

Full House at the FCC: Navigating the New Regulatory Landscape with All Five Commissioners in Play

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Agenda

1. Introduction
2. Digital Discrimination of Access
3. Broadband Nutrition Labels: Enhancing Consumer Transparency
4. Outage Reporting: Minimizing Service Interruptions
5. Affordable Connectivity Program (ACP): Bridging the Digital Divide
6. Key Takeaways
7. Q&A

Introduction



Introduction

- The Impact of A Full Commission
- Items Pending Before the FCC
- Consider:
 - What pending FCC regulations could impact your business the most?
 - How do you plan to adapt your strategies based on pending FCC decisions?
 - Are there any specific concerns or challenges you foresee with upcoming regulations?

Digital Discrimination of Access

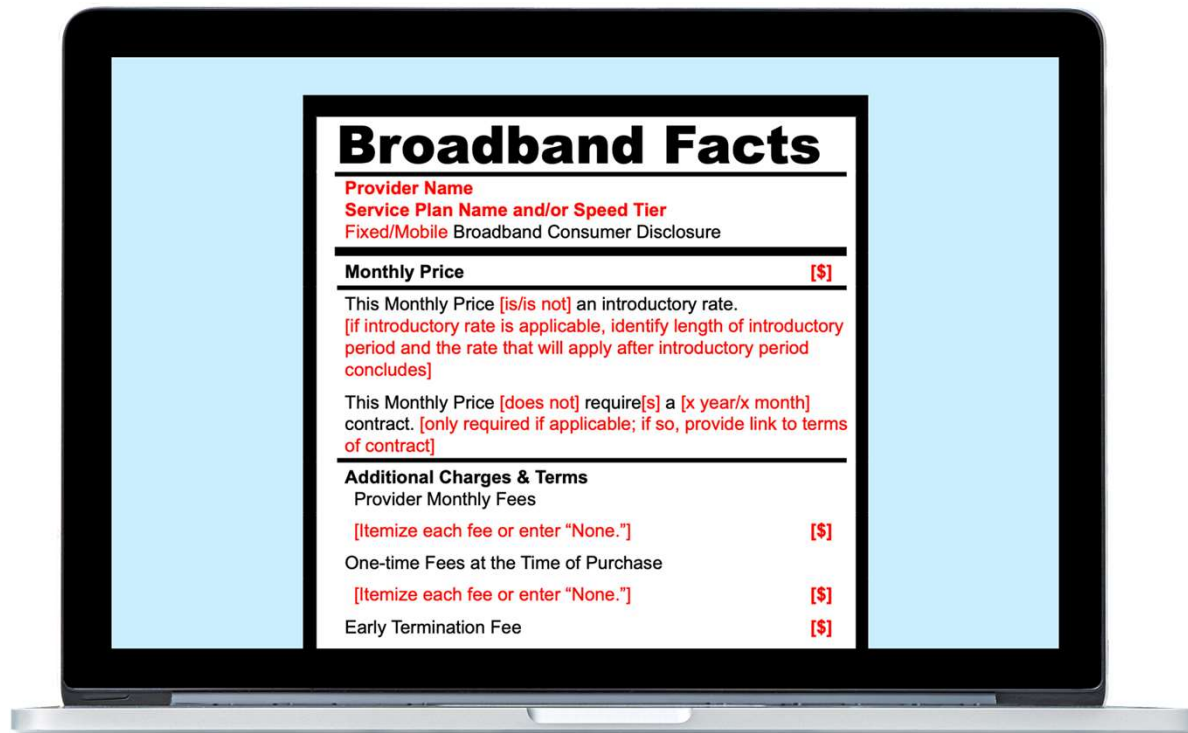
Digital Discrimination of Access

- Effective Dates: March 22, 2024 and September 22, 2024
- Scope:
 - Disparate treatment and disparate impact
 - Current & Prospective Customers
 - All aspects of an ISPs business model specific to the implementation, delivery, customer support and maintenance of broadband service
 - Technical & economic justifications
 - Presumption of compliance for USF High Cost and BEAD
- Enforcement
- Further Notice of Proposed Rulemaking (FNPRM) – internal compliance program

