

October 10, 2019

Mr. Ed Toner
Chief Information Officer
Nebraska Information Technology Commission
501 South 14th Street, 4th Floor
P.O. Box 95045
Lincoln, NE 68509-5045

Re: Comments in response to the Rural Broadband Task Force draft report and recommendations

I. General Comments

The Center for Rural Affairs is a private non-profit organization, established in 1973 and based in Lyons, Nebraska. The Center works to promote social and economic justice, environmental stewardship and strengthen rural communities. A significant part of this work is engaging with people about the decisions that affect the future of their communities and the quality of their lives. Access to broadband is essential to ensuring opportunity in today's rural economy.

We appreciate the Task Force's attention to this important matter. We acknowledge the time, resources, and dedication invested by each participating member. We are hopeful that these deliberations will lead to improved policy outcomes through legislative and regulatory means.

II. Background

We agree with the conclusion of the Task Force that Form 477 data can and does overstate broadband availability in large census blocks.¹ Depending solely on this data for mapping purposes leads to erroneous decision making and mismanagement of resources. The state can and should do better.

As the Task Force acknowledges, the Federal Communications Commission's recently approved Digital Opportunity Data Collection program helps address many of these shortcomings.² We agree with the recommendation of the Task Force that this program should be leveraged to improve our own state map.³ Similarly, we agree that the Public Service Commission and other stakeholders should encourage the FCC and Congress to make further improvements.

III. Recommendation

The Report and Order establishing the Digital Opportunity Data Collection program requests that states go above and beyond mere leveraging.⁴ Paragraph 3 calls upon states to help ensure

¹ *Rural Broadband Task Force Findings and Recommendations Draft* (September 24, 2019), p. 16.

² *In the Matter of Establishing the Digital Opportunity Data Collection WC Docket No. 19-195* (July 11, 2019).

³ *Rural Broadband Task Force Findings and Recommendations Draft* (September 24, 2019), p. 17.

⁴ *In the Matter of Establishing the Digital Opportunity Data Collection WC Docket No. 19-195* (July 11, 2019), p. 2.

accuracy by validating provider data. This can be done through “crowdsourcing,” collection and submission of fixed broadband availability information, or the establishment of a state-based validation process.⁵

The logic behind this request is sound. The FCC recognizes that it is well suited to serve as an information clearinghouse, but poorly positioned to verify the accuracy of this information at the local level. That task must belong to the states.

Unfortunately, the DODC program is unlikely to meaningfully improve data accuracy without this state action to validate provider information. The Task Force correctly acknowledges this in the draft report when finding that “supplementing provider data with speed tests or other methods will provide needed verification.” This is further demonstrated in the Task Force’s recommendation that the NITC, the PSC, and other stakeholders should explore crowdsourcing strategies to enhance federal broadband mapping.⁶

We urge the Task Force to more proactively respond to the Report and Order establishing the Digital Opportunity Data Collection program and more tangibly act on its own findings and recommendations by establishing a Broadband Data Validation Program.

The Broadband Data Validation Program should be designed to complement the granular broadband availability data submitted to the FCC by service providers. It should empirically validate the accuracy of fixed broadband data collected by the FCC, and challenge the validity of such data on behalf of the State of Nebraska at least once per year. The program should also target resources to areas of the state where public feedback, crowdsourcing, or other evidence suggests that the Federal data may be inaccurate and give priority to data validation in rural areas

IV. Conclusion

It is imperative that the Task Force recognize its role following the Report and Order establishing the Digital Opportunity Data Collection program. Efforts to improve data accuracy should not end, but instead must adapt to a changed environment. This is an opportunity to act.

We must have accurate data if we are to meaningfully improve broadband access in rural areas of our state. Accuracy is also essential to ensuring the state receives its due share of funding from the Federal Universal Service Fund and other federal broadband programs. By establishing a Broadband Data Validation Program, we will outcompete those states who mistakenly cede their role to the FCC and better serve our citizens by holding providers accountable.

Again, thank you for your important work.



Johnathan Hladik, Policy Director

⁵ *Id.*

⁶ *Rural Broadband Task Force Findings and Recommendations Draft* (September 24, 2019), p. 17.