

April 1, 2022

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INFORMATION AND ADVOCACY FOR THE
RURAL TELECOMMUNICATIONS INDUSTRY

Regulatory Headlines

[3rd ECF Application Window](#)

The FCC has announced the opening of a third application filing window for the Emergency Connectivity Fund Program to award at least \$1 billion in support.

[More RDOF to be Awarded](#)

The FCC just announced that it is ready to authorize another \$313 million in RDOF funding. As we got set to send out today's newsletter, the list of "ready to authorize" companies had not yet been released, but we will do an update whenever the list becomes available.

[FCC Announces 2.5 GHz Auction](#)

The FCC has announced that the 2.5 GHz auction (Auction 108) will start on July 29, 2022. Auction 108 will be conducted using an ascending clock auction with a supply of one in each category of frequency-specific channel blocks. Short-form applications for Auction 108 are due on May 10, 2022.

[States/FCC Fight Robocalls](#)

Six more state attorneys general, as well as the attorney general for Washington D.C., are partnering with the FCC to investigate illegal robocalls, while two others strengthened existing agreements.

[Providers Get Robocall Warnings](#)

The FCC Enforcement Bureau issued cease-and-desist letters to three voice service providers, warning the providers that all their downstream traffic would be frozen in 48 hours if they don't stop trafficking robocalls.

[Tribal Broadband Gap](#)

Broadband offers an economic lifeline for residents on Tribal lands, but face time with local officials is required just as much as funding and technological flexibility to make it a reality, Muralnet CEO Mariel Triggs told Fierce. Muralnet was founded in 2017 to help bring internet service to Tribal lands by working with indigenous communities to design, build and develop sustainable...



Market Watch

[Census Data and Broadband Availability](#)

[Biden Budget Would Boost Broadband](#)

[Valuations: Smaller is Better](#)

[Kansas Broadband Speed Test Study](#)



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Questions? Comments?

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Technology Trends

New and notable technology and services

Link—COVID Deaths and Internet Access

Two years into the pandemic, researchers are still trying to understand what makes some people more likely than others to die from Covid-19. Although we know some of the risk factors — like age and underlying disease — others are less obvious. Identifying them could ease our current pain, protect communities from future epidemics, and point us toward some of the societal fractures we should most urgently try to mend. One of the more surprising answers to this question is one that appears to have a relatively straightforward solution: internet access.

Fiber is the Logical End State of Coax

Altice USA isn't afraid to march to the beat of its own drum and actually thinks it's going about network upgrades the smart way by jumping straight to fiber rather than following other cable incumbents in pursuing DOCSIS 4.0. The operator recently laid out a plan to overbuild its hybrid fiber-coaxial (HFC) network to blanket 6.5 million locations with fiber by 2025.

Opensignal C-Band 5G Analysis

Opensignal has published the findings of its first major report on U.S. mobile network performance since both AT&T and Verizon Wireless launched their first C-Band service areas. The initial launches -- which began late last year and skewed into early this year, thanks to some regulatory infighting between the FAA and FCC -- saw both carriers launching their first mid-band spectrum deployments of the 5G era. They joined T-Mobile, which had already been operating its 2.5GHz, nationwide 5G network for two years.

State-Backed Hacking Attacks

The vast majority of cybersecurity professionals think that the business they work for is a target for nation-state hackers, but only a small fraction think that their organization can confidently identify if attacks are actually being carried out by hostile states. According to analysis by cybersecurity company Trellix, half of all organizations think they've been the target of a nation-state cyberattack within the past 18 months...

How SpaceX is Like a Windmill

Back in the day, if the Rural Electrification Act had been implemented the way some people would like to see federal broadband programs implemented, rural residents might have been told they could only have 10 kilowatts, observed Gary Bolton, CEO of the Fiber Broadband Association, on a Broadband.Money webinar last Friday. "It wasn't like in 1935, FDR said . . . 'if you're really hard to connect, we'll give you a windmill' or 'we're going to do something crazy'..."



IN FOCUS ACP Non-Usage Tracking Rule

When the FCC implemented the Affordable Connectivity Program (ACP) pursuant to the Infrastructure Investment and Jobs Act (IIJA), a provision was added to ensure customers receiving the ACP benefit (\$30/mo for non-Tribal areas, \$75/mo for Tribal areas) were actually using the service. The so-called non-usage rule is triggered when the participating ACP provider does not assess and collect a monthly fee from the subscriber. In these cases, the provider must track the customer's usage on a rolling 30-day basis, and when no usage is noted, give the customer notice that the service must be used within 15 days or the customer will be de-enrolled from the ACP. This rule becomes effective on April 15, 2022.

Previously, the FCC adopted a non-usage rule for the Lifeline program to address waste, fraud and abuse concerns stemming from pre-paid wireless providers receiving support for free to the end-user services that the subscriber was not actually using. For the EBB program, the non-usage rule prohibited providers from receiving reimbursement for customers not receiving a monthly fee and not using the service during the claims month, but did not require subscriber de-enrollment.

USTelecom filed a [Waiver Request](#) asking the FCC to allow participating providers an additional 60 days to comply with the ACP non-usage tracking rule. According to USTelecom, "The system development work that must occur for service providers to implement the requirement is technologically difficult and time consuming to accomplish, making the April 15, 2022 deadline for compliance unworkable for some service providers." The FCC's Wireline Competition Bureau issued a [public notice](#) seeking comment on USTelecom's

request, and several parties filed comments on March 31.

[NTCA](#) supported the request, stating "members' ability to comply with these provisions by April 15, 2022 depends on the availability of vendor solutions that will not be available on that date, an unfortunate scenario not anticipated by these small operators that also have no additional options to turn to for compliance." NTCA also supported an extension of *at least* 60 days.

The [National Lifeline Association](#) also supported the request, saying "complying with the usage tracking, notice and de-enrollment requirements for the ACP is new and has to be built into...systems. Other members have complied with a similar rule for the Lifeline program since 2012."

In comments supporting the request, [NCTA](#) noted "Comments filed in this proceeding confirm that many providers currently track usage on a calendar or billing month basis but do not track usage on a rolling 30-day period, and that doing so would require significant and time-consuming modifications to service provider systems."

Based on the support of USTelecom's petition, it is likely that the FCC will grant the extra 60 days to comply with the non-usage tracking rule; however, participating ACP providers in the situation triggering this rule should look into compliance steps and other remedies.

Reminders

- * **Broadband Performance Pre-Testing** began 1Q22 for ACAM II, CAF BLS, and CAF II auction support recipients. The first report is due to USAC on April 7, 2022.
- * **Supply Chain Reports** are due May 5, 2022. See 2/4/22 email distribution.
- * The transition to **988 suicide prevention hotline** is currently schedule for July 16, 2022. By this date, all calls to 988 are to be routed to 1-800-273-TALK.



Questions? Comments?
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