

Broadband Labelling, Affordable Connectivity Program, and Digital Discrimination

Presented by
Christopher Canter

Senior Legal Counsel @
John Staurulakis, LLC

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Agenda

1. Broadband Labels
2. Digital Discrimination
3. ACP

Part 1

Broadband Labels

Broadband Labels

FCC has adopted rules mandating Broadband Labels. Providers must disclose information about:

- Broadband prices
- Introductory rates
- Data allowances
- Broadband speeds

Broadband Facts	
Provider Name	
Service Plan Name and/or Speed Tier	
Fixed or Mobile Broadband Consumer Disclosure	
Monthly Price	[S]
This Monthly Price [is/is not] an introductory rate. [if introductory rate is applicable, identify length of introductory period and the rate that will apply after introductory period concludes]	
This Monthly Price [does not] require[s] a [x year/x month] contract. [only required if applicable; if so, provide link to terms of contract]	
Additional Charges & Terms	
Provider Monthly Fees [Itemize each fee or enter "None."]	[S]
One-time Fees at the Time of Purchase [Itemize each fee or enter "None."]	[S]
Early Termination Fee	[S]
Government Taxes	[Varies by Location/Taxes Included]
Discounts & Bundles	
Click Here for available billing discounts and pricing options for broadband service bundled with other services like video, phone, and wireless service, and use of your own equipment like modems and routers. [Any links to such discounts and pricing options on the provider's website must be provided in this section.]	
Affordable Connectivity Program (ACP)	
The ACP is a government program to help lower the monthly cost of internet service. To learn more about the ACP, including to find out whether you qualify, visit GetInternet.gov .	
Participates in the ACP	[Yes/No]
Speeds Provided with Plan	
Typical Download Speed	[] Mbps
Typical Upload Speed	[] Mbps
Typical Latency	[] ms
Data Included with Monthly Price	
Charges for Additional Data Usage	[S/GB]
Network Management	Read our Policy
Privacy	Read our Policy
Customer Support	
Contact Us: example.com/support / (555) 555-5555	
Learn more about the terms used on this label by visiting the Federal Communications Commission's Consumer Resource Center. fcc.gov/consumer	
[Unique Plan Identifier Ex: F0005937974123ABC456EMC789]	

Links

Also include links to information about:

- Network management practices
- Privacy policies
- The FCC's Affordable Connectivity Program.

Broadband Facts

Provider Name

Service Plan Name and/or Speed Tier

Fixed or Mobile Broadband Consumer Disclosure

Monthly Price [\$]

This Monthly Price [is/is not] an introductory rate. [if introductory rate is applicable, identify length of introductory period and the rate that will apply after introductory period concludes]

This Monthly Price [does not] require[s] a [x year/x month] contract. [only required if applicable; if so, provide link to terms of contract]

Additional Charges & Terms

Provider Monthly Fees [\$]
[Itemize each fee or enter "None."]

One-time Fees at the Time of Purchase [\$]
[Itemize each fee or enter "None."]

Early Termination Fee [\$]

Government Taxes [Varies by Location/Taxes Included]

Discounts & Bundles

[Click Here](#) for available billing discounts and pricing options for broadband service bundled with other services like video, phone, and wireless service, and use of your own equipment like modems and routers. [Any links to such discounts and pricing options on the provider's website must be provided in this section.]

Affordable Connectivity Program (ACP)

The ACP is a government program to help lower the monthly cost of internet service. To learn more about the ACP, including to find out whether you qualify, visit [GetInternet.gov](#).

Participates in the ACP [Yes/No]

Speeds Provided with Plan

Typical Download Speed [] Mbps

Typical Upload Speed [] Mbps

Typical Latency [] ms

Data Included with Monthly Price [] GB

Charges for Additional Data Usage [\$/GB]

Network Management

[Read our Policy](#)

Privacy

[Read our Policy](#)

Customer Support

Contact Us: [example.com/support](#) / (555) 555-5555

Learn more about the terms used on this label by visiting the Federal Communications Commission's Consumer Resource Center.

[fcc.gov/consumer](#)

[Unique Plan Identifier Ex. F0005937974123ABC456EMC789]

What and Where?

Prominent Display.

- The Order ensures that consumers see their actual label when purchasing broadband
- In close proximity to an associated plan advertisement.

Account Portals.

- Make each customer's label easily accessible to the customer in their online account portal
- provide the label to an existing customer upon request.

Machine Readability

- make the information in the labels machine-readable (e.g. CSV)
- enable third parties to more easily collect and aggregate data for the purpose of creating comparison-shopping tools for consumers

Disability Access

The FCC requires that broadband labels be accessible to people with disabilities and ordered ISPs to follow the Americans with Disabilities Act and associated Department of Justice guidance.

