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Regulatory Review

The Miller Isar, Inc. Regulatory Review is a monthly report designed to provide information regarding regulatory and policy developments that may impact business operations. The Regulatory Review is provided for informational purposes only and does not constitute legal opinion or legal counsel. Compliance items of particular note are highlighted.

FEDERAL REGULATORY NEWS



2Q24 USF CONTRIBUTION FACTOR SET

On March 14, 2024, the Office of Managing Director released a [Public Notice](#) announcing the proposed universal service contribution factor for the second quarter of 2024 will be 32.8%, down from the previous quarter's 34.6%. The contribution factor is based on the Universal Service Administrative Company's [Federal Universal Service Support Mechanisms Quarterly Contribution Base](#) for the second quarter of 2024 filed on March 1, 2024.

NTIA ANNOUNCES DIGITAL EQUITY PLANS FILED IN ALL STATES

On February 29, 2024, the National Telecommunications and Information Administration (NTIA) [announced](#) that all states, the District of Columbia, and Puerto Rico, have submitted digital equity plans to NTIA for approval. NTIA also announced its recent acceptance of digital equity plans for the states of Delaware, Idaho, Louisiana, Puerto Rico, and West Virginia.

COMMISSION, UNITED KINGDOM FORM ROBOCALL, ROBOTEXT, CONSUMER PRIVACY PARTNERSHIP

On February 29, 2024, the Commission issued a [news release](#) announcing a memorandum of understanding (MoU) with the United Kingdom's Information Commissioner's Office to cooperate on enforcement matters related to unlawful robocalls, robotexts, and efforts to protect consumers' privacy and sensitive data. According to the Commission, the MoU is the first of its kind, particularly regarding the agencies' shared priorities to address risks arising from the misuse of communications networks, the exploitation of private and sensitive data, and continued threats posed by cybercriminals and adversaries.

Relatedly, on March 4, 2024, the Commission and the United Kingdom Office of Communications [announced](#) a new framework for cooperation to combat illegal robocalls and robotexts. The agencies agreed to cooperate and share information to further their shared interests in protecting consumers and ensuring the integrity of communications networks.

OMB APPROVES TEXT BLOCKING INFORMATION COLLECTION

On March 1, 2024, a Commission [notice](#) was published in the *Federal Register* announcing Office of Management and Budget approval of information collection associated with Section 64.1200(p), delivery restrictions, of the Commission's rules associated with text blocking. The rule was adopted in the Commission's March 17, 2023 [Report and Order](#) in its Targeting and Eliminating Unlawful Text Messages and Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 proceedings. The rules require mobile wireless providers to block certain text messages that are highly likely to be illegal. Section 64.1200(p) becomes effective September 3, 2024. (CG Docket Nos. 21-402 and 02-278)

AMENDED ROBOCALL RULES EFFECTIVE MARCH 4

On March 4, 2024, a Commission [notice](#) was published in the *Federal Register*, correcting the Commission's January 25, 2024 [notice](#) that had announced effective dates for the call authentication and robocall mitigation database rules adopted in the Commission's March 2023 [Sixth Report and Order](#) and May 2023 [Seventh Report and Order](#) its Call Authentication Trust Anchor proceeding. The notice corrected an incorrect *Federal Register* citation and compliance date. Following *Federal Register* publication, the rules became effective on March 4, 2024. (WC Docket No. 17-97)

ROBOCALL – ROBOTEXT CONSUMER CONSENT REVOCATION RULES EFFECTIVE APRIL 4

On March 5, 2024, the Commission's February 16, 2024 *Report and Order* in its Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 proceeding was published in the [Federal Register](#). The *Report and Order* adopted rules and codified previously adopted protections making it easier for consumers to revoke consent to unwanted robocalls and robotexts, while requiring callers and texters to honor these requests in a timely manner. Following *Federal Register* publication, Section 64.1200(a)(12), delivery restrictions, of the Commission's rules becomes effective on April 4, 2024. Sections 64.1200(a)(9)(i)(F) and (d)(3) and Section 64.1200(a)(10) and (11) are delayed indefinitely. (CG Docket No. 02-278)

Relatedly, on March 12, 2024, a Commission [notice](#) correcting amendments to Section 64.1200 of the Commission's rules regarding robocalls and robotexts, adopted in the Commission's December 18, 2023 [Second Report and Order and Waiver Order](#) in its Targeting and Eliminating Unlawful Text Messages and related proceedings was published in the *Federal Register*. The notice corrected the revision to paragraph (f)(9)(i) of Section 64.1200, and becomes effective January 27, 2025. (CG Docket Nos. 21-402, 02-278, 17-59)

