

August 1, 2022

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

**Re: Inquiry Concerning Deployment of Advanced Telecommunications
Capability to All Americans in a Reasonable and Timely Fashion, Notice of
Inquiry, GN Docket No. 22-270**

Dear Ms. Dortch:

INCOMPAS is submitting this letter in response to Chairwoman Rosenworcel's announcement that she has circulated a *Notice of Inquiry* with proposals to increase the national standard for minimum broadband speeds and to establish a new long-term goal for broadband speed.¹ As the leading trade association advocating for competition and innovation, INCOMPAS and its members have been at the forefront of investing in and delivering high-speed broadband infrastructure throughout the U.S. INCOMPAS' members have brought the fastest networks to market, offering consumers and businesses higher speeds, better customer service, and more affordable pricing. Indeed, INCOMPAS has long advocated that the FCC set a broadband standard that reflects what competitors are deploying. For example, in 2017, INCOMPAS called for the FCC to set a standard for fixed broadband at 1 Gigabit as competitors at that time were rolling these speeds out in their service areas, and incumbents were responding by increasing their speeds and dropping their prices.² We also stated:

[A]s more devices are connected to networks, robust broadband networks will be in high demand, and as more services are delivered via broadband, robust networks will be essential for the nation. There is a significant reliance by most businesses and consumers on broadband networks already, and the expectation is that such demand will accelerate. More consumers and businesses are using cloud services, over the top video (OVD) services, and interconnected devices than ever before. It is important that the Commission's definition of broadband should take into account these changes which we already are experiencing, as well as what is

¹ See FCC, *Chairwoman Rosenworcel Proposes To Increase Minimum Broadband Speeds And Set Gigabit Future Goal*, News Release (rel. July 15, 2022).

² See Comments of INCOMPAS, GN Docket No. 17-199 (filed Sept. 21, 2017), at 16-20, available at [FINAL 706 Comments with Evans Paper Attachment 9_21_17.pdf \(incompas.org\)](https://www.incompas.org/FILES/FINAL_706_Comments_with_Evans_Paper_Attachment_9_21_17.pdf).

being forecasted. In addition, the U.S. needs to remain competitive internationally. The Akamai State of the Internet Report indicates that the U.S. is currently 10th globally in the average connection speed. It is important that our nation set goals to promote the networks the U.S. will need to compete in the future. As such, INCOMPAS supports the Commission revisiting the current 25/3 Mbps definition for fixed broadband and revising it to reflect where the market is when there's a third [fixed] competitor in the market—to 1 Gig.³

INCOMPAS' members were prescient in delivering the networks needed then that were instrumental in keeping customers connected during the COVID-19 pandemic, and today they are deploying up to 10 Gbps capabilities in the last mile.⁴

INCOMPAS supports the Commission increasing the minimum broadband speed from 25/3 Mbps, and we urge the Commission to set goals that reflect current demand. According to the FCC's most recently released data from year end 2019, most consumers at that time were purchasing at least 100 Mbps service in their homes.⁵ This was before the COVID-19 pandemic. A review of three of the four largest incumbent ISPs in the nation's service offerings demonstrates that their most advertised minimum offering is up to 300 Mbps.⁶ With two-way video needs for work, education, and healthcare increasing significantly, and uploading data related to these endeavors, as well as the number of connected devices in the home increasing, INCOMPAS' members are experiencing more customers demanding higher-speed services. Moreover, the nation's leading ISPs and their trade associations recognized in 2021 that about 85% of Americans have access to networks providing downstream speeds of at least 1 Gbps,⁷

³ *Id.* at 19-20 (citations removed).

⁴ *See, e.g.*, SONIC, <http://www.sonic.com> (last visited July 28, 2022) (stating “America’s fastest, most affordable internet service. SPEEDS UP TO 10 GIGABITS. NEW FIBER CUSTOMERS GET FIRST MONTH FREE”).

⁵ FCC subscriber data collected before the COVID-19 pandemic shows that about 50% of fixed broadband was for 100 Mbps download or higher service. *See Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion*, GN Docket No. 20-269, Fourteenth Broadband Deployment Report, Fig. 11 (2021).

⁶ *See, e.g.*, Spectrum (Charter) internet offerings, available at [Charter Spectrum® Official - #NAME?](#); AT&T Fiber internet offerings, available at [AT&T Fiber Internet Offers | Get a \\$200 Reward Card \(att.com\)](#); Verizon FIOS offerings, available at <https://www.verizon.com/home/fios-fastest-internet/>.

⁷ *See American's Broadband Future, New National Coalition: It's Time To Ensure All Americans Can Connect To The Internet*, News Release (May 14, 2021), available at <https://americasbroadbandfuture.org/2021/05/press-release-5-14-2021-2/>.

and the service offerings of incumbents and competitors alike indicate that broadband internet access service providers are offering 1 Gbps and faster service to customers.

With Congressional support, tens of billions of dollars are being invested in new broadband infrastructure that is bringing more affordable, faster internet services to both unserved and underserved areas of the U.S. This is an important step in the right direction for building our nation's future networks, and prioritizing networks that can offer future-proof capabilities means that more consumers will obtain 1 Gbps and beyond capabilities in the near future. Indeed, while competitive providers have been on the leading edge of gigabit speed deployment, large incumbents are now expressing eagerness to deploy fiber as they seek to obtain Infrastructure Investment and Jobs Act funding.⁸

Last year, INCOMPAS released a report on the fiber and gigabit speed goals set by other nations.⁹ This report further demonstrates the need for the U.S. to set a 1 Gigabit goal now to maintain global competitiveness.

We have the ability and responsibility as Americans to go big and bold on broadband. Now is the time to take steps toward achieving a future of connectivity with faster speeds, and affordable prices in the U.S. We are looking to the Commission's leadership to establish a new broadband speed goal that enables all Americans to access high-speed internet no matter where they live or work. It is time to set that goal to 1 Gigabit.

Sincerely,

/s/ Angie Kronenberg

Angie Kronenberg
Chief Advocate & General Counsel

cc: Priscilla Delgado Argeris
Ramesh Nagarajan
Ben Arden
Danielle Thumann
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⁸ Bernie Arnason, *CEO Lobbies for AT&T as a Good State Partner for Broadband Infrastructure Funding*, Telecompetitor, July 21, 2022, available at [CEO Lobbies for AT&T as a Good State Partner for Broadband Infrastructure Funding \(telecompetitor.com\)](https://www.telecompetitor.com/ceo-lobbies-for-at-t-as-a-good-state-partner-for-broadband-infrastructure-funding/).

⁹ See INCOMPAS/BroadLand Report, *The Race to Faster Broadband Speeds: A Look at the Speed Goals of Other Nations Around the World* (July 26, 2021), available at [FINAL 1 Gigabit and Fiber Goals in Other Nations 4 \(incompas.org\)](https://www.incompas.org/final-1-gigabit-and-fiber-goals-in-other-nations-4).

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