that individual providers have flexibility to determine the nature of such reporting.

V. THE COMMISSION SHOULD NOT REQUIRE PROVIDERS TO SUBMIT CENSUS-TRACT LEVEL SUBSCRIBERSHIP DATA.

In an effort to evaluate more granular data than state-level subscribership information, the Commission proposes to require mobile providers to submit subscribership data at the census-tract level based on subscribers' billing addresses. The Commission posits that more granular data would "improve the Commission's ability to provide more accurate mobile competition analyses, particularly in [its] secondary market review."²⁵ The Commission should refrain from adopting this proposal for several reasons.

²⁵ *FNPRM*, 32 FCC Rcd at 6337-38, paras. 27-28. Prior to 2013, the Commission also used the Form 477 subscription data "to assess broadband deployment and adoption pursuant to its section 706 obligations." *2013 NPRM*, 28 FCC Rcd at 9913, para. 56 & n.164. However, since the Commission began requiring providers to submit detailed coverage maps, it no longer uses the Form 477 subscription data to analyze coverage in its annual Broadband Progress Report.

As an initial matter, the Commission already has access to more granular number-based subscription data through NRUF.²⁶ NRUF provides valuable data that the Commission has consistently used for its subscriber and market share analysis in secondary market transaction review.²⁷ To the extent the Commission has concerns about the NRUF data when reviewing a particular transaction, as noted above, the Commission can request additional data from the applicants and any relevant third-parties, rather than subjecting the industry as a whole to a recurring, burdensome collection.²⁸ Likewise, the Commission should continue to supplement its understanding of mobile competition with wireless connections data from CTIA and other third-party data sets.²⁹ Indeed, as CTIA highlighted in the Commission’s recent mobile competition report proceeding, “the growing categories of non-traditional devices and machine-to-machine applications mean that the term ‘subscribers’ is increasingly less descriptive of a growing share of the universe of active units.”³⁰

Moreover, the Commission’s proposal to aggregate subscribers at the census-tract level based on subscriber billing address raises concerns of its own. Mobile subscribers are, by

²⁶ See 44 U.S.C. § 3506(c)(3)(B) (requiring the agency to ensure that any new information collection “is not unnecessarily duplicative of information otherwise reasonably accessible to the agency”).

²⁷ See, e.g., *In re Applications of Cricket License Company, LLC, et al., Leap Wireless International, Inc., and AT&T Inc. for Consent to Transfer Control of Authorizations*, Memorandum Opinion and Order, 29 FCC Rcd 2735, 2755, para. 47 (WTB & IB 2014) (relying on NRUF data instead of Form 477 subscription data in analyzing applicants’ combined share of mobile subscribers).

²⁸ A recurring collection of subscription data is particularly unnecessary considering that it has been three years since the 2014 AT&T-Leap Wireless merger, when the Commission last needed such data to conduct a transaction review.

²⁹ See, e.g., *Twentieth Mobile Competition Report*, Charts II.B.1-4.

³⁰ CTIA, *Wireless Industry Indices Report: 2016*, at 12.

definition, mobile and use their service in a variety of locations (*e.g.*, at home, at the office, etc.), which may or may not include the address where they are billed for such service. This is especially true with respect to businesses, which may have multiple locations but a single billing address, and family plans, which may have lines scattered throughout a state or the country yet have a single billing address. Prepaid mobile providers meanwhile may not collect billing address data from their customers because such information is not necessary to facilitate the collection of subscription fees. Thus, the Commission’s proposal is unlikely to yield more accurate information about where mobile subscribers are located than exists today through NRUF.³¹

Finally, the Commission has not shown that any imperfections in the NRUF data justify the considerable burdens that collection of census-tract level subscribership data would impose.³² Most providers do not currently collect census-tract level subscription information in the ordinary course of business and therefore would have to specially develop systems to collect and process such data in order to comply with the proposed collection.³³ On top of that, due to the sheer number of census tracts—there are more than 74,000—the resulting report would likely be enormous in size and extremely difficult and time-consuming to manage.

Given the continued availability of NRUF data, the shortcomings of the Commission’s approach to collecting census-tract level subscription data, and the significant costs associated with

³¹ These concerns would apply even if the Commission considers an alternative measure for determining a mobile subscriber’s location, such as the point of sale.

³² Improving Regulation and Regulatory Review, Exec. Order 13,563, 76 Fed. Reg. 3821, 3821 (Jan. 18, 2011) (requiring agencies to “propose or adopt a regulation only upon a reasoned determination that its benefits justify its costs”).

