

February 10, 2021

- ▶ MARKEY URGES BROADBAND PLAN UPDATE
- ▶ FCC TAKES STEPS ON AFFORDABILITY
- ▶ FCC ROUNDTABLE ON BENEFIT PROGRAM
- ▶ NTCA DISSES STARLINK'S RDOF PROSPECTS
- ▶ RDOF WINNERS LEAN AWAY FROM WIRELESS
- ▶ PETITION TO RESTORE NET NEUTRALITY RULES...1
- ▶ SADDLEBACK WRAPS UP FTTH BUILD
- ▶ WITH RDOF, CHARTER COMMITS \$5 BILLION
- ▶ SPACEX STARLINK NETWORK DETAILS REVEALED
- ▶ AT&T POKES FUN AT CABLE UPLOAD SPEEDS ...1
- ▶ 2021: THE YEAR OF PRIVACY LAWS?
- ▶ SOCIAL MEDIA HELPS NATIVE AMERICANS
- ▶ CENSORSHIP SPIKED INTEREST IN VPS
- ▶ 6GHZ & WI-FI 6 CREATE BUZZ
- ▶ MARKETS FOR NEW 5G CHIP ...2

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INFORMATION AND ADVOCACY FOR THE
RURAL TELECOMMUNICATIONS INDUSTRY

Regulatory Headlines

[Markey Urges Broadband Plan Update](#)

Sen. Ed Markey (D-Mass.) said he is hopeful there is bipartisan support in Congress to take action on updating national broadband plans. His statement underscored the urgency of modernizing the plan to expand internet access as the coronavirus pandemic continues to highlight the digital divide.

[FCC Takes Steps on Affordability](#)

President Joe Biden's Federal Communications Commission (FCC) isn't wasting any time trying to get low-income families online. Under acting Chair Jessica Rosenworcel, the FCC is moving to expand a broadband services discount program to cover remote schooling.

[FCC Roundtable on Benefit Program](#)

The FCC released further details for an upcoming roundtable on the Emergency Broadband Benefit Program, scheduled for Feb. 12. The \$3.2 billion Emergency Broadband Benefit program was established via the Consolidated Appropriations Act of 2021.

[NTCA Disses Starlink's RDOF Prospects](#)

Add the Fiber Broadband Association and NTCA to the list of entities that don't think Starlink will be able to live up to its RDOF awards to deploy broadband in unserved rural areas across the U.S.

[RDOF Winners Lean Away from Wireless](#)

Details are starting to trickle in about how exactly some of the biggest winners in the FCC's recent Rural Digital Opportunity Fund (RDOF) auction plan to construct their networks in order to meet their buildout obligations.

[Petition to Restore Net Neutrality Rules](#)

INCOMPAS, whose members include competitive carriers and computer companies, has petitioned the FCC to restore its net neutrality rules. In a petition for reconsideration, the association told the FCC that it needs to reclassify internet access services (ISPs) as Title II telecommunications service--subject to common carrier rules--and reissue the rules against blocking, throttling and...



Market Watch

[Saddleback Wraps up FTTH Build](#)

[With RDOF, Charter Commits \\$5 Billion](#)

[SpaceX Starlink Network Details Revealed](#)

[AT&T Pokes Fun at Cable Upload Speeds](#)



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Questions? Comments?
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Technology Trends

New and notable technology and services

Social Media Helps Native Americans

Lawrence Wetsit misses the days when his people would gather by the hundreds and sing the songs that all Assiniboine children are expected to learn by age 15. "We can't have ceremony without memorizing all of the songs, songs galore," he said. "We're not supposed to record them: We have to be there. And when that doesn't happen in my grandchildren's life, they may never catch up."

Censorship Spiked Interest in VPNs

TikTok, the video-sharing social network, drove a lot of interest from consumers last year. It also piqued their interest in Virtual Private Networks (VPNs), according to new research. The research by Brooklyn, NY-based security advisors Security.org found that interest in VPNs was directly correlated with newsworthy events. The company measured the amount of web traffic in a day compared to the average web traffic of a week prior to the date and correlated this with significant events during 2020.

