

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

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| In the Matter |) | |
| |) | |
| Establishing the Digital Opportunity Data Collection |) | WC Docket No. 19-195 |
| |) | |
| Modernizing the FCC Form 477 Data Program |) | WC Docket No. 11-10 |

COMMENTS OF THE MISSISSIPPI PUBLIC SERVICE COMMISSION

The Mississippi Public Service Commission (“MPSC”) respectfully submits these comments to the Federal Communications Commission (“FCC” or “Commission”) in response to its Report and Order and Second Further Notice of Proposed Rulemaking (“NPRM”) released August 6, 2019, in the above-captioned proceedings.¹ The MPSC appreciates and supports the FCC’s assertion that accurate broadband deployment data is critical to our efforts to bridge the digital divide plaguing rural America.² As stated in previous comments³, the MPSC fully supports the FCC’s commitment to expanding access to broadband to rural communities and applauds the FCC for its efforts.

These comments specifically address the FCC’s incorporation and consideration of data from State and local governmental entities and members of the public.⁴ For purposes of creating a nationwide broadband map that accurately reflects where service is and what that service is, the

¹ See *Establishing the Digital Opportunity Data Collection*, WC Docket No. 19-195; *Modernizing the FCC Form 477 Data Program*; Report and Order And Second Further Notice of Proposed Rulemaking, FCC 19-79 (rel. Aug. 6, 2019).

² *Id.* at ¶ 1.

³ See *Rural Digital Opportunity Fund*, WC Docket No. 19-126; *Connect America Fund*, WC Docket No. 10-90; Comments of the Mississippi Public Service Commission, FCC 19-77 (filed Sep. 20, 2019).

⁴ See *Establishing the Digital Opportunity Data Collection*, WC Docket No. 19-195; *Modernizing the FCC Form 477 Data Program*; Report and Order And Second Further Notice of Proposed Rulemaking, FCC 19-79 (rel. Aug. 6, 2019) at ¶ 88.

MPSC supports the FCC's conclusion that this cannot be based solely on the assertions of the carriers, but must take into consideration the facts on-the-ground.

PARTICIPATION AND INPUT FROM STATE GOVERNMENTAL ENTITIES AND CONSUMERS

The MPSC supports the FCC's inclusion of State, local, and Tribal governmental entities and members of the public in the process of creating a nationwide broadband map. While this inclusion is appreciated, if the process is not designed and administered in a way that allows for actual consideration, it will frustrate the efforts of entities and individuals across the country.

Last year, the MPSC actively participated in the "challenge process" conducted by the FCC in its Mobility Fund Phase II reverse auction to award universal service support for mobile wireless carriers. Task forces were convened across the state, working with state and local officials, to organize members of the public as the MPSC sought to refute the claim that 90% of the state received adequate cell phone service.

Following the FCC's process and utilizing the FCC Challenge Mobile Application, tens of thousands of "speed test" were run by MPSC investigators and MPSC-organized, citizen Task Forces. The results from these test were compiled by the MPSC and submitted to the Commission for consideration; the Mississippi Farm Bureau Federation also participated in the challenge process. What resulted from these efforts were zero successful challenges.

The MPSC suggests the FCC review the challenge process administered in the Mobility Fund Phase II and implement a challenge process that corrects the frustrations presented. Specifically, if State, local, and tribal governmental entities and members of the public are allowed to participate in the formulation of a nationwide broadband map, said process must realistically incorporate the data submitted. In designing the processes and mechanisms behind

this participation, the FCC should take into consideration any requirements that require specific devices or equipment that is not readily or realistically available for members of the public.

The MPSC appreciates the opportunity to comment on the FCC's efforts at obtaining a nationwide broadband map that accurately reflects the services being provided and believes the results of this process will be beneficial. The MPSC applauds the Commission's continued efforts at bridging the digital divide that is plaguing rural communities across the country.

Respectfully submitted,

MISSISSIPPI PUBLIC SERVICE COMMISSION



Brandon Presley, Chairman



Cecil Brown, Vice Chairman



Samuel F. Britton, Commissioner

September 23, 2019