And on March 13, 2024, the Consumer and Governmental Affairs Bureau issued a [Public Notice](#) announcing the effective date for text blocking rule provisions adopted in the Commission's March 2023 [Report and Order](#) in its Targeting and Eliminating Unlawful Text Messages and Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 proceeding.. On March 1, 2024, a Commission [notice](#) was published in the *Federal Register* announcing the Office of Management and Budget approved the information collection associated with Section 64.1200(p), delivery restrictions, adopted in the *Report and Order* requiring mobile wireless providers to block certain text messages that are highly likely to be illegal. Compliance with Section 64.1200(p) is now required as of September 3, 2024. (CG Docket Nos. 02-278, 21-402)

COMMISSION ANNOUNCES APRIL END OF FULL AFFORDABLE CONNECTIVITY PROGRAM MONTHLY REIMBURSEMENT

On March 4, 2024, the Commission issued a [Public Notice](#) announcing that the last fully funded month for the Affordable Connectivity Program (ACP) is April 2024 due to lack of further Congressional funding. Only partial funding will remain through May 2024. ACP providers have the option of claiming and passing May's partial reimbursement amount to enrolled households. The *Public Notice* also provides guidance on the May 2024 partial reimbursement month, reminds providers of the notices they must send to ACP recipient households, and provides guidance on the consumer protections for ACP households during the ACP phase down and after ACP funding ends. Also on March 4, 2024, Chairwoman Rosenworcel sent a Program [update](#) to congressional leaders on the status of the ACP and urged immediate action before the ACP runs out of funds. [news release](#) (Docket No. 21-450).

ROSENWORCEL SEEKS TO LOWER MULTI-TENANT BUILDING BROADBAND COSTS; INCREASE CHOICE - NPRM

On March 5, 2024, the Commission issued a [news release](#) announcing that Chairwoman Rosenworcel is distributing a Notice of Proposed Rulemaking (NPRM) to Commission commissioners proposing to lower costs and address tenant choice for broadband services available to households in apartments, condos, public housing and other multitenant buildings. The NPRM would propose prohibiting arrangements by which tenants are required to pay for broadband, cable and satellite service provided by a specific communications provider, even if they do not wish to take the service or would prefer to use another provider. Under the proposed rules, tenants would be able to opt out such arrangements. The NPRM would seek comment on other practices that may limit consumer choice in multiunit buildings.

SIMINGTON – STARKS REMARKS AT INCOMPAS 2024 POLICY SUMMIT POSTED

Commissioners [Simington's](#) and [Starks'](#) March 5, 2024 comments made during the Incompas 2024 Policy summit were posted by the Commission. Commissioner Simington's comments focused on the satellite service sector, while Commissioner Sparks discussed the Affordable Connectivity Program, its success and re-funding.

RDOF AND CAF II AMNESTY COMMENTS SOUGHT

On March 5, 2024, the Commission issued a [Public Notice](#) to request comment on a letter from sixty-nine Internet Service Providers, Trade Associations, State and Local Officials, School Districts, Unions, and Civil Society Organizations requesting amnesty from their Rural Digital Opportunity Fund (RDOF) and Connect America Fund Auction (CAF II) obligations. The parties specifically request that the Commission provide RDOF and CAF II awardees who cannot or do not intend to build their networks a very short and expedited amnesty period of no more than a month that allows them to relinquish all or part of their winning areas without being penalized to the full extent that the Commission's rules provide. Comments were due March 26, 2024. Reply comments are due April 9, 2024. (WC Docket Nos. 10-90 and 19-126; AU Docket No. 20-34)

ROBOCALL – ROBOTEXT FNPRM COMMENTS DUE APRIL 4

On March 5, 2024 the Consumer and Governmental Affairs Bureau issued a [Public Notice](#) announcing comment and reply dates regarding the Commission's February 16, 2024 [Further Notice of Proposed Rulemaking](#) (FNPRM) in its Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 proceeding. The FNPRM seeks comment on whether the Telephone Consumer Protection Act applies to robocalls from wireless providers to their own subscribers and whether providers must have consent to make robocalls and send robotexts to their own subscribers. The FNPRM was published in the *Federal Register* on March 5, 2024. Following *Federal Register* publication, comments are due April 4, 2024 and reply comments are due April 19, 2024. Associated Paper Reduction Act comments are due May 6, 2024. (CG Docket No. 02-278)

DIRECT ACCESS TO NUMBER PRA COMMENTS DUE APRIL 8

On March 7, 2024, a Commission [notice](#) was published in the *Federal Register* seeking Paperwork Reduction Act (PRA) comments on a revision of a currently approved information collection relating to direct access to telephone numbers. Collected information includes information and certifications applicants must submit to comply with the numbering authorization application process. The Commission's September 22, 2023 [Report and Order](#) in its Numbering Policies for Modern Communication and related proceedings revised the information to be collection to ensure the Commission receives sufficient detail from interconnected VoIP applicants to make informed, public interest-driven decisions about their direct number access applications. Following *Federal Register* publication, PRA comments are due April 8, 2024. (WC Docket Nos. 13-97, 07-243, 20-67, and IB Docket No. 16-155)

