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## United States Senate

COMMITTEE ON COMMERCE, SCIENCE,  
 AND TRANSPORTATION

WASHINGTON, DC 20510-6125

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October 20, 2022

The Honorable Jessica Rosenworcel  
 Chairwoman  
 Federal Communications Commission  
 45 L Street, N.E.  
 Washington, D.C. 20554

Dear Chairwoman Rosenworcel:

Over the past two years, the federal government has made significant investments to close the digital divide. The Consolidated Appropriations Act, 2021, and the American Rescue Plan Act included billions of dollars that could be spent on broadband, and the Infrastructure Investment and Jobs Act (IIJA) added \$65 billion specifically for this effort. This funding is in addition to the Federal Communications Commission's (FCC or Commission) 2020 Rural Digital Opportunity Fund (RDOF) Phase I auction, which awarded winners \$9.2 billion over 10 years to deploy fixed broadband to unserved areas.<sup>1</sup> Given this significant federal investment in broadband, the FCC should carefully consider how it proceeds with its future broadband deployment programs.

Before the recent influx of federal broadband spending approved by Congress, the FCC had already announced plans for a second phase of the RDOF as well as a 5G Fund for Rural America. The Commission currently has budgeted over \$11.2 billion for the RDOF Phase II auction to bring high-speed fixed broadband to unserved areas as determined by new broadband maps.<sup>2</sup> The FCC allocated \$9 billion for the 5G Fund for Rural America to bring advanced mobile broadband service to rural areas in need.<sup>3</sup> That auction was also set to begin after the agency completed its new maps.<sup>4</sup>

New broadband maps are on the horizon. On June 30, the FCC began collecting data for its maps, which should be ready soon. I would therefore expect that the FCC has already begun planning for the RDOF Phase II auction and the 5G Fund for Rural America. Given the significant federal investment in broadband, the FCC should carefully consider how it proceeds

<sup>1</sup> *Rural Digital Opportunity Fund Phase I Auction (Auction 904) Closes*, WC Docket Nos. 20-34, 19-126, 10-90, Public Notice, 35 FCC Rcd 13888 (2020), <https://docs.fcc.gov/public/attachments/DA-20-1422A1.pdf>.

<sup>2</sup> *Rural Digital Opportunity Fund*, WC Docket Nos. 19-126, 10-90, Report and Order, 35 FCC Rcd 686, paras 4-8 (2020), <https://docs.fcc.gov/public/attachments/FCC-20-5A1.pdf>.

<sup>3</sup> *Establishing a 5G Fund for Rural America*, GN Docket No. 20-32, Report and Order, 35 FCC Rcd 12174 (2020), <https://docs.fcc.gov/public/attachments/FCC-20-150A1.pdf>.

<sup>4</sup> *Id.* at para. 4

with its future deployment programs. To ensure this, I am seeking answers to the following questions by November 10, 2022:

1. Please describe the current status of the RDOF Phase II auction, including the work done since the closing of the RDOF Phase I to date as well as the timeline for moving forward.
  - a. The FCC recently rejected RDOF Phase I awards to LTD Broadband and Starlink, two of the biggest winners of the RDOF Phase I auction.
    - i. How does this action affect the agency's plans for RDOF Phase II?
    - ii. What will happen to the money that had been allocated to these companies and the locations that these companies won in that auction?
    - iii. What steps will the FCC take to improve transparency in its evaluation of short-form and long-form applications in future auctions?
    - iv. In light of this action, is the FCC considering changes to ensure that significant winners in future auctions are not disqualified after the auction takes place?
  - b. Have you reconsidered the need for the RDOF Phase II auction, given the significant investment in fixed broadband through programs using funds appropriated by Congress?
  - c. If the Commission moves forward with the RDOF Phase II auction, will the FCC revise the rules for the RDOF Phase II auction based on lessons learned from the RDOF Phase I auction? If so, please describe the changes under consideration. If the Commission moves forward with the RDOF Phase II auction, what is the anticipated budget for the RDOF Phase II auction given the Commission's decisions regarding LTD Broadband, Starlink, and other bidders?
  - d. If the Commission moves forward with the RDOF Phase II auction, how will the FCC determine eligible areas for the auction, particularly with numerous broadband-funding programs across the federal government?<sup>5</sup> On that front, please describe coordination efforts among federal agencies, including what information is shared, how often, and how that information will inform the FCC's determination of eligible locations for RDOF Phase II.
  - e. To what extent will the RDOF Phase II auction compliment broadband investments made in the Consolidated Appropriations Act and the IJA?
  - f. Will the FCC seek comment on proposed revisions to RDOF Phase II?
  
2. Please describe the current status of the 5G auction, including the work done since the adoption of the *5G Fund Order* as well as the timeline moving forward.
  - a. Will the FCC revise the rules for the 5G Fund based on lessons learned from the RDOF Phase I auction? If so, please describe the changes under consideration. Will the FCC revise the rules based on advances in wireless technology or other market developments since adoption of the 2020 Order?
  - b. How will the FCC determine eligible areas for the 5G Fund?
  - c. How will the FCC leverage investments through IJA funding programs to maximize efficiency for the 5G Fund?

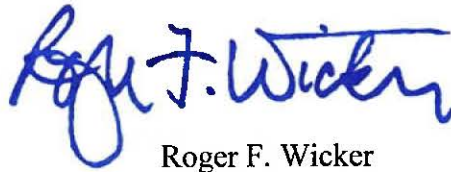
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<sup>5</sup> See GAO, *Broadband: National Strategy Needed to Guide Federal Efforts to Reduce Digital Divide* (2022), <https://www.gao.gov/assets/gao-22-104611.pdf>.

- d. What is the anticipated budget for the 5G Fund given record inflation and the supply chain problems that continue to impact our economy?
- e. Have you considered reallocating the funding set aside for the RDOF Phase II auction to the 5G Fund for Rural America auction to create a larger mobile broadband auction, given the emphasis on fixed broadband in other federal broadband programs?
- f. Will the FCC seek comment on proposed revisions to the 5G Fund?

Thank you for your attention to this matter.

Sincerely,



Roger F. Wicker  
Ranking Member