

February 28, 2022

The Honorable Alan Davidson  
Administrator  
National Telecommunications and Information Administration  
U.S. Department of Commerce  
1401 Constitution Avenue NW  
Washington, DC 20230

Dear Administrator Davidson:

The National Rural Electric Cooperative Association (NRECA) and its member cooperatives appreciate the ongoing work of you and your staff to implement the Broadband Equity, Access, and Deployment (BEAD) Program in a timely and efficient manner. Electric cooperatives are eager for the program to move forward so they can bring vital broadband service to unserved and underserved rural communities. However, we are concerned about potential reliance on the FCC's new National Broadband Map and urge the National Telecommunications and Information Administration (NTIA) to provide states with flexibility in determining locations and areas eligible for funding in the BEAD program.

Electric cooperatives are driven by a longstanding commitment to rural communities. As such, they are deeply committed to bridging the digital divide with reliable high-speed internet. Over 200 electric cooperatives are working to deploy broadband service in their communities, and nearly 200 others are exploring the feasibility of providing broadband service, either on their own or through partnerships. NRECA has long supported more granular and accurate broadband data collection and mapping efforts. We also fully support the FCC Broadband Data Collection (BDC) process, but as the FCC has stated, the maps will be an iterative process that will improve over time, potentially years.

As providers and consumers review the current version of the pre-production National Broadband Map, the number of inaccuracies and dubious broadband coverage claims has been staggering. The FCC received more than one million location challenges to the first version of the fabric and more than four million availability challenges. NRECA assisted member cooperatives in six states in challenging coverage claims for more than 260,000 locations. Incumbent providers have also admitted that incorrect data was submitted to the FCC, some of it with the intention of blocking potential competition.<sup>1</sup> FCC Chairwoman Rosenworcel recently informed members of Congress that the agency “already have an investigation underway” regarding potential false BDC submissions.<sup>2</sup>

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<sup>1</sup> *Comcast gave false map data to FCC—and didn't admit it until Ars got involved*, ARS Technica (02/09/2023), available at: <https://arstechnica.com/tech-policy/2023/02/comcast-gave-false-map-data-to-fcc-and-didnt-admit-it-until-ars-got-involved/>; *Verizon, T-Mobile Overstate Claims With \$43 Billion at Stake*, Bloomberg Law (02/09/2023) available at: <https://news.bloomberglaw.com/tech-and-telecom-law/verizon-t-mobile-exaggerate-coverage-with-43-billion-at-stake>; *ISP admits lying to FCC about size of network to block funding to rivals*, ARS Technica (02/02/2023), available at: <https://arstechnica.com/tech-policy/2023/02/cable-company-tries-to-block-grants-to-rivals-by-lying-about-coverage-area/>.

<sup>2</sup> Response from FCC Chairwoman Rosenworcel Response to Members of Congress Regarding the Commission's Efforts to Develop an Iterative National Broadband Map, sent February 17, 2023; available at: <https://docs.fcc.gov/public/attachments/DOC-391154A2.pdf>.

The next year is crucial as we work to bridge the digital divide. As states prepare to deploy BEAD funding, leveraging inaccurate maps will hamper broadband deployment efforts and leave many rural families and businesses behind. Many states undertook mapping efforts in preparation for the historic amount of broadband funding made available by the bipartisan infrastructure law. Given the numerous known FCC map inaccuracies, mandating that states rely solely on the new FCC maps to determine BEAD awards will greatly diminish the efficacy of the program. It could also reward bad actors who submitted false data to block competition. This is not what Congress intended for rural communities.

For these reasons, it is imperative that NTIA does not hamstring states and territories by mandating they use the FCC broadband maps as the sole source for identifying eligible funding locations as unserved or underserved in their Initial Proposals, their challenge processes, and the scope of deployment projects proposed in subgrant applications. States should be given as much flexibility as allowed under the statute to use their own data, local knowledge, and a robust challenge process to ensure that the most accurate information is used to allocate vital BEAD funds.

Failure to provide states with adequate flexibility to target funding where they know it is needed would squander this once-in-a-generation opportunity to bridge the digital divide. NRECA and its member cooperatives look forward to working with NTIA, state broadband offices, and other stakeholders to ensure the BEAD program is a success and that no rural community is left behind.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Matheson". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Jim Matheson