COMMUNICATIONS ACCESSIBILITY FOR THE 2024 BIENNIAL REPORT REQUESTED

On March 7, 2024, the Commission's Consumer and Governmental Affairs Bureau released a [Public Notice](#) requesting comment in connection with the Commission's biennial report required by the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA). The biennial report must be submitted to Congress by October 8, 2024. The Commission seeks comment regarding compliance with statutory mandates for telecommunications and advanced communications services, equipment used with these services, and Internet browsers built into mobile phones, to be accessible to and usable by people with disabilities. Comment on the extent to which accessibility barriers still exist with respect to new communications technologies and the effect of CVAA recordkeeping and enforcement requirements on the development and deployment of new communications technologies is also requested. (CG Docket No. 10-213)

OMD ANNOUNCES ADDITIONAL CORES SECURITY SAFEGUARDS

On March 7, 2024, the Commission's Office of Managing Director issued a [Public Notice](#) announcing beginning March 29, 2024, a two-step login process for the FCC's Commission Registration System (CORES) will be implemented to strengthen existing cybersecurity measures and safeguard user accounts. When accessing CORES, users will be prompted to request a six-digit secondary verification code, which will be sent to the email address(es) associated with each username. The user will then need to enter the code into CORES before they can continue. OMD recommends that registrants confirm they have access to their Username Account E-mail and add a secondary e-mail address, if appropriate. Detailed directions are available at [Updating Your Username Account](#).

RURAL HEALTH CARE PROGRAM APPLICATION FILING WINDOW EXTENDED

On March 7, 2024, the Wireline Competition Bureau issued an [Order](#) in its Rural Health Care Support Mechanism and Promoting Telehealth in Rural America proceedings waiving, on its own motion, Section 54.621(a)(1) of the Commission's rules, filing window for requests and prioritization of support, and extending the close of the funding year 2024 application filing window for the Rural Health Care Program until May 1, 2024. The Bureau said the extension is necessary due to instances of outages of a program form that delayed some program participants' ability to begin competitive bidding. (WC Docket Nos. 02-60 and 17-310)

ANNUAL CAPS FOR E-RATE, RURAL HEALTH CARE FOR FUNDING YEAR 2024 ANNOUNCED

On March 8, 2024, the Wireline Competition Bureau issued a [Public Notice](#) announcing the E-Rate and Rural Health Care (RHC) programs' annual caps for funding year 2024. The E-Rate Program funding cap is \$4.9 billion and the RHC Program funding cap is \$706 million. The adjusted amounts represent a 3.6% inflation-adjusted increase to both programs' funding year 2023 annual caps. (CC Docket No. 02-6 WC Docket No. 02-60)

SECURE NETWORKS REIMBURSEMENT PROGRAM RECIPIENTS REMINDED OF APRIL 8 UPDATE FILING

On March 8, 2024, the Wireline Competition Bureau issued a [Public Notice](#) reminding the Secure and Trusted Communications Networks Reimbursement Program recipients of their obligation to file status updates with the Commission every 90 days, beginning on the date the Bureau approved recipients' applications until the obligation to file expires. All recipients were required to file their last status update on January 8, 2024, and must file their next on April 8, 2024.

APPROPRIATIONS BILL ENACTED

On March 9, 2024, President Biden [signed H.R. 4366, The Consolidated Appropriations Act](#). The Consolidated Appropriations Act provides full-year funding for certain federal departments and agencies through September 30, 2024. The Act includes funding for the U.S. Department of Agriculture's ReConnect Program, telemedicine distance learning programs, the Community Connect Grant Program and the National Telecommunications and Information Administration. The Senate passed the legislation on March 8, 2024.

ROSENWORCEL ANNOUNCES INTERGOVERNMENTAL ADVISORY COMMITTEE MEMBERS

On March 11, 2024, Chairwoman Rosenworcel [announced](#) the new members of the Commission's Intergovernmental Advisory Committee (IAC), the naming of Lieutenant Governor Garlin Gilchrist II of Michigan as Chair of the IAC, and Chairman and CEO Marshall Pierite of the Tunica-Biloxi Tribe of Louisiana as Vice-Chair. The IAC is comprised of elected municipal, county, state, and Tribal government officials that will meet with Commission officials to exchange views, information and advice on a range of telecommunications issues for which state, local and Tribal governments explicitly or inherently share responsibility or administration with the Commission.

COMMISSION RELEASES FISCAL YEAR 2025 BUDGET ESTIMATES

On March 11, 2024, the Commission released its [fiscal year 2025 budget estimates](#) to Congress. The Commission is requesting \$448,075,000 in budget authority from regulatory fee offsetting collections, which represents an increase of \$57,883,000 from the fiscal year 2024 appropriated level, a 14.8 percent increase from the fiscal year 2024 Annualized Continuing Appropriations Act level of \$390,192,000. The Commission also requests \$139,000,000 in budget authority for the Spectrum Auctions program. This request represents an increase of \$6,769,000 or 5.1 percent from the fiscal year 2024

Annualized Continuing Appropriations Act level of \$132,231,000. The appropriation is to be used to support the Commission's strategic goals, which include a 100% broadband policy; promoting diversity, equity, inclusion, and accessibility; empowering consumers; enhancing public safety and national security; advancing America's global competitiveness; and fostering operational excellence. On March 12, 2024, the Commission released its 2025 [Budget-In-Brief](#).

