



REVIEW OF RECENT EVENTS IN THE TELECOMMUNICATIONS ARENA

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BROADBAND ACTION AGENDA ANNOUNCED

The FCC has announced an ambitious 2010 agenda for implementing key recommendations in the National Broadband Plan that call for FCC action, including initiating rulemakings. The National Broadband Plan sets forth a comprehensive national broadband policy and strategy (*see* "[FCC Delivers National Broadband Plan to Congress](#)," Garvey Schubert Barer, March 31, 2010; "[The Federal Communications Commission's National Broadband Plan: Summary of Recommendations](#)," Garvey Schubert Barer, March 19, 2010).

The 2010 Broadband Action Agenda announced yesterday explains the purpose and timing of more than 60 FCC rulemaking and other notice-and-comment proceedings that the FCC intends to undertake over the next year and beyond in connection with the National Broadband Plan.

Some of the anticipated proceedings include:

- ***USF Reform NPRM and NOI*** – FCC will propose specific reforms to the existing high-cost support mechanisms to identify funds that can be refocused toward broadband, and seek comment on the use of a model to determine efficient and targeted levels for broadband deployment in high-cost areas; target date is 2Q 2010.



- ***Mobility Fund NPRM*** – FCC will propose rules creating a Mobility Fund to provide for one-time support for deployment of 3G (or better) networks in states that significantly lag the national average; target date is late 3Q or early 4Q 2010.
- ***USF Transformation FNPRM*** – FCC will propose rules to expedite deployment of broadband to unserved areas and establish the framework of the Connect America Fund to shift from supporting phone service to advancing access to broadband as well as voice; target date is 4Q 2010.
- ***USF Contribution NPRM*** – FCC will propose rules to reform the process for collecting contributions to the USF; target date is 4Q 2010.
- ***Intercarrier Compensation NPRM*** – FCC will propose rules for long-term intercarrier compensation reform, including implementation of a glide path for reducing per-minute charges, establishment of appropriate cost-recovery mechanisms, and implementation of interim solutions to address arbitrage; target date is 4Q 2010.
- ***Special Access Workshop*** – FCC will hold a staff workshop to discuss the analytical framework the FCC should use to assess the effectiveness of its existing special access rules, which generally govern the terms and under which certain dedicated, high-capacity links may be purchased from incumbent carriers to serve business locations and cell phone towers; target date is 2Q 2010.
- ***Special Access NPRM*** – FCC will propose a framework for assessing the effectiveness of the existing special access rules and identify any associated data collection requirements, which are critical steps toward ensuring that rates, terms, and conditions for special access services are just and reasonable; target date is 3Q or early 4Q 2010.
- ***Small Business Broadband and Wholesale Competition PN*** – FCC will issue a public notice initiating development of a coherent, comprehensive framework for addressing a number of wireline wholesale competition policy issues that affect the small business market, including wholesale obligations raised in pending proceeding; target date is 2Q 2010.
- ***Small Business and Wholesale Competition NOI*** – FCC will adopt a NOI seeking comment on application of an analytical framework for wireline wholesale competition issues; target date is 4Q 2010.
- ***Pole Attachment Order and FNPRM*** – FCC will recommend adopting an order and FNPRM to clarify and streamline broadband network operators’ ability to obtain just, reasonable, and nondiscriminatory access to utility poles for the build-out of their networks; target date is 2Q 2010.
- ***Rights-of-Way Task Force*** – FCC will begin work on a rights-of-way task force with state, Tribal, and local policy makers to inventory current practices and policies and recommend fair practices and fees for broadband network operators’ access to rights-of-way, and use recommendations from the task force in a subsequent formal proceeding to seek industry-wide comment on collecting and making available more information about rights-of-way and setting guidelines for rights-of-way access; target date is 3Q 2010.
- ***Interconnection Clarification Order*** – FCC will recommend adopting an order clarifying the rights of competitive carriers to obtain a key input: interconnection



with rural incumbent telephone companies in order to provide voice service, often as part of a bundle with broadband and/or pay television service; target date is 3Q 2010.

- **Technical Advisory Group on Speed and Performance** – FCC will launch a technical advisory group on speed and performance in order to develop guidelines for measuring actual broadband speed and performance and for disclosing information to consumers; target date is 2Q 2010.
- **Speed Performance and Measurement** – FCC will launch a third-party measurement program to sample broadband performance for 10,000 households nationwide, the purpose of which is to collect and report more accurate data on actual broadband speeds; target date is 2Q 2010.
- **Transparency and Disclosure NPRM** – FCC will propose rules regarding disclosure requirements for broadband service providers; target date is late 3Q or early 4Q 2010.
- **Broadband Data NPRM** – FCC will propose rules to collect and analyze more detailed and accurate industry-wide data on several key broadband metrics, including subscribership, actual availability, penetration, performance, prices, churn, and bundle, for both consumers and business customers; target date is 4Q 2010.
- **Cybersecurity Certification NOI** – FCC will initiate a proceeding to create a voluntary cybersecurity certification program that creates market incentives for communications service providers to upgrade their network cybersecurity; target date is 2Q 2010.

For additional information, see the 2010 Broadband Action Agenda at <http://www.broadband.gov/plan/broadband-action-agenda.html> and the implementation schedule at <http://www.broadband.gov/plan/chart-of-key-broadband-action-agenda-items.pdf>.

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