



# PUBLIC NOTICE

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**DA 10-1609**

**Release Date: August 27, 2010**

## COMMENT SOUGHT ON IMPROVING INTERNATIONAL COMPARISONS REQUIRED BY THE BROADBAND DATA IMPROVEMENT ACT

### PLEADING CYCLE ESTABLISHED

**IB Docket No. 10-171**

**Comment Date: September 27, 2010**

**Reply Comment Date: October 12, 2010**

Section 103(b) of the Broadband Data Improvement Act (BDIA)<sup>1</sup> requires the Commission to collect data on the extent of broadband service capability in other countries to enable the Commission to examine this information as part of its annual consideration of whether advanced telecommunications capability is being deployed to all Americans on a reasonable and timely basis.

Specifically, section 103(b) of the BDIA provides:

(b) INTERNATIONAL COMPARISON.—

(1) IN GENERAL.—As part of the assessment and report required by section 706 of the Telecommunications Act of 1996 (47 U.S.C. 157 note), the Federal Communications Commission shall include information comparing the extent of broadband service capability (including data transmission speeds and price for broadband service capability) in a total of 75 communities in at least 25 countries abroad for each of the data rate benchmarks for broadband service utilized by the Commission to reflect different speed tiers.

(2) CONTENTS.—The Commission shall choose communities for the comparison under this subsection in a manner that will offer, to the extent possible, communities of a population size, population density, topography, and demographic profile that are comparable to the population size, population density, topography, and demographic profile of the various communities within the United States. The Commission shall include in the comparison under this subsection—

(A) a geographically diverse selection of countries; and

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<sup>1</sup> Broadband Data Improvement Act of 2008, Pub. L. No. 110-385, 122 Stat. 4097 (codified at 47 U.S.C. §§ 1301-04).

(B) communities including the capital cities of such countries.

(3) SIMILARITIES AND DIFFERENCES.—The Commission shall identify relevant similarities and differences in each community, including their market structures, the number of competitors, the number of facilities-based providers, the types of technologies deployed by such providers, the applications and services those technologies enable, the regulatory model under which broadband service capability is provided, the types of applications and services used, business and residential use of such services, and other media available to consumers.<sup>2</sup>

The International Bureau recently released the first International Broadband Data Report (2010 IBDR).<sup>3</sup> The 2010 IBDR presented basic data in three main categories for communities in 37 countries: (1) publicly-available pricing information on broadband Internet access services available from Internet service providers (ISPs); (2) population, education, and other demographic information; and (3) descriptive information on regulatory structures, market conditions, and other media.<sup>4</sup>

This Notice seeks public comment regarding the preparation of next year's IBDR, and how best to build on the foundation of the 2010 IBDR. What improvements can be made to the data and analysis used in the 2010 IBDR to make next year's IBDR more useful, particularly for policymakers, including for the Commission's overall assessment regarding the reasonable and timely deployment of broadband services to all Americans? Are there additional data and analysis that could better illuminate similarities and differences between broadband technologies, markets, and policies in U.S. and comparable foreign communities? Should we provide side-by-side comparisons of the price and performance of popular broadband offerings in U.S. and foreign communities?<sup>5</sup> We invite interested parties to submit comments to assist this effort to improve upon the 2010 IBDR, including with respect to analytic techniques or approaches to estimate the effects of competition on the availability, capability, and adoption of broadband in foreign communities. As detailed below, this public notice seeks specific comment on improving several data collections pertaining to the IBDR.

**Broadband Service Demand and Supply:** We seek comment on the approach used in the 2010 IBDR for identifying and selecting communities, which focused primarily on geographically-defined communities at the state, regional, or sub-regional level, and whether that approach could be improved. We also invite comment on what factors are likely to affect the supply of and demand for broadband and whether an analysis of these factors will help identify "similarities and differences" between communities with respect to the extent of broadband service capabilities. For example, is the demand for broadband influenced by such factors as income, educational level, the percentage of households with computers in their homes, the level of computer literacy, the age distribution of the population, and other demographic factors? What factors are likely to affect the supply of broadband? For example, to the extent that population dispersion or geographic conditions increase the cost of broadband, one would expect that this would depress the level of broadband deployment, raise prices,

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<sup>2</sup> BDIA § 103(b); 47 U.S.C. § 1303(b).

<sup>3</sup> *International Comparison Requirements Pursuant to the Broadband Data Improvement Act, International Broadband Data Report*, First Report, GN Docket No. 09-47, DA 10-1348 (Int'l Bur., rel. Aug. 27, 2010).

<sup>4</sup> The 2010 IBDR does not include all described data for all 37 countries because some data was unavailable.

<sup>5</sup> We recognize that the characteristics and features of pricing plans can vary substantially. We seek comment on how, after collecting data about plans, we can organize it in such a way that it can be most effectively compared across communities.

and thereby reduce demand. What metrics can we use to estimate these supply conditions that affect the cost of broadband?

We seek comment on identifying the best proxies for broadband penetration. Should we be analyzing data on the number of subscribers per capita to broadband, or would analysis of the number of households and businesses with broadband subscriptions be more useful? Should we collect data on the number of non-subscribers who access broadband outside the home? We seek comment on sources of consistent data for measuring both demand for and supply of broadband.

**Market Structure:** Market conditions may likewise affect the demand and supply conditions for broadband. What is the best way to compare market structure and other market conditions, given the limitations in international data? We note that our experience in gathering information for the 2010 IBDR suggests that most countries collect data not on a city or town level, but rather on national, regional, and sub-regional levels. In order for us to conduct a useful community comparison, we must have comparable data to analyze. We seek comment on how we might obtain more disaggregated, but comparable, data so that we can do a more meaningful comparison of communities.

**Regulatory Strategies:** We also seek comment on the regulatory strategies that other countries have used to spur broadband availability, deployment, subscribership, or adoption and whether these strategies have proven successful. The regulatory environment can affect the demand and supply for broadband, but to summarize detailed regulatory policies in simple metrics is difficult. How can we best evaluate the impact of different regulatory policies?

**Other Considerations:** We seek comment on the value of working collaboratively with our international counterparts in order to develop and obtain comparable subscribership data.<sup>6</sup> In addition, we seek comment on possible sources of data that the Commission should examine in the course of implementing section 103(b) of the BDIA. Finally, we seek comment on any other factors or issues the Commission should consider in implementing section 103(b) of the BDIA (*e.g.*, the impact on broadband deployment/adoption of public/private partnerships to fund broadband deployment, and targeting non-adopters with digital training or subsidies).

All comments should refer to IB Docket No. 10-171. Comments may be filed using (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies.<sup>7</sup> Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>.<sup>8</sup> Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters 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 for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing.

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<sup>6</sup> Obtaining such data posed a challenge in the 2010 IBDR.

<sup>7</sup> See Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (1998).

<sup>8</sup> Filers should follow the instructions provided on the Federal eRulemaking Portal website for submitting comments.

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, Office of the Secretary, Federal Communications Commission.

- All hand-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12<sup>th</sup> St., S.W., Room TW-A325, Washington, DC 20554. All hand deliveries must be held together with rubber bands or fasteners. Envelopes must be disposed of before entering the building. The filing hours at this location are 8:00 a.m. to 7:00 p.m.
- 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 mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 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](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at (202) 418-0530, (202) 418-0432 (TTY).

For further information about this Public Notice, please contact Arthur Lechtman, Special Counsel, Strategic Analysis and Negotiations Division, International Bureau at [Arthur.Lechtman@fcc.gov](mailto:Arthur.Lechtman@fcc.gov) or (202) 418-1465.

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