Digital Discrimination of Access

- Impact:
 - Ambiguity
 - Operational challenges in ensuring compliance with non-discrimination requirements
- Best Practices:
 - Implementing policies and procedures
 - Conduct an Operational Assessment
 - Demographic Assessment

Broadband Nutrition Labels: Enhancing Consumer Transparency



Broadband Nutrition Labels: Enhancing Consumer Transparency

- Compliance by October 10, 2024 for providers with less than 100,000 subscribers
- Scope of the rules:
 - Display pricing, certain fees, performance characteristics, and data allowance information
 - Retail, mass marketed broadband only plans
- Enforcement
- Proposed Requirements in the FNPRM
 - Interactive labels
 - Bundled plans
 - Cybersecurity plan

Broadband Nutrition Labels: Enhancing Consumer Transparency

- Impact
- Best practices:
 - Vet marketing & billing companies
 - Gather required label information and prepare policies
 - Validate speed and latency
 - Assess the number of broadband-only plans and potentially refine plans
 - Assess current network management practices
 - Develop and implement procedures

Outage Reporting: Minimizing Service Interruptions

Outage Reporting: Disaster Information Reporting system (DIRS)

- Effective Date: Later of November 30, 2024, or 30 days after notice OMB approval
- Scope of the new rules
 - Mandatory DIRS daily reporting when activated in geographic area, even if no impact identified
 - Suspended NORS reporting during DIRS activation period
 - Final status report required within 24 hours of DIRS deactivation.
- Proposed Rules
 - BIAS outage reporting, reporting location of mobile recovery assets, After Action Reporting
- Best Practices
 - Sign up for DIRS
 - Update your Emergency Operations Plans to reflect these new rules

Outage Reporting for 988 Service Providers

- Effective Date: February 15, 2024
- Notification
 - Must notify the FCC within 2 hours of an outage of at least 30 minutes that potentially affects a 988 service
 - Must notify the FCC within 24 hours of an outage of at least 30 minutes that either:
 - Potentially affects at least 900,000 user minutes of interconnected VoIP service and results in a complete loss of service; or
 - Potentially affects any special offices and facilities
- Final Report
 - Submit within 30 days of discovering the outage
- Best Practices
 - Update your Emergency Operations Plans to reflect these new rules

911 Outage Reporting

- Effective Date: March 17, 2023
- Reporting Outages to 911 Call Centers. Communications providers must notify, as soon as possible, a designated official at the affected 911 facility, of an outage which potentially affects the 911 facility, and must convey all available information that may be useful to mitigate the effects of the outage.
- Maintaining Up-to-Date Contact Information for 911 Special Facilities: Both covered 911 providers and originating providers must use special diligence to obtain, maintain and annually confirm up-to-date contact information
- Best Practices
 - Update your Emergency Operations Plans to reflect these new rules

Affordable Connectivity Program (ACP): Bridging the Digital Divide



Affordable Connectivity Program (ACP): Bridging the Digital Divide

- Wind-down process
- Initiatives to extend ACP funding beyond 2024
- Open question with Digital Discrimination
- Enforcement

Key Takeaways

Key Takeaways

- Importance of proactive compliance efforts: staying ahead of regulatory changes
- Timely actions for meeting regulatory requirements
- Advocacy channels for addressing concerns with the FCC
- Significance of sharing your story and providing data to the FCC
 - Illustrating the real-world impact of regulations
 - Enhancing understanding of industry challenges
 - Influencing policy decisions with concrete evidence
 - Strengthening relationships with regulatory authorities
 - Mitigating potential future risks through proactive engagement

Q&A



Thank You

Do you still have questions?

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