

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Wireline Competition Bureau Seeks Comment) WC Docket No. 21-93
On Emergency Connectivity Fund for Educational)
Connections and Devices to Address the)
Homework Gap During the Pandemic)

COMMENTS OF STARRY, INC.

Starry, Inc. (Starry) submits these comments in response to the Federal Communications Commission’s (FCC or Commission) *Public Notice* seeking comment on the establishment of an Emergency Connectivity Fund (ECF or Fund) to help schools and libraries provide devices and connectivity to students, school staff, and library patrons during the pandemic.¹ The ongoing emergency period is a consistent reminder of remaining broadband inequities that are increasingly exacerbated as our education system confronts new challenges; homes have become classrooms and teachers are reinventing school curriculums to accommodate remote learning and hybrid school environments. The ECF is a critical step from Congress and the FCC to ensure that community institutions, like schools and libraries, can remain online and can serve as broadband lifelines for their communities. Access to robust, reliable, and affordable broadband services is critical for students and teachers seeking remote education and information services.

For these reasons, Starry supports the FCC’s and Congress’s creation of the Emergency Connectivity Fund to ensure that more schools and libraries can access eligible equipment and advanced telecommunications and information services during the emergency period. The E-Rate Program has long been an important resource for connectivity in communities, and at times when school facilities are inaccessible and home broadband is fundamental for education, the FCC can further creative solutions for consumers through limited support programs like the ECF. The FCC has taken great steps to address connectivity gaps, most recently through the proposal

¹ Public Notice, *Wireline Competition Bureau Seeks Comment On Emergency Connectivity Fund for Educational Connections and Devices to Address the Homework Gap During the Pandemic*, WC Docket No. 21-93 (rel. Mar. 16, 2021) (Public Notice).

of modified rules for the E-Rate Program,² and the FCC's efforts to provide temporary, targeted assistance through the ECF is another critical component to ensuring that American students can continue to excel in their education.

Specifically, Starry supports the FCC's goal for the ECF to provide targeted funding for equipment and services that promote remote access to learning and education services for students, school staff, and library patrons.³ The ECF is a temporary source of support, and the FCC should ensure that it adopts program rules that maximize the effectiveness of its limited funds by implementing the following recommendations:

- The FCC should allow ECF support to be used for the construction of new networks and the delivery of new services to schools and libraries;
- ECF funds should be allocated on a technology neutral basis to support cost-effective and creative connectivity solutions;
- The FCC should adopt a symmetrical minimum service standard (*i.e.*, 30 Mbps download / 30 Mbps upload) to ensure that eligible services and devices adequately meet ECF recipients' needs.

Starry first encourages the FCC to allow funding to be used for the construction of new networks and the delivery of new services. The demand for advanced telecommunications is at a critical surge, and the FCC should refrain from prematurely excluding any one type of network or technology from ECF reimbursement. Instead, by remaining technology neutral and allowing the ECF to fund the construction of a variety of innovative networks and services, the FCC can support cost-effective and creative network solutions that further connectivity to the communities in and around schools and libraries. Additionally, the FCC should consider minimum service standards for ECF-eligible services to ensure that services and devices can adequately meet the connectivity needs of ECF recipients. Together, these initiatives can help to address the immense burden placed on students and teachers seeking robust connectivity for

² See, e.g., Public Notice, *Wireline Competition Bureau Seeks Comment On Petitions for Emergency Relief to Allow the Use of E-Rate Funds to Support Remote Learning During the COVID-19 Pandemic*, WC Docket No. 21-31 (rel. Feb. 1, 2021) (Public Notice) (*citing*, Petition for Expedited Declaratory Ruling and Waivers filed by the Schools, Health & Libraries Broadband Coalition, et al., WC Docket No. 13-184 (filed Jan. 26, 2021), <https://www.fcc.gov/ecfs/filing/101260036427898>; Petition for Waiver on behalf of the State of Colorado, WC Docket No. 13-184 (filed Sept. 2, 2020), <https://www.fcc.gov/ecfs/filing/10902218280692>; Letter from Elaine Wynn, President, Nevada State Board of Education, to Chairman Pai, FCC, CC Docket No. 02-6 (filed Aug. 10, 2020), <https://www.fcc.gov/ecfs/filing/108212219529231>).

³ Public Notice at 1.

remote learning and library services, and benefit a broader range of ECF recipients in and around these community institutions.

I. Consumers Require New, Innovative Networks and Services to Access Advanced Educational Opportunities

The COVID-19 emergency period continues to underscore the need for robust broadband service as a critical component to accessing community institutions like schools and libraries. Reliably fast internet is a necessary tool to accelerate learning and working from home as connected devices increasingly replace traditional books, and homes and libraries replace traditional classroom environments. The California IT in Education aptly notes, “consistent access to high-speed internet is as essential as textbooks and other classroom materials.”⁴ What’s more, broadband access is critical for individuals and communities to thrive, but clear inequalities remain. Recent research indicates that 60% of disconnected students cannot pay for internet access or devices, and students from low-income families - defined as those whose households earn less than \$50,000 per year - make up just 30 percent of all students but 50 percent of those who experience connectivity issues.⁵ The digital divide continues to widen in low-income and urban environments, and now is a prime opportunity for policymakers to adopt smart policies that ignite connectivity as technology continues to evolve.

