



Federal Communications Commission
Washington, D.C. 20554

December 10, 2012

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

Re: Measuring Broadband America Program, GN Docket No. 12-264

Dear Ms. Dortch:

On December 6, 2012, Michael Archer, Sprint Nextel, Data Network Measurements, met with James Miller, Senior Attorney Advisor to discuss the Commission's Measuring Broadband America program's mobile measurement effort. The meeting focused on discussion of privacy issues and program goals described in a review document presented at the November 28, 2012 mobile collaborative meeting.¹

Mr. Miller provided background on the two-year program's focus on the measurement of fixed broadband performance and the legal and technical mechanisms that were used to protect volunteer subscribers' privacy. He answered questions regarding the data collection, processing and reporting process for the 2011 and 2012 broadband performance reports and data release. He described the data aggregation and filtration process employed to isolate and remove test results and perform other processing in geographic blocks where few subscribers supplied reportable data.

Mr. Miller sought feedback on a document presented at the November 28, 2012 mobile collaborative meeting.² He explained that the document was intended to frame staffs' initial thinking regarding privacy policy objectives and concerns, and described a range of typical use cases with a desired information element or output coupled with the necessary data elements required to produce the output. He suggested that likely users of the mobile broadband data products of the program's mobile effort might include volunteer subscribers accessing their broadband performance data, researchers using data or analytic products in new research, and policy makers using data and analysis in policy development. Mr. Miller sought feedback on the specific use cases and data products described in the document, and what utility and risks might exist for specific users. He sought feedback on what disclosure controls or data processing strategies might address risks in ways that would maximize the value of the data products to the specific users and the general public.

¹ The review document and an ex parte filing of the November 28, 2012 meeting are available in GN Docket No. 12-264.

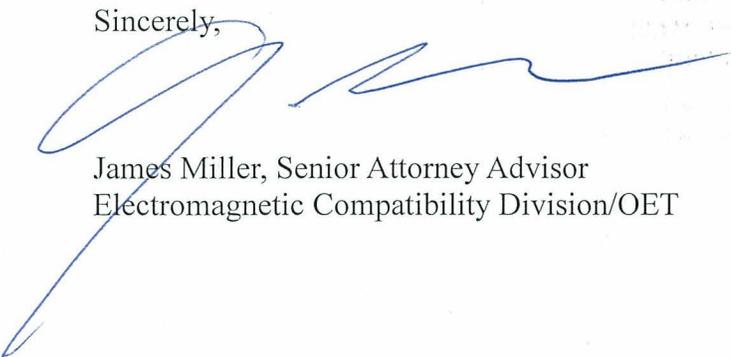
² Measuring Broadband America Program's Mobile Measurement Privacy Policy and Implementation Review Document (Draft), available at <http://apps.fcc.gov/ecfs/document/view?id=7022069988>.

Mr. Archer discussed that data aggregation could be useful in striking a balance between releasing both aggregated reports and the supporting raw data. In some cases specific analytic views of data might define the requirements for supporting data and limits to whether and how data might be aggregated. He suggested some analytic reporting cases might require non-aggregate dimensions of data that could increase privacy risks and be incompatible with a balancing of risks and utility of the data products. He described strategies exist to improve randomness of the raw data such as changing the frequency or schedule test that could supplement aggregation strategies.

Mr. Archer shared the view that the privacy policy should inform volunteer participants that volunteers that publicly disclose their results or other aspects of their broadband use may increase the risk of third parties linking information available from other sources with broadband measurement data released by the program. Users of social media and other Internet applications may have differing levels of concern for such risk but the privacy policy should highlight potential risks for consumers to make informed decisions. He also suggested that any restrictions on use of published data should be clearly described and users of broadband data should be required to follow any restrictions on use. Mr. Miller described the Code of Conduct agreed to by stakeholders in the fixed program to memorialize the good faith obligations surrounding participation in and access to program resources.

Mr. Miller invited Mr. Archer to share further comments and feedback at the mobile collaborative meeting scheduled for December 12, 2012.

Sincerely,



James Miller, Senior Attorney Advisor
Electromagnetic Compatibility Division/OET