COMMISSION – GEORGIA AG PARTNER AGAINST ROBOCALLS

On March 11, 2024, Chairwoman Rosenworcel [announced](#) a formal partnership with Georgia's Office of the Attorney General to protect consumers against robocall scams. A total of 49 states have agreed to partnerships with the Enforcement Bureau and these partnerships can provide critical resources for building cases and prevent duplicative efforts in protecting consumers and businesses nationwide.

COMMISSION GRANTS PARTIAL WAIVER OF CAF II-RDOP SUPPORT RECIPIENT LETTERS OF CREDIT

On March 12, 2024, the Commission issued an [Order](#) in its Connect America Fund and related proceedings, partially waiving the requirement that a bank issuing a letter of credit to a support recipient for either the CAF Phase II auction or the Rural Digital Opportunity Fund auction maintain a Weiss bank safety rating of B-minus or better. The limited waiver only applies to banks that previously issued letters of credit to CAF II or RDOF support recipients, and that previously had a Weiss bank safety rating of B-minus or better. The waiver expires on March 12, 2025. The Commission issued the partial waiver on its own initiative. (WC Docket No. 10-90, AU Docket Nos. 17-182 and 20-34)

WIRELINE BUREAU UPDATES FORM 5640 PART G USER GUIDE - FAQs

On March 12, 2024, issued a [Public Notice](#) announcing publication of an updated version of the user guide for Part G of Form 5640 and Frequently Asked Questions for the Secure and Trusted Networks Reimbursement Program. The updates and other documents related to the program are available [online](#).

MARCH COMMISSION OPEN MEETING ITEMS RELEASED

On March 13, 2024, the Commission released the following items adopted at its [open meeting](#):

- The Commission's [2024 Section 706 report](#), which raises the fixed speed benchmark for advanced telecommunications capability to 100/20 Mbps and adopts a long-term speed goal of 1 Gbps/500 Mbps [Release](#) (Docket No 22-270).
- A [Report and Order](#) in the Commission's Cybersecurity Labeling for Internet of Things, which creates a voluntary cybersecurity labeling program for wireless consumer Internet of Things products enabling consumers to make informed purchasing decisions and create incentives for manufacturers to meet higher cybersecurity standards. (PS Docket No. 23-239)
- a [Report and Order and Further Notice of Proposed Rulemaking](#) in the Commission's Single Network Future: Supplemental Coverage from Space and Space Innovation proceedings, to advance the Commission's vision for a single network future in which satellite and terrestrial networks work seamlessly together to provide coverage for consumer handsets neither network can achieve on its own. (GN Docket No. 23-65 and IB Docket No. 22-271) [Release](#)
- a [Notice of Proposed Rulemaking](#) in the Commission's Wireless Emergency Alerts and Amendments to Part 11 of the Commission's Rules Regarding the Emergency Alert System proceedings, seeking comments on facilitating a more efficient and widespread dissemination of alerts and coordinated responses to incidents involving missing and endangered persons, an issue particularly prevalent in tribal communities. (PS Docket Nos. 15-91 and 15-94)
- a [Report and Order](#) in its All-In Pricing for Cable and Satellite Television Service proceeding, that requires cable and satellite TV providers to specify the all-in price for video programming services in promotional materials and on subscribers' bills to allow consumers to make informed choices. (MB Docket No. 23-203)

UNIVERSAL SERVICE MONITORING REPORT RELEASED

On March 13, 2024, the Commission released its [universal service monitoring report](#). The Monitoring Report provides information on industry revenues, universal service program funding requirements, contribution factors and the latest data on the low-income, high-cost, schools and libraries, and rural health care support mechanisms, among other things. The purpose of the Monitoring Report is to observe the impacts of universal service support mechanisms and the method used to finance them. Initiated by the Commission in 1997, this is the twenty-sixth such report, prepared by federal and state staff members, for the Federal-State Joint Board on Universal Service (Universal Service Joint Board) based on information available as of September 2023. (CC Docket No. 96-45 and WC Docket Nos. 02-6, 02-60, 06-122, 10-90, 11-42, 13-184, and 14-58).

COMMISSION PROPOSES NEW EMERGENCY ALERT CODE FOR MISSING AND ENDANGERED PERSONS

On March 14, 2024, the Commission issued a [release](#) announcing that the Commission has proposed a new event code option to deliver critical messages to the public over television and radio about missing and endangered adult persons. Adding a new “Missing and Endangered Persons” event code to the nation’s Emergency Alert System is intended to help law enforcement agencies to issue timely alerts in accordance with the Ashanti Alert Act and galvanize public attention to these cases. A Notice of Proposed Rulemaking (NPRM) seeks public comment on creating a new “MEP” alert code for missing and endangered persons who do not meet the criteria for an AMBER Alert. The NPRM also asks about the relationship between this potential new category and the Wireless Emergency Alert system, which does not use event codes like the Emergency Alert System.