6Ghz & Wi-Fi 6 Create Buzz

In the U.S., the FCC last year voted to open 1,200 megahertz of 6 GHz spectrum for unlicensed use, which is creating excitement and momentum in the Wi-Fi ecosystem. At a free FierceWireless virtual event next week, a wide range of speakers from the Wi-Fi ecosystem will be discussing new opportunities driven by the opening up of the 6 GHz band and the readiness of Wi-Fi 6 devices.

Markets for Qualcomm's New 5G Chip

Qualcomm Inc on Tuesday released a new chip for connecting devices to 5G networks that it hopes will be adopted for home internet use and inside businesses as a competitor to WiFi. The San Diego chip designer is the biggest supplier of modem chips that connect smart phones and other consumer electronics to cellular data networks. Qualcomm is aiming to take advantage of the faster speeds possible with 5G network technology to expand its footprint in other markets.

2021: The Year of Privacy Laws?

Cyberattacks are increasing in frequency, ramping up the data privacy threats they pose to government agencies and businesses alike. Governments both domestic and foreign need to step up efforts to pass legislation that bolsters technological defenses this year, warn privacy groups. Stiffer privacy laws are gradually being reviewed and signed into the U.S. market. But that process is mostly taking place at the state level.

IN FOCUS

The TCPA and the TRACED Act

The TRACED Act requires the FCC to ensure exemptions previously granted to certain call restrictions under the Telephone Consumer Privacy Act (TCPA) of 1991 meet certain requirements. The TCPA restricts certain calls to residential and wireless telephone numbers absent express consent of the called party (or certain statutory exemptions). However, the FCC was allowed to adopt certain exemptions to the TCPA-required call restrictions. The FCC adopted a [Report and Order](#) in late December to address the TRACED Act requirements.

It is important to note that the call restrictions and exemptions being addressed relate to "artificial or prerecorded voice messages." However, the restrictions do not apply to such calls made for an emergency purpose.

The exemptions to call restrictions addressed in this latest Report and Order include (1) Non-Commercial calls to residences, (2) Commercial calls to residences that do not include or introduce an advertisement or constitute marketing (e.g. prescription fill reminders, power outage updates, etc), (3) Tax-exempt nonprofit organization calls to a residence, and (4) HIPAA-related calls (delivering a healthcare-related message) to a residence. For each of these exemptions, the FCC is required by the TRACED Act to address classes of parties that may make calls (callers), the parties that may be called (called parties), the number of calls that may be made, and allowing recipients the opportunity to opt-out of such calls.

Non-Commercial Calls to a Residence. The FCC now limits calls of this nature to 3 artificial or prerecorded voice calls within any consecutive 30-day period. Customers must also be provided an opportunity

by callers to opt-out of receiving future calls (using current FCC-approved methods).

Commercial Calls to a Residence that Do Not Constitute Telemarketing. Limit of 3 calls within any consecutive 30-day period, and customer opt-out opportunity.

Tax-Exempt Nonprofit Calls to a Residence. Limit of 3 calls within any consecutive 30-day period, and customer opt-out opportunity.

HIPAA-Related Calls to a Residence. Limit of 1 call per day, with a maximum of 3 calls per week, and customer opt-out opportunity.

The FCC has allowed 6 months for any callers to come into compliance with these new call restriction exemption rules.

The overall effect of these exemptions to "robocall" restrictions is mainly on business customers of voice providers. Any caller utilizing the FCC's exemptions will need to be aware of the new requirements (especially the limitation on the number of calls), similar to the one-time notices provided to potential business customers engaging in telemarketing.

Reminders

- ⇒ **988 Suicide Prevention Hotline.** Mandatory 10-digit dialing transition has started for certain area codes containing 988 NXXs. See the 8/19/20 *Special Bulletin*, 8/20/20 email distribution of the NANPA transition schedule, and 11/18/20 & 1/28/21 email distributions of NANPA's latest guidance.
- ⇒ **Reassigned numbers database** recordkeeping requirements for small providers begin 1/27/2021. (See 8/10/20 *Special Bulletin* & 1/20/21 email distribution)
- ⇒ **8YY Access Charge Reform**—All current intrastate originating access charge rate elements for toll free/8YY calls were frozen as of 11/27/2020.



Questions? Comments?
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