



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 09-561
Released: March 10, 2009

COMMENT DATE ESTABLISHED FOR REPORT ON RURAL BROADBAND STRATEGY

GN Docket No. 09-29

Comments Due: March 25, 2009

Through this Public Notice, we seek comment on Congress's directive in the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) that the Chairman of the Commission develop, in consultation with the Secretary of the Department of Agriculture, a comprehensive rural broadband strategy.¹ Congress, this Commission, and the Secretary of Agriculture have repeatedly recognized the importance of ensuring access to advanced telecommunications and information services to all Americans, with a special focus on rural and hard-to-serve areas. We now issue this Notice guided by Congress's recent requirement that the Commission develop a comprehensive national broadband plan.² With a renewed focus on the importance of interagency and intergovernmental coordination, and with an ever-increasing understanding of the profound impacts of broadband services on the ways we communicate and of the importance of broadband to the future of our nation, we expect that the rural broadband strategy developed in this docket will inform our effort to develop a comprehensive national broadband plan pursuant to the Recovery Act.

Broadband services have great potential to bring opportunity to the citizens of rural America. They improve the educational opportunities of children and adults everywhere, allowing children in rural areas across the country to access the same information as schoolchildren in urban areas. Telemedicine networks made possible by broadband services save lives and improve the standard of healthcare in sparsely populated, rural areas. For businesses in rural areas, access to broadband services is just as critical. These services are creating new jobs, while enabling skilled employees to work more effectively in their current jobs. At the same time, the Commission and the Department of Agriculture have recognized that rural consumers are doubly vulnerable: that is, although they are most in need of access to advanced telecommunications capability to overcome economic, educational and other limitations, they are also the most likely to lack access precisely because of these limitations.

Congress has also highlighted the importance of promoting interagency coordination in meeting the rural broadband challenge. On May 22, 2008, Congress adopted the 2008 Farm Bill.³ Section 6112

¹ Pub. L. 110-246, 122 Stat. 1651 (Jun. 18, 2008) (June 18, 2008 Bill).

² American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, 123 Stat. 115 (2009) (Recovery Act).

³ We note that the 2008 Farm Bill was initially enacted on May 22, 2008. See Pub. L. 110-234, 122 Stat. 923 (May 22, 2008) (May 22, 2008 Bill). The May 22, 2008 Bill, as enacted, however, did not include one title (*i.e.*, Title III – Trade) that Congress had intended to include. The June 18, 2008 Bill corrected this omission by repealing the May 22, 2008 Bill and enacting a statute that includes Title III but otherwise is identical to the May 22, 2008 Bill. The June 18, 2008 Bill specified that it would take effect on the earlier of the enactment date of that bill or the enactment

of that statute requires the Chairman of the Federal Communications Commission, in coordination with the Secretary of Agriculture, to submit a report to Congress describing a comprehensive rural broadband strategy within a year of the passage of the Act. The Act specifies that the report shall include:

(1) recommendations—

- (A) to promote interagency coordination of Federal agencies in regards to policies, procedures, and targeted resources, and to streamline or otherwise improve and streamline the policies, programs, and services;
- (B) to coordinate existing Federal rural broadband or rural initiatives;
- (C) to coordinate both short- and long-term needs assessments and solutions for a rapid build-out of rural broadband solutions and application of the recommendations for Federal, State, regional, and local government policymakers; and
- (D) to identify how specific Federal agency programs and resources can best respond to rural broadband requirements and overcome obstacles that currently impede rural broadband deployment; and

(2) a description of goals and timeframes to achieve the purposes of the report.⁴

We invite comment on how the Commission and the Department of Agriculture should implement section 6112. In particular, we invite suggestions regarding the substantive recommendations to be included in the report, as well as proposed goals and timeframes to achieve the purposes of the report. Interested parties may file comments on or before March 25, 2009. All pleadings should reference **GN Docket No. 09-29**.

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Suite TW-A325, Washington, DC 20554. Parties should also send a copy of their filings to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554, or by e-mail to CPDcopies@fcc.gov, and to the Spectrum & Competition Policy Division, Wireless Telecommunications Bureau, Federal Communications Commission, 445 12th Street, SW—Portals 1, Washington, DC 20554 or by e-mail to RuralBB@fcc.gov. Parties shall also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

In the interests of efficiency and conducting an orderly proceeding, Bureau staff will make themselves available for *ex parte* meetings with interested parties on March 26, 2009 and March 27, 2009. Parties wishing to schedule an *ex parte* meeting should contact Myrva Charles, Wireline Competition Bureau, at (202) 418-1506 or by email to Myrva.Charles@fcc.gov, or Morasha Younger, Wireless Telecommunications Bureau, at (202) 418-1203 or by email to Morasha.Younger@fcc.gov. Staff will attempt to accommodate requests for *ex parte* meetings on other dates but interested parties are strongly encouraged to schedule any meetings for the dates mentioned above.

date of the May 22, 2008 Bill. *See* Pub. L. 110-246, § 4(b). Pursuant to this provision, the Act became effective on May 22, 2008, and therefore, May 22, 2009, is the statutory deadline for the comprehensive rural broadband strategy report required by the Act.

⁴ *See* Pub. L. 110-246, 122 Stat. at 1966.

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the website for submitting comments.
 - For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov and include the following words in the body of the message: `get form <your email address>`. A sample form and directions will be sent in response.
- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number. Parties are strongly encouraged to file comments electronically using the Commission's ECFS.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission.

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington, DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at fcc@bcpiweb.com.

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. See 47 C.F.R. §§ 1.1200, 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two

sentence description of the views and arguments presented generally is required. *See* 47 C.F.R. § 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b).

For further information, contact William Kehoe or Melissa Kirkel, Wireline Competition Bureau, (202) 418-1580, or Charles Mathias or Christina Clearwater, Wireless Telecommunications Bureau, (202) 418-1310.

-FCC-