



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

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COMMENTS REQUESTED IN PREPARATION FOR UPDATE TO THE RURAL BROADBAND REPORT

GN Docket No. 11-16

Comment Date: March 2, 2011

In the 2008 Farm Bill,¹ Congress directed the Chairman of the Federal Communications Commission (Commission), in coordination with the Secretary of Agriculture, to submit a report to Congress describing a comprehensive rural broadband strategy.² On May 22, 2009, Acting Chairman Michael J. Copps delivered to Congress the *2009 Rural Broadband Report*.³ The report recommended new policies to deliver broadband to rural areas and restore economic growth and opportunity for Americans residing and working in those areas. Congress also required the Commission's Chairman, in coordination with the Secretary of Agriculture, to "update and evaluate" the rural broadband report during the third year after enactment of the 2008 Farm Bill.⁴ In this Public Notice, we seek comment from all interested parties on how best to update and evaluate the *2009 Rural Broadband Report*.

The *2009 Rural Broadband Report* identified a number of challenges typically affecting rural broadband, including technological issues, high costs, and lack of data. The report made a number of recommendations, including enhancing coordination among and between federal, Tribal, state, and community agencies, governments, and organizations; reviewing existing federal programs to identify barriers to rural broadband deployment; coordinating broadband data collection and mapping efforts; and supporting consumer education and training initiatives aimed at stimulating and sustaining broadband demand. The report also identified a number of policy areas and proceedings where Commission action could support broadband deployment and adoption.

¹ Food, Conservation, and Energy Act of 2008, Pub. L. No. 110-246, § 6112, 122 Stat. 923, 1966 (2008) (2008 Farm Bill).

² The 2008 Farm Bill required that the rural broadband strategy include 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. 2008 Farm Bill § 6112(a)(1). The 2008 Farm Bill further required "a description of goals and timeframes to achieve the purposes of the report." *Id.* at § 6112(a)(2).

³ ACTING CHMN. MICHAEL J. COPPS, FCC, BRINGING BROADBAND TO RURAL AMERICA: REPORT ON A RURAL BROADBAND STRATEGY (2009) (*2009 Rural Broadband Report*), attached to *Rural Broadband Report Published in the FCC Record*, GN Docket No. 09-29, Public Notice, 24 FCC Rcd 12791 (2009).

⁴ 2008 Farm Bill § 6112(b).

There have been many broadband-related developments since the release of the *2009 Rural Broadband Report*. Many of these developments result from the American Recovery and Reinvestment Act of 2009 (Recovery Act), in which Congress provided new direction and support for federal broadband policies and initiatives. For example, the Department of Agriculture's Rural Utilities Service (RUS) and the Department of Commerce's National Telecommunications and Information Administration (NTIA) were authorized to spend \$7.2 billion in funding to expand access to and adoption of broadband services in communities across the United States.⁵ In addition, the Commission released a National Broadband Plan that sets out an ambitious agenda for connecting all corners of the nation with the communications network of the future and has initiated many proceedings that are consistent with that agenda.⁶

In light of these and other developments, we seek comment on how to update and evaluate the *2009 Rural Broadband Report*. What actions have the Commission and other federal agencies taken since the *2009 Rural Broadband Report* that impact or enhance broadband deployment and adoption in rural areas? Have improvements in federal broadband data collection fostered rural broadband? We ask commenters to identify any actions or changes that should be reflected in our update and evaluation of the *2009 Rural Broadband Report*, including any additional measures that would improve access to rural broadband deployment and adoption. We encourage interested persons to submit relevant data and analyses regarding broadband deployment and adoption in rural areas.⁷ Finally, we welcome comment on the extent to which the recommendations in the *2009 Rural Broadband Report* have been implemented.

Interested parties may file comments on or before **March 2, 2011**. When filing comments, please reference **GN Docket No. 11-16**.

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.⁸ Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. 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 numbers. 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, 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.

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). Parties are strongly encouraged to file comments electronically using the

⁵ American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, § 6001(k)(2)(A), 123 Stat. 115, 516 (codified at 47 U.S.C. § 1305(k)(2)(A)). The NTIA and RUS websites summarize the progress of the Recovery Act programs to expand broadband. *See, e.g.*, BroadbandUSA—NTIA, <http://www2.ntia.doc.gov>; USDA Rural Development—UTP BIP Program Resources, http://www.rurdev.usda.gov/UTP_BIPResources.html.

⁶ OMNIBUS BROADBAND INITIATIVE (OBI), FCC, CONNECTING AMERICA: THE NATIONAL BROADBAND PLAN, GN Docket No. 09-51 (2010) (NATIONAL BROADBAND PLAN), *available at* http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-296935A1.pdf.

⁷ Parties may wish to supplement their comments with data and analysis from the National Broadband Map that NTIA intends to post on the web by February 17, 2011. *See* 47 U.S.C. § 1305(l).

⁸ *See Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

Commission's ECFS. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554.

Effective December 28, 2009, all hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. All hand deliveries must be held together with rubber bands or fasteners. Any 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, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

Parties shall also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

Documents in GN Docket No. 11-16 will be available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. S.W., Room CY-A257, Washington, DC 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail fcc@bcpiweb.com.

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 & Governmental Affairs Bureau at 202-418-0530 (voice) or 202-418-0432 (tty).

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the *ex parte* rules.⁹ 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.¹⁰ Other requirements pertaining to oral and written presentations are set forth in section 1.1206(b) of the rules.¹¹

For further information, contact William Kehoe of the Wireline Competition Bureau at (202) 418-1580 or william.kehoe@fcc.gov.

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⁹ 47 C.F.R. § 1.1200 et seq.

¹⁰ See 47 C.F.R. § 1.1206(b)(2).

¹¹ 47 C.F.R. § 1.1206(b).