ADDITIONAL ACP-RECONNECT FUNDING PROPOSED IN BUDGET

The Administration’s recently released proposed fiscal year 2025 [Budget of the U.S. Government](#) includes the Administration’s pending supplemental request for \$6 billion for the Affordable Connectivity Program (ACP) and \$112 million for the ReConnect broadband grant and loan program. Additionally, the budget proposes \$448 million in budget authority for the Commission [see item on page 4 – *Ed.*], \$65 million for the National Telecommunications and Information Administration, and \$535 million in budget authority for the Federal Trade Commission. According to the Administration, the ACP has provided high-speed Internet service to more than 23 million eligible low-income households at low or no cost.

OBJECTIONS TO THE PROPOSED 2Q24 USF CONTRIBUTION FACTOR

On March 18, 2024, Consumers’ Research, and other parties filed [comments and objections](#) to the [public notice](#) announcing the proposed second quarter 2024 universal service contribution factor. The objections assert that the Commission should reject the proposed contribution factor, set it at zero, and refuse to permit additional revenue to be collected and paid into the fund.

ACP MAY REIMBURSEMENT RATE ESTIMATES ANNOUNCED

On March 19, 2024, the Wireline Competition Bureau issued a [Public Notice](#) reminding providers that May 2024 will be the last month for which providers will be able to seek reimbursement for the Affordable Connectivity Program (ACP) benefits. The Bureau also reminded providers that unless additional program funding is passed by Congress, the ACP will not be able to reimburse providers for the full statutory benefit amount for service and device benefits applied to ACP service bills in May 2024. The Bureau provided a list of estimated reimbursement ranges for each benefit type within which the partial reimbursement amount may fall to assist providers in planning. Further, the Bureau directed providers to notify the Universal Service Administrative Company (USAC) of their intent to participate during the May 2024 service month by completing a USAC survey being distributed to providers. (WC Docket No. 21-450)

E-RATE FCC FORM 471 REVIEW PROCEDURES APPROVED

On March 19, 2024, Wireline Competition Bureau [notified](#) the Universal Service Administrative Company of the Commission’s approval of the E-Rate funding year 2024 program integrity assurance FCC Form 471 review procedures. The procedures are subject to further modifications and/or instruction from the Commission.

INCOMPAS – GRANITE URGE FCC TO INCLUDE WHOLESALE SERVICE IN BIAS DEFINITION

On March 18 and 19, 2024, INCOMPAS and Granite Telecommunications, LLC [spoke separately with](#) advisors to Chairwoman Rosenworcel and Wireline Competition Bureau staff regarding the proposal to reclassify broadband as Title II. Among the discussion topics was INCOMPAS' March 14, 2024 [letter](#) to the Commission urging inclusion of wholesale service in the Commission's Broadband Internet Access Service (BIAS) definition. INCOMPAS maintains that the Commission cannot rely on classifying resold broadband as BIAS to ensure the underlying facilities-based wholesale BIAS providers comply with telecommunications carrier regulations and requirements.

ROSENWORCEL CIRCULATES 5G FUND FOR RURAL AMERICA REPORT AND ORDER

On March 20, 2024, the Commission issued a [news release](#) announcing that Chairwoman Rosenworcel has circulated a second report and order on the 5G Fund for Rural America. According to the Commission, the 5G Fund Phase I multi-round reverse auction would distribute some \$9 billion to bring voice and 5G mobile broadband service to rural areas unlikely to gain access to unsubsidized 5G-capable networks. The auctions will be based on the mobile coverage data obtained through the Broadband Data Collection and reflected on the National Broadband Map. Additionally, the fund would include up to \$900 million in incentives for promoting deployment of Open Radio Access Network technology in fund-supported networks.

ROBOCALLING TRACEBACK INFORMATION REQUESTED BY MAY 1

On March 20, 2024, the Enforcement Bureau issued a [Public Notice](#) requesting information on the status of private-led traceback efforts of suspected robocalls during calendar year 2024. The information will be used to prepare the Commission's annual report on the status and participation of voice service providers in robocall mitigation efforts. On March 29, 2024, the Commission released its [Report of Traceback Data](#) for the period October 1, 2023 to December 2023. (EB Docket No. 20-195)