³³ *Cf. see* 44 U.S.C. § 3506(c)(3)(E) (requiring the agency to ensure that any new collection is “implemented in ways consistent and compatible, to the maximum extent practicable, with the existing reporting and recordkeeping practices of those who are to respond”).

implementing such a collection, CTIA urges the Commission to refrain from collecting more granular subscription data and instead supports the maintenance of state-wide reporting.

VI. THE COMMISSION SHOULD CONTINUE TO TREAT SUBSCRIBERSHIP INFORMATION AS PRESUMPTIVELY CONFIDENTIAL AND SHOULD TAKE THE SAME APPROACH TO PROPAGATION MODEL PARAMETERS.

The Commission proposes that, if detailed propagation model parameters are submitted as part of a provider's Form 477 filings, some of these parameters should be treated as public information.³⁴ In addition, the Commission seeks comment on whether to make public certain types of disaggregated subscribership data after a certain period of time has passed.³⁵ Because both of these types of data could cause providers competitive harm if released, CTIA encourages the Commission to maintain confidential treatment of such information.

Providers invest substantial time and resources into developing and validating propagation models in order to provide current and potential customers with maps showing where their coverage is available.³⁶ Such propagation models include not only high-level parameters—for example, signal strength, terrain resolution, and the cell loading factor—which the Commission proposes to standardize, but also more detailed parameters, such as cell site locations and spectrum channels, that are highly proprietary and if publicly-released could give competitors insights into providers' highly-proprietary network designs and deployment strategies. Moreover, CTIA

³⁴ *FNPRM*, 32 FCC Rcd at 6347, para. 52.

³⁵ *Id.* at 6347-48, para. 54.

³⁶ CTIA has long supported the use of mobile coverage maps to show consumers where service is generally available. Notably, CTIA's Consumer Code for Wireless Services encourages participating providers to generate maps "using generally accepted methodologies and standards to depict the carrier's outdoor coverage," while also recognizing that providers may utilize unique propagation map parameters that may be proprietary. *See*, CTIA, Consumer Code for Wireless Service, <https://ctia.org/initiatives/voluntary-guidelines/consumer-code-for-wireless-service> (last visited Oct. 6, 2017).

believes detailed propagation map parameters are not necessary to the Commission's general analysis of mobile wireless coverage. At the very least, given the competitively-sensitive nature of such details, CTIA urges the Commission to subject any non-standardized parameters to the same presumption of confidentiality that currently applies to other Form 477 data.³⁷

The release of subscribership data, even if delayed, also has the potential to cause providers competitive harm. That is because such information could provide competitors insights into “where a carrier’s customers are located, how many there are, and even a carrier’s capabilities[,]”³⁸ which they could then use to “tailor market strategies to quash nascent competition, protect areas that are being subjected to increased competition, or deploy facilities to defend strongholds.”³⁹ And, while delaying the release of such filer-specific subscription data might diminish slightly the risk of competitive harm, given the severity of the potential harms to filers, any risk is unacceptable. Thus, rather than attempting to establish *ex ante* a time period for disclosure of each type of mobile subscription data (*i.e.*, broadband and voice), the Commission should continue to treat all filer-specific subscription data as presumptively confidential and to evaluate the continued confidentiality of such information on a case-by-case basis if and when such requests for inspection arise.

³⁷ See *United Techs. Corp. v. U.S. Dep’t of Def.*, 601 F.3d 557, 559 (D.C. Cir. 2010) (information is confidential under FOIA’s “trade secrets” exemption “if its ‘disclosure would be likely ... to cause substantial harm to the competitive position of the person from whom the information was obtained’” (quoting *Nat’l Parks & Conserv. Ass’n v. Morton*, 498 F.2d 765, 770 (D.C. Cir. 1974))).

³⁸ AT&T Comments, CC Docket No. 99-301 at 17 (Dec. 3, 1999).

³⁹ *In re Local Competition and Broadband Reporting*, Report and Order, 15 FCC Rcd 7717, 7758, para. 88 (2000).

VII. CONCLUSION.

CTIA supports the Commission's efforts to modify the Form 477 to eliminate unnecessary reporting obligations and improve the value of the data collected to a variety of stakeholders. In doing so, however, the Commission should take care to collect only information that is necessary for the Commission to carry out its statutory duties, to avoid collecting information that is duplicative of information to which the Commission already has access, and to minimize the burdens on filers. For this reason, the Commission should wait until after it has evaluated the MF-II, one-time data submission before requiring the use of any consistent propagation model parameters.

Respectfully submitted,

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