



March 16, 2017

Chairman Ajit Pai
Federal Communications Commission
445 Twelfth Street, SW
Washington DC 20554

Re: *Comment on Request for Reconsideration Concerning Lifeline Broadband Providers*,
WC Docket Nos. 09-197, 11-42

Dear Chairman Pai:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the rights of all persons in the United States and the undersigned supporters of the Lifeline program, we appreciate the opportunity to submit comments in response to the *Request for Reconsideration Concerning Lifeline Broadband Providers*.¹ The civil rights and public interest communities are committed to ensuring that all members of society are connected to modern, advanced communications networks and services, and believe the Lifeline program fills an important role in a comprehensive strategy for bridging the digital divide as it lowers a major barrier to access due to cost. The Wireline Competition Bureau Lifeline Broadband Provider (LBP) revocation order delays an array of innovative and high quality Lifeline broadband offerings and has a chilling effect on other potential Lifeline broadband entrants. The new LBP designation process is critical for increasing competition and facilitating competition and innovation in the Lifeline broadband program, and we urge the Federal Communications Commission (FCC) to resume the designation process immediately.

The FCC developed the LBP designation process because commercial broadband providers maintained the current state-by-state process was a barrier for their Lifeline participation.² We support widespread commercial participation to create a highly competitive Lifeline broadband marketplace.³ The LBP designation process is thoughtful, balanced, and limited, and the current state-by-state process is still operational for companies that offer voice and broadband products.

The companies whose LBP designations were revoked proposed innovative business models providing low cost high quality services for low-income people—exactly the outcome anticipated as part of the Lifeline modernization. For example, included in the nine LBP revocations is a Minority Business Enterprise that offers 300 Mbps download and 150 Mbps upload, as well as unlimited Wi-Fi data with no out-of-pocket charges, caps or overage charges to Lifeline-eligible residents of low-income, senior and mixed-housing developed and managed by a non-profit community developer in Chicago.⁴ This LBP is coordinating its Lifeline broadband with digital literacy training and includes a no-charge Wi-Fi enabled devices. Another impacted LBP had partnered with a public housing authority in New York

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to provide residents with a fixed wireless broadband offering with speeds of 20 Mbps down and 20 Mbps up and no data caps.⁵ A third impacted LBP has designed a Lifeline broadband offering to target the homework gap with 4G LTE hotspots with up to 6 GB per month.⁶ The Commission's action summarily dismissed these proposals as well as those for mobile wireless providers that offer services to low-income parents looking for work, scheduling interviews, or picking up extra shifts.

We urge the Commission to act quickly on this matter as uncertainty regarding the process for broadband providers to participate in the Lifeline program delays access to affordable broadband to low-income households. Please contact Leadership Conference Media/Telecommunications Task Force Co-Chairs Cheryl Leanza, United Church of Christ, Office of Communication, Inc., at 202-904-2168 or cleanza@alhmail.com, or Michael Macleod-Ball, American Civil Liberties Union, at (202) 675-2309 or mmacleod@aclu.org or Corrine Yu, Leadership Conference Managing Policy Director at 202-466-5670 or yu@civilrights.org if you would like to discuss the above issues.

Sincerely,

The Leadership Conference on Civil and Human Rights
American Civil Liberties Union
American Library Association
Appalshop, Inc.
Asian Americans Advancing Justice | AAJC
Benton Foundation
Center for Media Justice
Center for Rural Strategies
City of Seattle - Community Technology Advisory Board
Common Cause
Common Sense Kids Action
Communications Workers of America
Connect Your Community
DANEnet
Demand Progress
Edgemont Neighborhood Coalition of Dayton Ohio
El Centro de la Raza
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Footprints, Inc.
Get Engaged 2016-2017
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Media Alliance
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NAACP
National Consumer Law Center, on behalf of its low-income clients
National Digital Inclusion Alliance
National Hispanic Media Coalition
New America's Open Technology Institute
OCA - Asian Pacific American Advocates



Open MIC (Open Media and Information Companies Initiative)
Oregon Citizens' Utility Board
Partnership for Progress on the Digital Divide
Project Appleseed
Public Knowledge
United Church of Christ, OC Inc.
WinstonNet
X-Lab

cc: Commissioner Clyburn
Commissioner O'Reilly

¹ See *Wireline Competition Bureau Seeks Comment on Request for Reconsideration Concerning Lifeline Broadband Providers*, WC Docket Nos. 09-197, 11-42, DA 17-213 (Rel. Mar. 2, 2017).

² See e.g., *Third Report and Order, Further Report and Order, and Order on Reconsideration*, WC Docket Nos. 11-42, 09-197, 10-90 (Apr. 27, 2016) at ¶¶228, 235-236.

³ Comments of the Leadership Conference on Civil and Human Rights, WC Docket Nos. 11-42, 09-197, 10-90 (filed Aug. 31, 2015) at 2-3.

⁴ See *Petition of Applied Research Designs, Inc. for Streamlined Designation as a Lifeline Broadband Provider Eligible Telecommunications Carrier*, WC Docket No. 09-197 (Nov. 30, 2016).

⁵ See *Spot On Networks, LLC Petition for Streamlined Designation as a Lifeline Broadband Provider Eligible Telecommunications Carrier*, WC Docket No. 09-197 (Oct. 26, 2016).

⁶ See *Kajeet Inc. Petition for Streamlined Designation as a Lifeline Broadband Eligible Telecommunications Carrier*, WC Docket No. 09-197 (Oct. 11, 2016).