THE PUBLIC SAFETY AND HOMELAND SECURITY BUREAU ANNOUNCES COMMENT DATES ON CYBERSECURITY IOT LABELING

On March 25, 2024, the Commission's Public Safety and Homeland Security Bureau issued a [Public Notice](#) announcing the comment and reply comment dates on the Commission's March 15, 2024 [Report and Order and Further Notice of Proposed Rulemaking](#) (FNPRM) in its Cybersecurity Labeling for Internet of Things (IoT) proceeding. The [Report and Order](#) established a voluntary cybersecurity labeling program for wireless consumer IoT products that will help consumers make safer purchasing decisions, raise consumer confidence regarding the cybersecurity of the IoT products they buy, and encourage manufacturers to develop IoT products with security-by-design principles. The FNPRM proposes and seeks comment on additional national security declarations for the IoT labeling program. Comments are due April 24, 2024 and Reply comments are due May 2024. (PS Docket No. 23-239)

COMMISSION TO REMOVE COMPANY FROM ROBOCALL MITIGATION DATABASE

On March 27, 2024, the Commission issued a [release](#) announcing that voice service provider, BPO Innovate, would be removed from the Robocall Mitigation Database for its failure to correct deficiencies identified in a Commission September 29, 2023 notice relating to complying with traceback requests. [Order](#)

BEFORE CONGRESS

BICAMERAL, BIPARTISAN APPROPRIATIONS PACKAGE INTRODUCED



On March 3, 2024, a bicameral, bipartisan package of [six fiscal year 2024 appropriations](#) was [introduced](#). The package [provides](#) funding for the U.S. Department of Agriculture ReConnect Program, telemedicine and distance learning programs and the Community Connect Grant Program. The package also includes [funding](#) for the National Telecommunications and Information Administration (NTIA) and would allow NTIA to access additional funding to implement broadband programs under the Infrastructure Investment and Jobs Act. On March 6, 2024, the house passed the [H.R. 4366, The Consolidated Appropriations Act](#). [Press Release](#). [Bill Summary](#)

HOUSE ENERGY AND COMMERCE COMMITTEE ADVANCES NETWORK SECURITY MEASURES

The House Energy and Commerce Committee unanimously voted to advance three bills designed to improve the security of U.S. communications networks and ensure U.S. leadership in the deployment of 6G networks. [The Foreign Adversary Communications Transparency \(FACT\) Act](#) - H.R. 820 would require the Commission to publish a list of companies that hold Commission authorizations, licenses or other authority, and have ownership or other links to China, Russia, Iran, North Korea, Cuba or Venezuela. The legislation was introduced by Reps. Elise Stefanik (R-NY), Ro Khanna (D-CA) and Mike Gallagher (R-WI). The [Removing Our Unsecure Technologies to Ensure Reliability and Security \(ROUTERS\) Act](#) - H.R. 7589 would direct the National Telecommunications and Information Administration to conduct a study of the national security risks posed by routers, modems and devices that combine a modem and router. HR 7589 is sponsored by Communications and Technology Subcommittee Chair Bob Latta (R-OH). And the [Future Uses of Technology Upholding Reliable and Enhanced \(FUTURE\) Networks Act](#) - H.R. 1513 would direct the Commission to establish a 6G Task Force. The Bill is sponsored by communications and technology subcommittee Ranking Member Doris Matsui (D-CA) and Rep. Bill Johnson (R-OH).

CRUZ RELEASES USF CONTRIBUTIONS REFORM WHITE PAPER

On March 6, 2024, Senator Ted Cruz (R-TX) [released a white paper](#) regarding Universal Service Fund (USF) reform. The white paper lists eight USF reform principles including giving control of USF back to Congress; ending subsidies for networks that face unsubsidized competition; targeting low-income subsidies to those who truly need support; and establishing better controls to stop waste, fraud and abuse. Cruz said he will use these principles to develop legislation to reform the USF. [press release](#)

HOUSE PASSES E-BRIDGE ACT

On March 12, 2024, the House [passed](#) the Eliminating Barriers to Rural Internet Development Grant Eligibility (E-BRIDGE) Act. The [legislation](#) is intended to remove barriers for broadband projects under Economic Development Administration grants including last-mile challenges that may delay rural broadband deployment. The legislation is also intended to ensure that local communities can partner with the private sector in carrying out broadband projects and gives communities greater flexibility in complying with funding match requirements.

RESOLUTIONS TO NULLIFY THE COMMISSION'S DIGITAL DISCRIMINATION ORDER INTRODUCED

On March 14, 2024, Senators Ted Cruz (R-TX), Mike Lee (R-UT) and 19 other senators [introduced](#) a Congressional Review Act [joint resolution of disapproval](#) to nullify the Commission's November 20, 2023 [Report and Order](#) in its Implementing the Infrastructure Investment and Jobs Act: Prevention and Elimination of Digital Discrimination proceeding (GN Docket No. 22-69). The Senators maintain that the *Report and Order* ignores the plain language of the Infrastructure Investment and Jobs Act, will harm broadband investment and undermine the goal of promoting high-speed internet access for all Americans. Representatives Earl L. "Buddy" Carter (R-GA) and Andrew Clyde (R-GA) [introduced](#) a companion [resolution](#) in the House.