- including giving primary consideration to the individual's choice of alternate format, including "qualified readers, taped texts, audio recordings, braille materials, large print materials, or other effective methods of making visually delivered materials available to individuals with visual impairments."
- The FCC also strongly encouraged ISPs to comply with the Web Content Accessibility Guidelines (WCAG).

Broadband Label Compliance Dates

- Providers with 100,000 or fewer subscriber lines must do so by October 10, 2024.
- Larger providers = April 10, 2024 (Sooner)

Part 2

Digital Discrimination

Digital Discrimination

The FCC's Report and Order:

- Adopts rules that prohibit digital discrimination of access and a definition of “digital discrimination of access.”
- Authorizes FCC investigations regarding digital discrimination of access.
- Proposes annual reports and internal compliance protocols in a Further Notice of Proposed Rulemaking.

Listed Characteristics

FCC Rules prohibit Discrimination based on:

- Income Level
- Race
- Ethnicity
- Color
- Religion
- National Origin

Covered Entities

Covered entities include, *but are not limited to:*

- Broadband Providers
- Contractors Retained By Broadband Internet Access Service Providers
- Entities Working Through Partnership Agreements Or Other Business Arrangements
- Entities Facilitating Or Involved In The Provision Of Broadband Internet Access Service
- Entities Maintaining And Upgrading Network Infrastructure
- Entities That Otherwise Affect Consumer Access To Broadband Internet Access Service

Very broad scope!

Parts of Broadband Covered

- Deployment Technical Terms And Conditions of Service, such as Policies and Practices Regarding Speeds, Capacities, Latency, Data Caps
- Network Infrastructure Deployment
- Network Reliability
- Network Upgrades
- Network Maintenance
- Customer-Premises Equipment and Installation
- Non-Technical Terms and Conditions of Service such as Policies and Practices regarding Contractual Terms Generally
 - Mandatory Arbitration Clauses
 - Pricing
- Deposits
- Discounts
- Customer Service
- Language Options
- Credit Checks
- Marketing or Advertising
- Contract Renewal
- Upgrades
- Account Termination
- Transfers to Another Covered Entity
- Service Suspension

“Includes but not limited to”

Methodology

- The FCC will look first to whether the policy or practice differentially affects access to broadband service or intends to do so.
- If so, the FCC will then review any issues of technical or economic feasibility that may compel use of the challenged policy or practice.

What Do These Rules Encompass?

Prohibits broadband providers (or entities supporting a broadband provider) from discrimination.

Rules are very broad (cover almost all elements of broadband).

FCC has lots of flexibility.

- Case-by-case basis.
- No compliance checklist or safe harbors.

Proposed Requirements in the FNPRM

FCC seeks comment on proposed compliance obligations for providers:

- Annual Reports: submit an annual, publicly-available supplement to the March Broadband Data Collection
- Internal Compliance Programs: establish a mandatory internal compliance program requiring regular internal assessment

Part 3

Affordable Connectivity Program

Affordable Connectivity Program

- ACP benefit provides a discount of up to \$30 per month toward internet service for eligible households.
 - (Up to \$75 per month for households on qualifying Tribal lands).
- Eligible households can also receive a one-time discount of up to \$100 to purchase a laptop, desktop computer, or tablet from participating providers.
- A household is eligible for the Affordable Connectivity Program if the household income is at or below 200% of the *Federal Poverty Guidelines*.

ACP Expiration

“The Federal Communications Commission (FCC) would like to inform you that the Affordable Connectivity Program (ACP) is expected to end this spring unless Congress appropriates additional funding.”

The FCC projects that households enrolled in the ACP will continue to receive the benefit on their internet service through April 2024.*

* This date is an estimate and may change.

ACP Expiration

- ACP applications and enrollments will not be processed after February 7, 2024 at 11:59 PM ET.
- Households who have applied, been approved, and are receiving the monthly internet discount before February 8, 2024 will continue to receive their ACP benefit until ACP funds run out, as long as the household remains enrolled in the program.
- After the ACP funds run out (projected in April 2024), households participating in the ACP will no longer receive the ACP discounts.

Provider Responsibilities

During the ACP wind-down period, ACP households will receive notices from their internet company about the impact of the end of the benefit on how the household's bill and service.

- The notices must tell households:
 - (1) that the ACP is ending,
 - (2) the impact on their bill,
 - (3) the date of the last bill they will receive that includes the ACP benefit, and
 - (4) that they may change their service or opt-out of continuing service after the end of the ACP
- *ACP households may also switch their internet plans without penalty*

ACP, what to be aware of:

- Monitor deadlines to know the exact date when ACP is ending
- Keep abreast of news to check if further funding is approved by Congress
- Anticipate Customer questions and concerns about rare increases
- *Digital Discrimination: ACP ending may impact deployment*

Thank You!

Connect with JSI:

Christopher Canter
(Christopher.Canter@jsitel.com)