The FCC’s ECF is a timely step to address the digital divide, and the Commission should leverage forward-looking, innovative technologies when allocating limited federal funds for this purpose. The American Rescue Plan Act requires that support provided to eligible schools and libraries be used during the emergency period for the purchase of (i) eligible equipment, and/or (ii) advanced telecommunications and information services - with “services” defined as advanced telecommunications and information services under 254(h) of the Communications Act.⁶ The FCC proposes that the definition of services be limited to those that can be supported

⁴ Letter from Andrea F. Bennett, Executive Director, California IT in Education, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 21-93 at 2 (filed Mar. 24, 2021).

⁵ EdSurge, “The Digital Divide Has Narrowed, But 12 Million Students Are Still Disconnected,” (Jan. 27, 2021), *available at* <https://www.edsurge.com/news/2021-01-27-the-digital-divide-has-narrowed-but-12-million-students-are-still-disconnected>.

⁶ Public Notice at 2.

and delivered with eligible equipment, and seeks comment on excluding the construction of new networks from the funding.⁷

Starry encourages the Commission to ensure that ECF funds can be used to support new networks and connections, and to remain technology neutral in its ECF support allocations. The emergency period teaches a fundamental lesson that ongoing connectivity gaps abound throughout a variety of urban and rural communities across the country, and the Commission should ensure that limited programs like the ECF provide recipients enough flexibility to choose solutions that most adequately address their connectivity challenges. The Commission should take a technology neutral approach and refrain from explicitly precluding new networks or connections from ECF reimbursements. Starry joins other stakeholders on record, such as New America’s Open Technology Institute and the Schools, Health & Libraries Broadband Coalition, who emphasize that the implementation of targeted rules for appropriated funding in the E-Rate Program “should be technology neutral and include any advanced telecommunications technology or service that best meets the local needs of students for internet connections to learn away from school.”⁸ Doing so will ensure that the Commission does not inadvertently hinder innovation nor preclude schools and libraries from selecting a connectivity solution that best meets their needs.

A technology neutral approach also will maximize the number of ECF recipients and broaden the universe of providers that are willing and able to deploy and expand new networks to community institutions like schools and libraries, to the benefit of those communities. Research indicates that students who are unable to connect to the internet with the same consistency and quality as their peers are more likely to experience a learning loss or drop out of schools.⁹ Congress’s and the FCC’s creation of the ECF recognizes the need to further competitive options for broadband services, and to ensure that ECF recipients are able to choose from more than a single provider to meet their connectivity needs.

⁷ *Id.* at 7.

⁸ Joint Letter from New America’s Open Technology Institute and the Schools, Health & Libraries Broadband Coalition, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 21-93 at 3 (filed Mar. 17, 2021).

⁹ *See supra*, note 5.

II. The FCC’s ECF Should Advance Robust Networks That Can Support Remote Educational Resources

Schools and libraries are anchor institutions in their communities, and the FCC has long recognized the important role that they play in providing connectivity. The FCC should provide as much certainty as possible through the ECF and maximize the success of the short-term program by reimbursing applicants for broadband services that are offered at a reasonable price and with advanced speeds. These guidelines will ensure that the ECF can significantly assist America’s teachers, students, and library patrons, and that providers continue to offer services capable of supporting virtual education.

Specifically, the Commission should ensure that connections funded through the ECF can adequately support remote learning by reimbursing applicants for broadband service plans with speeds that are faster than the current federal definition of broadband (*i.e.*, greater than 25 Mbps download speed/3 Mbps upload speed). As the United States slowly returns to normal, teachers and students continue to navigate unique learning environments, including ongoing virtual lessons and hybrid classrooms. Without fast, reliable broadband with symmetrical upload and download speeds, many teachers and students lack the bandwidth necessary for learning and connection.¹⁰ For these reasons, Starry suggests that the Commission create a minimum speed threshold for ECF-eligible broadband services, such as 30 Mbps download/30 Mbps upload. As the Boulder Valley School District notes on record, “connecting students is more than just an internet connection. It has to be an adequate internet connection.”¹¹ The COVID-19 pandemic has made clear that reliable broadband speeds and connections are critical to learning from home, accessing virtual learning and education services, and supporting hybrid classrooms. The Commission should ensure that finite federal funds are allocated to services that can effectively meet consumers’ needs.

¹⁰ USA Today, “A year into the pandemic, thousands of students still can’t get online. The digital divide remains worse than ever,” (Feb. 4, 2021), *available at* <https://www.usatoday.com/story/news/education/2021/02/04/covid-online-school-broadband-internet-laptops/3930744001/>.

¹¹ Reply Comments of Boulder Valley School District Denver Public Schools, WC Docket No. 21-93 at 1 (filed Mar. 17, 2021).

III. Conclusion

The FCC and Congress continue to pursue policies to quickly address remaining connectivity challenges that are exacerbated by the ongoing COVID-19 pandemic. Starry supports the creation of the ECF to mitigate connectivity challenges, and encourages the Commission to consider the recommendations herein to ensure that finite federal funds are put to their best and highest use. Starry looks forward to continued work with policymakers and industry to effectuate clear policies that incentivize the deployment of affordable, reliable, and competitive broadband networks to community institutions throughout the United States.

Respectfully submitted,

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