

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

In the Matter of)	
)	
Bridging the Digital Divide for Low-Income Consumers)	WC Docket No. 17-287
)	
Lifeline and Link Up Reform and Modernization)	WC Docket No. 11-42
)	
Telecommunications Carriers Eligible for Universal Service Support)	WC Docket No. 09-197
)	

**COMMENTS OF THE NATIONAL ASSOCIATION OF
TELECOMMUNICATIONS OFFICERS AND ADVISORS AND NATIONAL LEAGUE
OF CITIES**

I. INTRODUCTION

The National Association of Telecommunications Officers and Advisors (“NATOA”) and National League of Cities (“NLC”) submit these comments in response to the Notice of Proposed Rulemaking, released December 1, 2017, in the above-entitled proceedings (“Fourth NPRM”).¹

NATOA, NLC, and their members are representatives of local governments and agencies, working directly with our respective communities to ensure that they have the most advanced communications services they need to compete in a global economy and better serve the needs of their residents. The availability of affordable communications services, including broadband, brings to communities and residents both a stronger economy and a stronger democracy.

Broadband allows city, county, and state governments to live stream public meetings and provide

¹ NATOA’s membership includes local government officials and staff members from across the nation whose responsibility is to develop and administer communications policy and the provision of such services for the nation’s local governments.

easy access to local laws and policies, keeping residents informed and engaged. It allows students to access online resources and submit homework, thus narrowing the “homework gap” and improving their educational experience. The availability of robust broadband services allows small businesses and entrepreneurs to advertise and sell their products and services online and compete with much larger businesses on a level playing field.

But ensuring that affordable broadband is available to all parts of our country is just one piece of the puzzle. Deployment without widespread adoption only contributes to the digital divide we continue to experience in our nation, especially in our economically challenged communities. We have enthusiastically supported the modernization of the Lifeline program, which has made Internet access more affordable for otherwise disconnected consumers and thus helped narrow the digital divide.² We are concerned that some of the proposals in the Fourth NPRM will undermine that effort by increasing the likelihood that low-income families will lose their only viable means of obtaining Internet access.

II. ARGUMENT

We fully support the FCC’s effort to “extend the reach of the program and ... help low-income families access the Internet so they may take full advantage of the educational, employment, civic, social, and other benefits broadband offers.”³ However, several of the proposed changes to the program will cut off Lifeline to those most in need and further widen the digital divide.

² See Comments of the National Association of Telecommunications Officers and Advisors, WC Docket No. 11-42 et al. (filed Apr. 21, 2011); Comments of the National Association of Telecommunications Officers and Advisors and the National League of Cities, WC Docket No. 11-42 et al. (filed Aug. 26, 2015).

³ *In the Matter of Bridging the Digital Divide for Low-Income Consumers*, WC Docket No. 17-287, *Lifeline and Link Up Reform and Modernization*, WC Docket No. 11-42, *Telecommunications Carriers Eligible for Universal Service Support*, WC Docket No. 09-197, Fourth Report and Order, Order on Reconsideration, Memorandum Opinion and Order, Further Notice of Proposed Rulemaking and Notice of Inquiry, FCC 17-155 (December 1, 2017) (“Fourth NPRM”) at ¶ 1.

A. *Commenters Oppose Elimination of Lifeline Support to Non-Facilities-Based ETCs*

Eliminating non-facilities-based providers from the Lifeline program will impact approximately seventy percent of Lifeline participants—families that rely on Lifeline resellers for critical voice and Internet services. Many of these families do not have an affordable facilities-based alternative for communications services, and there is no indication that the proposed changes to the Lifeline program would produce new affordable offerings from facilities-based providers. We oppose new rules that will direct Lifeline funds to support facilities rather than families.

The Commission’s goal in proposing the elimination of non-facilities-based providers from the Lifeline program—increasing the availability of broadband infrastructure—is laudable.⁴ However, a program aimed at affordability for consumers is not the appropriate vehicle to achieve that goal. Millions of Lifeline consumers will lose access to their selected service provider, and perhaps their only means of making phone calls and accessing the Internet, in exchange for the hope that someday new facilities will be made available to them. There are existing Universal Service Fund programs that subsidize infrastructure deployment. Lifeline should not be converted to the same purpose, especially at the expense of those most vulnerable.

We support reasonable efforts to control Lifeline-related waste, fraud and abuse, but not at the expense of access to services that are helping bring Internet access to families who otherwise remain left behind.

⁴ *Id.* at ¶ 67.

B. Commenters Oppose Elimination of the Lifeline’s “Equipment Requirement”

The provision of devices that are Wi-Fi-enabled and with hot spot functionality is an important component in addressing the digital divide and the “homework gap.” In communities where adequate wireline Internet services are not available, a Wi-Fi-enabled wireless device may be the only means of reaching the Internet to complete homework assignments or apply for jobs. Many communities offer free Wi-Fi at libraries, schools and other anchor institutions, a service that cannot be utilized by those who lack a computer or Wi-Fi-enabled device. Hot spot capabilities—without tethering charges—allow for Internet access to additional members of a Lifeline household, thereby extending the reach of Internet access enabled by the program.

It is difficult to find the rationale for eliminating the equipment requirement as a means to “bridge the digital divide.” The Commission cites consumer choice as the rationale⁵—a goal it does not embrace in its proposal to eliminate from the program the non-facilities-based providers chosen by most Lifeline consumers—but if additional choices will not improve access to affordable Internet services, then the rationale is misplaced. There is no question Wi-Fi/hot spot-enabled equipment supports and enhances Internet access for Lifeline recipients and no compelling reason to change course.

III. CONCLUSION

We continue to support the modernization of the Lifeline program as one tool to help narrow the digital divide, and support efforts to promote efficiency and eliminate waste, fraud and abuse in this critical program. Eliminating the service providers selected by a significant majority of Lifeline participants and allowing providers to distribute sub-standard devices does

⁵ *Id.* at ¶ 81.

not advance these goals. We, therefore, urge the Commission to continue to allow participation by non-facilities-based providers and to retain the equipment requirement.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'N. Werner', with a long horizontal flourish extending to the right.

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