



October 3, 2024

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
45 L Street, NE  
Washington, DC 20554

**RE: *Ex Parte Presentation: Establishing the Digital Opportunity Data Collection, WC Docket No. 19-195; Modernizing the FCC Form 477 Data Program, WC Docket 11-10; Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans In a Reasonable and Timely Fashion, GN Docket 24-214***

Dear Ms. Dortch:

On Tuesday, October 1, 2024 the undersigned and Brian O'Hara on behalf of the National Rural Electric Cooperative Association (NRECA), spoke with Justin Faulb, from the office of Commissioner Geoffrey Starks regarding the circulated Order, Declaratory Ruling and Further Notice of Proposed Rulemaking updating the Broadband Data Collection ("BDC") process and mapping processes, as well as the Eighteenth Section 706 Report Notice of Inquiry.

In the discussion, NRECA stressed that while the new national broadband maps are indeed an improvement from previous census block level maps, they still do not possess the data level necessary to accurately guide where federal funds should be targeted. We conveyed our consistent position that the FCC's continued reliance on self-reported advertised speeds from provider marketing campaigns rather than focusing on the on-the-ground realities in the rural areas means many communities will continue to be deprived of adequate broadband service. NRECA asserted that this inadequate data also means many communities are incorrectly labeled as served and thus not eligible for future federal support programs like BEAD, ReConnect, or other future programs to improve connectivity in their areas.

Further, NRECA highlighted the fact that currently fixed wireline broadband consumers have no vehicle to demonstrate that advertised speeds may not be reflective of the service

they actually receive. In turn, the Commission should alter its rules to allow submission of individual speed tests by consumers to challenge claims of adequate high-speed wireline broadband. Alternatively, we discussed the prospect of objective third party testing of technological capability. Additionally, we stressed the importance of accuracy and verification in reporting quality of service.

Regarding the upcoming 2025 706 report, we stressed our consistent position that the Commission adopt a symmetrical 100/100 Mbps benchmark to adequately reflect true consumer demand and urged that it consider raising the long-term benchmark from 1 Gbps/500 Mbps service to 1Gbps/1 Gbps symmetrical service. We also expressed support for the Commission's conclusion in the *2024 Report* that mobile services should be viewed as complementary to fixed broadband, not a substitute to determine advanced telecommunications capability. Lastly, we discussed the importance of the Commission using the most recent BDC dataset available and stressed that in ensuring that the goals of equitable access are met, it should continue to recognize that rurality is a main factor in broadband availability and affordability.

Thank you for your attention to this correspondence. Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS.

Sincerely,  
*/s/ Greg Orlando*  
Greg Orlando  
Regulatory Affairs Director

cc: Justin Faulb