

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

proceeding before the Pa. PUC. The proposals contained in this Reply Comment may change in response to subsequent events. This includes developments at the federal or state level, including the filing of ex parte pleadings.

Discussion

In the *FNPRM*, the Commission seeks comment on how to revise the current FCC Form 477 collection of voice and broadband subscription and deployment data to increase its usefulness to the Commission, Congress, the industry, and the public.³ The Pa. PUC supports the Commission's efforts to obtain accurate, useful, and verifiable data that will facilitate the further deployment and adoption of broadband throughout the nation. To that end, the Pa. PUC supports collecting broadband access deployment data down to the address level within census blocks, making non-commercially sensitive data such as minimum advertised or expected speed data available to the public and incorporated in Form 477 filings going forward, and providing state commissions with full access to all the data collected in the Form 477 process on a state and national basis.

The Pa. PUC agrees with various commentators who support the Commission's proposal of revising the Form 477 in a manner that requires collection of broadband access deployment and mobile broadband access and voice subscription data at a more granular geographic level down to the address level within a census block. Specifically, the California Public Utilities Commission (CPUC) and West Virginia Broadband Enhancement Council (Council) recommend that the Form 477 reflect the collection of broadband access deployment at the address level as address level data would greatly increase the accuracy of deployment data. and, the Pa. PUC

³ *FNPRM* at para. 1.

would note, inform consumers about broadband availability in their respective home, office, or business areas. This is particularly important for economic development. The Pa. PUC would also agree, that the current method of data collection and assessment does not adequately measure rural, insular, and high cost areas when data from these areas is aggregated within a census block.

Information reported in the Form 477 is the principal tool used by the Commission and the states to gather data on communications services, including broadband access services. The data collected from broadband providers should be reliable and accurately reflect deployment of broadband access services within census blocks. Accordingly, the Pa. PUC agrees with the recommendation that the Commission collect broadband access deployment at the address level.

Additionally, the Pa. PUC supports the Commission's proposal that certain collected data currently treated as confidential be made public.⁴ The Commission proposes that the minimum advertised or expected speed data for mobile broadband access services should not be treated as confidential, noting that this information is already available from other sources.⁵ The Commission notes that making this data available would provide consumers, states and experts the opportunity review the data for accuracy.

The Pa. PUC agrees with the CPUC that the Commission's proposal that non-commercially sensitive data such as minimum advertised or expected speed data should be released to the public and incorporated in all subsequent Form 477 filings going forward. As the Commission notes, this information is already available from other sources. Typically, providers' own websites contain information about the typical upload and download speeds their

⁴ *Id.* at para. 51.

⁵ *Id.*

networks offer in particular geographic areas. Therefore, it is neither an overly nor unfair burden for providers to incorporate this information in their Form 477 filings. Further, the release of this information would facilitate a more accurate rendering of service availability, provide a better portrayal of speed tier competition, and overall result in a more informed consumer base.

Lastly, the Pa. PUC agrees with both the CPUC's and Council's recommendations that the Commission provide state commissions, broadband agencies, councils and authorities, and state attorneys general with full access to all data collected through the Form 477 process. The Commission should require that when filing at the FCC, service providers also file Form 477 submissions concurrently with the relevant state commissions. The Pa. PUC agrees with the Council that "[f]ull data sharing will leverage the Commission's data and further its objectives by enabling States to help increase the availability and affordability of broadband service."⁶ This will remove any need for duplicative data collection required by independent state law and reduce the burden imposed on providers.

The Pa. PUC appreciates the opportunity to submit these reply comments

Respectfully submitted,
Pennsylvania Public Utility Commission

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⁶ Council Comments at 5.