

April 10, 2020



Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street NW
Washington, DC 20554

Re: Letter Urging the Commission to Work With Local Officials to Ensure That Every Community Has High-Speed Connectivity

Dear Ms. Dortch:

Next Century Cities is a nonprofit 501(c)(3) coalition comprised of over 200 member municipalities across the United States that works to bring fast, affordable, and reliable broadband to residents. We represent local elected officials and their appointees, advocating for telecommunications policies that support connectivity in every community.

On April 3, 2020, Next Century Cities sent a letter to each of the Commissioners which explained the need to work with local officials on broadband deployment strategies.¹ On April 8, 2020, Francella Ochillo and Ryan Johnston on behalf of Next Century Cities and Rondella Hawkins on behalf of the City of Austin, Texas, met with Chairman Ajit Pai's Policy Advisor Evan Swarztrauber via phone to discuss the Commission's coronavirus ("COVID-19") emergency response measures, minimum broadband speeds, and wireline deployment.

Local leaders are facing immense pressure to keep their residents safe while keeping them connected. Distance learning, work-from-home, and telemedicine program mandates have put unmanageable stress on some networks as other networks thrive. In Sandy, Oregon, Mayor Stan Pulliam reported, "Our municipal high-speed broadband internet service, SandyNet, has been a tremendous asset to our community during this national COVID-19 pandemic crisis. As a result of SandyNet, our citizens have been able to observe the President's social distancing guidelines and our Governor's Stay-At-Home order." Whereas, in Hanover, New Hampshire, Town Manager Julia Griffin explained, "Here in rural New Hampshire, large portions of the state are woefully underserved or completely unserved by broadband."

Coast to coast, connectivity—or the lack thereof—has a direct impact on educational outcomes, economic mobility, and the ability to participate in our democracy. At the outset, we applauded the Commission's efforts related to the Keep America Connected

¹ Letter from Next Century Cities, to Federal Communications Chairman Ajit Pai, Commissioner Michael O'Rielly, Commissioner Brenden Carr, Commissioner Jessica Rosenworcel, and Commissioner Geoffrey Starks (April 3, 2020), *available at* <https://nextcenturycities.org/nccs-letter-on-covid-19-response-and-broadband/>.



Pledge and other emergency actions, then followed-up recommendations on how the Commission could do more to help.

There were four discussion items on our agenda. First, we recommended that the Commission increase minimum broadband speeds. In previous filings, Next Century Cities has explained why it should be updated to 100 Mbps downstream.² Oftentimes a slow connection is essentially equivalent to no connection at all. Stay-at-home orders mean that parents and children are competing for bandwidth while working and learning from home even though current benchmark speeds cannot support multiple high bandwidth applications.³ Chapel Hill, North Carolina, is a Next Century City member municipality and home to a family facing those types of bandwidth bottlenecks. The Davenports, who subscribe to digital subscriber line (DSL) internet near minimum speeds, are tormented with frozen and pixelated screens when filling out forms on one device while attempting to stream video content on another.⁴ At minimum, the profound impact that COVID-19 has had on broadband networks nationwide warrants a pause and study to investigate whether the 25 Mbps download and 3 Mbps upload standard is still adequate.

Secondly, the Commission has made great strides to expand wireless solutions to unserved and underserved areas. We reiterated the need to keep wireline infrastructure as a priority. Wireless connectivity is invaluable and has widespread application but is not a substitute for fixed broadband connections. Reliable wireless connectivity must be backed by robust wireline networks which also help alleviate network congestion. It will take the expertise and community insights from local officials to get the requisite wireline infrastructure into unserved and underserved areas. Local leaders are best situated to provide feedback on whether the agency's policies reach those disconnected populations and improve local government outcomes. Member municipalities in our coalition, for instance, can attest that removing federal and state barriers to municipally-owned broadband systems in rural areas would accelerate deployment to the hardest to reach and most vulnerable populations.

Additionally, we inquired whether local officials were invited to participate in recent network performance meetings that Chairman Pai has with providers. In Charlotte, North Carolina, another Next Century City member municipality, median download speeds have fallen 29% in recent weeks because of network congestion.⁵ Some consumers were required to increase their speeds to get relief even though they subscribed to speeds well

² See Comments of Public Knowledge, Next Century Cities, and Common Cause, GN Docket No. 19-285 at 4-6 (Nov. 22, 2019).

³ *Id.* at 6.

⁴ See Trent Brown, *Slow Internet, Slow Solutions for N.C. Families Stranded by Coronavirus* (Mar. 31, 2020), <https://www.newsobserver.com/news/coronavirus/article241424026.html>.

⁵ Zachery Eanes, *Notice that your internet speed is slower? It's happening across NC as millions stay home* (Apr. 1, 2020), <https://www.newsobserver.com/news/business/article241679146.html>.



over the national minimum.⁶ Charlotte officials may have been able to raise this issue in network update meetings, flagging it for the Commission and other providers as well. We urge the Commission to include local officials in network performance analysis. We also support calls to share broadband status reports with the public.⁷

Finally, we stated in the meeting that local leaders have been noticeably absent from the agency's advisory committees, and the Commission should include them in the next round of advisory committee or workgroup selections. According to Rondella Hawkins, Telecommunications & Regulatory Affairs Officer for the City of Austin, "Incorporating local government perspectives will not only help ensure that affordable, equitable, high capacity broadband is available to all communities, it is critical for finding solutions that fit local needs and interests."

Local government leaders deal with real-life situations and impacted citizens everyday and know that policies are most beneficial when tested in those conditions. As we stated in the meeting, Next Century Cities stands ready to partner with the Commission to facilitate collaborations with them.

Respectfully submitted,

/s/ Francella Ochillo

Francella Ochillo
Executive Director
Next Century Cities

/s/ Ryan Johnston

Ryan Johnston
Policy Counsel
Next Century Cities

cc: Evan Swarztrauber

⁶ *Id.*

⁷ See e.g. Jessica Rosenworcel (@JRosenworcel), Twitter (March 20, 2020), <https://twitter.com/JRosenworcel/status/1241088164565069824> ("The FCC needs to report daily on the state of communications networks in this country. It does these reports in other crises, like hurricanes and power outages. It needs to do this here. Now. Because these are the networks we are all counting on for some semblance of modern life."); See also Jon Sallet, *Our Networks Are More Vital Than Ever. The FCC Owes Us Updates* (Mar. 30, 2020), <https://undark.org/2020/03/30/covid-19-internet/> ("the FCC should issue a weekly broadband status report, updating America on what is working about our broadband networks and what, if anything, is not. America's network infrastructure is a patchwork quilt of technologies reaching across a vast geographic area with widely varying usage patterns even in normal times.")