CONGRESSIONAL LEADERS URGED TO FUND ACP – SECURE NETWORKS

On March 15, 2024, thirty-three Democrat senators sent a [letter](#) to congressional leaders urging them to take immediate action to fund the Affordable Connectivity Program and the Secure and Trusted Communications Networks Reimbursement Program. The Senators said failing to fund these two programs would be a loss for millions of Americans and represent an erosion in progress made to close the digital divide. [press release](#)

HOUSE AND SENATE COMMITTEES RELEASE APPROPRIATIONS BILLS – BILL ENACTED

On March 21, 2024, the [House](#) and [Senate](#) appropriations committees released the [second and final bipartisan package](#) of six fiscal year 2024 appropriations bills, including the [Financial Services and General Government Appropriations Act](#). The House [passed](#) the package on March 22, 2024. The bill, among other things, funds the operations of certain agencies, including the Commission.

On March 23, 2024, President Biden [signed H.R. 2882](#), the Further Consolidated Appropriations Act, 2024 into law. The Act funds the operations of certain agencies through September 30, 2024, including \$390 million in funding for the Commission [see page 4 – *Ed.*].

ADDITIONAL EQUIPMENT REPLACEMENT FUNDING BILL INTRODUCED

On March 21, 2024 Senators Steve Daines (R-MT), Roger Wicker (R-MS) and Cynthia Lummis (R-WY) [introduced](#) a [bill](#) that would appropriate additional funding for the Commission’s Secure and Trusted Communications Networks Reimbursement (rip and replace) Program, and separately require the Commission to conduct a spectrum auction.

SENATE HOLDS SPECTRUM AND NATIONAL SECURITY HEARING

On March 21, 2024 the full Senate Commerce Committee held a hearing regarding [Spectrum and National Security](#), focused on addressing how a coordinated and comprehensive approach to domestic spectrum policy is critical to U.S. national security. Witnesses testified on questions related to reinstating the Commission’s spectrum auction authority, engaging in fact-based spectrum decision-making, and investing in dynamic spectrum sharing and other technologies, will ensure the U.S. leads in spectrum use policy that protects the nation’s critical national security and economic competitiveness missions. Senators and witnesses also stressed the importance of funding to cover the \$3.08 billion shortfall in the Commission’s “rip-and-replace” program, continuing to drive the deployment of open radio access network (RAN) technology, and ensuring that the ACP continued to be funded. [Recorded Hearing](#)

NON-DOMINANT IXCS ANNUAL RATE AVERAGING CERTIFICATIONS DUE MAY 1

On March 27, 2024, the Wireline Competition Bureau issued a [Public Notice](#) reminding non-dominant interexchange carriers of their obligation to submit annual geographic rate averaging and rate integration certifications by May 1, 2024. The requirements are established under Section 64.1900 of the Commission’s rules. Section 254(g) of the Communications Act of 1934 requires providers of interexchange telecommunications services to charge rates to subscribers in rural and high-cost areas no higher than urban areas and to charge rates in one state no higher than rates charged in other states. (CC Docket No. 96-61)

IN THE COURTS

SIXTH CIRCUIT TO CONSIDER DATA BREACH REPORTING REQUIREMENTS APPEAL

On February 29, 2024, the Commission filed a [notice](#) with the U.S. Judicial Panel on Multidistrict Litigation notifying the panel that the Texas Association of Business and the Ohio Telecom Association filed petitions for review of the Commission’s December 2023 [Report and Order](#) in its Data Breach Reporting Requirements proceeding (WC Docket No. 22-21) with separate courts of appeals. On March 4, 2024, the panel issued a [consolidation order](#) announcing that the petitions would be consolidated under U.S. Court of Appeals for the Sixth Circuit Court, which was randomly selected.



EIGHTH CIRCUIT ADDRESSES DIGITAL DISCRIMINATION ORDER REVIEW MOTIONS

On March 20, 2024, the U.S. Court of Appeals for the Eighth Circuit (St. Louis) issued an [order](#) in the case that will consider 16 petitions for review of the Commission’s November 2023 [Report and Order](#) in its Implementing the Infrastructure Investment and Jobs Act: Prevention and Elimination of Digital Discrimination proceeding (GN Docket No. 22-69). The court denied a motion from certain petitioners seeking an expedited briefing and oral argument. The Commission had [opposed](#) the motion. The court granted the unopposed motions from the [Benton Institute for Broadband and Society](#) and [Media Alliance and Great Public Schools Now](#), which requested to intervene in support of the Commission.

STATE REGULATORY NEWS



CALIFORNIA – Commission Updates TUFFS Reporting System

On March 6, 2024, the California Public Utilities Commission announced updates to its Telecommunications & User Fee Filing System (TUFFS). The Commission stated that it is migrating data reported in its legacy TUFFS submitted between January 2015 and March 2023 to the new system. According to the Commission, service providers will be able to access January 2015 to March 2023 submissions in the new TUFFS beginning April 1, 2024. Access to May 2010 – December 2014 data will continue to be available through Legacy TUFFS.

INDIANA – CSP Verified Notice of Change Form Authorized

On March 6, 2024, the Indiana Utility Regulatory Commission approved General Administrative Order (GAO) [2024-01](#), which authorized revisions to the CSP Verified Notice of Change (NoC) form and the separate Instructions document. Both documents went into effect immediately. Significant changes to the NoC form include: Section restructuring and renumbering; Clarifying the distinction between “Sale, Assignment, Transfer, and Lease” of the Certificate of Territorial Authority (CTA) and “Encumbrance” of the CTA; and requiring those submitting an NoC to specify whether a new or changed communications service will be offered as a “telecommunications service” or an “information service.” An explicit reminder was added that a communications service cannot be classified as both a telecommunications service and an information service and specifically applies to interconnected VoIP and other IP enabled services. The related forms are: [State Form 52648](#)– Application for a Certificate of Territorial Authority for Communication Service Providers *Revised*: [State Form 50739](#) – Verified Notice of Change in a Certificate of Territorial Authority to Provide Communications Services within the State of Indiana *Revised*: [Instructions](#) – Instructions for the Application for a Communications Service Provider Certificate of Territorial Authority and for a Notice of Change.

LOUISIANA – Companies Reminded of Annual Reporting Requirements

On March 5, 2024, the Louisiana Public Service Commission issued a [reminder](#) to regulated companies of their obligation to submit an annual financial report, no later than 120 days after the close of each reporting period, calendar or fiscal year for the report year 2023. The report is to contain Louisiana-specific capital accounts, operating expenses, operating revenues, and income accounts, and must be sworn to by an officer. Annual Report Forms for each utility classification may be found on the Commission’s website at http://lpsc.louisiana.gov/Utilities_AR. Failure to timely file an Annual Report will result in a \$500 late filing fee. Companies no longer doing business in Louisiana are to submit a letter to the Commission stating when the company ceased operations.

WASHINGTON –Annual Report Due May 1

On March 2, 2024, the Washington Utilities and Transportation Commission’s issued a reminder that annual reports and regulatory fees payments must be received by the Commission no later than May 1, 2024. Failure to file a complete annual report and pay regulatory fees by May 1 will result in penalties defined in Revised Code of Washington (RCW) 80.04.080 for Utilities. Information regarding annual reports is found on the Commission’s [website annual report page](#).

IN THE NEWS



Virginia: Feds can't dictate limit on low-cost broadband

A Virginia state agency is objecting to a Commerce Department requirement that states must regulate what broadband providers can charge low-income homes under their Broadband Equity, Access and Deployment grant guidelines. The state argues the cap amounts to illegal rate regulation.

Full Story: [Route Fifty](#) (3/5)

AT&T, Verizon execs detail fiber future

AT&T and Verizon executives issued bullish assessments about the growth of their fiber base at a media conference with AT&T Chief Operating Officer Jeff McElfresh saying the company may build beyond its target of 30 million locations by 2025. Verizon's networking chief Joe Russo says the telecom plans to add 400,000 addresses annually to its Fios footprint.

Full Story: [Light Reading](#) (3/6)

Small providers stand up to (another) FCC rule By Julia King

Small providers are protesting the FCC's proposed Digital Discrimination rules, claiming the order would divert their limited resources.

UPDATED: FCC & NY probe AT&T outage By Dan Jones

COO Jeff McElfresh said that the operator is already talking to the SEC and government about the disruption.

Broadband across the nation: 2024 funding tracker By Diana Goovaerts, Masha Abarinova, Julia King

2024 is a new year but we're still following the money.

Leichtman: Home broadband grew in 2023

Leichtman Research Group reports the total home broadband customer base grew by more than 3.52 million in the US. "Over the past four years, top providers added about 15.9 million broadband subscribers," said Bruce Leichtman, president and principal analyst. **Full Story:** [Next TV](#) (3/7)

Verizon intros broadband labels ahead of deadline

Verizon has begun labeling its broadband services to comply in advance with FCC requirements, posting speeds, fees, prices and data limits. FCC rules go into effect April 10 and smaller companies have until October to comply. **Full Story:** [Reuters](#) (3/20)

The Universal Service Fund is stuck in its own Groundhog Day By Julia King

Senator Ted Cruz has proposed a significant shift in USF funding, advocating for Congress to have more control through the regular budget process.

REGULATORY REPORTING APRIL

The following report listing has been compiled from past reporting requirements and is provided exclusively for informational purposes. Reporting requirements are subject to change and should be verified by filers.

Rural Call Completion Data Collection Report due May 1.

FCC Form 499-A Telecommunications Reporting Worksheet due April 1.

[Communications and Video Accessibility Act of 2010](#) Compliance certification due April 1.

FCC Annual Rate Integration Letter due May 1.

FCC Form 499Q due May 1

For additional information, please contact Andrew Isar at aisar@millerisar.com, or call 253.851.6700.