

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Inquiry Concerning Deployment of Advanced	)	GN Docket No. 20-269
Telecommunications Capability to All Americans	)	
In a Reasonable and Timely Fashion	)	

**REPLY COMMENTS  
OF  
CARROLL COUNTY BROADBAND**

The Carroll County Broadband Committee (“Carroll County Broadband”), of Carroll County, New Hampshire, by the undersigned, hereby submits these Reply Comments pursuant to the Sixteenth Broadband Deployment Report Notice of Inquiry released on August 19, 2020 in the above-captioned docket. Carroll County Broadband appreciates the Commission’s efforts in this docket and the opportunity to provide these comments.

**INTRODUCTION**

Carroll County Broadband is a committee comprised of government entities in Carroll County, New Hampshire, consisting of Carroll County itself, participating towns and townships within the county,<sup>1</sup> State legislators representing districts within Carroll County, New Hampshire’s United States Congressional delegation, and several other groups.

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<sup>1</sup> Ossipee, Tuftonboro, Madison, Sandwich, Jackson, Tamworth, Freedom, Bartlett, Eaton, Moultonborough, Brookfield, Albany, Hales Location, Effingham, Conway, Wakefield, Hart’s Location, and Chatham.

Carroll County is a rural county in northern New Hampshire, with a population of roughly 50,000. Its major industries include tourism and agriculture. Currently there are significant un-served and under-served areas in Carroll County, leaving the county on the wrong side of the digital divide. The current pandemic has highlighted the inadequacies of broadband services in many parts of Carroll County. Many families in Carroll County, NH have suffered as a result of the shutdown and stay-at-home orders because their internet service is not sufficient to facilitate school at home, telehealth services, work at home, church at home or interacting with local governments.

Carroll County Broadband was formed in 2019 as a cooperative endeavor among the local government entities in Carroll County, New Hampshire, to investigate and support bringing and enhancing affordable, advanced high-speed internet service to all residents, businesses, local governments and anchor institutions within Carroll County, NH. Since its formation last year, Carroll County Broadband has completed a feasibility survey funded by a USDA grant, studying the need for improved internet service.<sup>2</sup> The Committee has met with and sponsored presentations by providers interested in expanding and improving internet service offerings within the county. The committee also has worked with state legislators to propose and pass legislation aimed at making it easier to deploy rural broadband service, including legislation for allowing municipal bonding for broadband deployment, establishing communications districts, and facilitating pole access. Additional information on the activities of Carroll County Broadband can be found at: <https://www.carrollcountynh.net/cc-broadband>.

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<sup>2</sup> Although the final report on the study is not complete, attached as an Exhibit to these Reply Comments is a presentation summarizing the findings of the Study.

## DISCUSSION

### **1. The 25/3 Benchmark is Obsolete and the Comments Overwhelmingly Support Raising the Benchmark Significantly.**

Carroll County Broadband strongly agrees with the vast majority of comments confirming that the 25/3 Mbps benchmark speed for fixed advanced telecommunications capability is obsolete and should be upgraded to at least 100/100, though preferably to a gigabyte symmetrical. During the current pandemic it has become abundantly clear that the 25/3 benchmark is inadequate, particularly in rural areas. With the proliferation of virtual learning, work at home, church at home, interacting remotely with government entities and courts, and the resulting daily and ongoing interactive video conferencing, more robust service is required.

Additionally, we agree with the many comments observing that in light of the changes in patterns and types of usage, any adopted benchmark should be symmetrical. No longer are most citizens using internet service only to download movies, TV shows and other entertainment. With the demands of virtual learning, working at home, running a business at home, attending virtual judicial hearings and government meetings, etc., upload speeds are becoming as important as download speeds. This is particularly true in rural areas. Accordingly, we support a symmetrical benchmark.

Currently, speeds available to citizens in urban areas are exponentially faster than speeds in many rural areas where speeds remain based on the FCC's antiquated 25/3 benchmark. This places rural areas on the wrong side of an immense and ever-growing digital divide. Citizens in rural counties should not be hamstrung with an outdated archaic broadband benchmark. Raising the benchmark to a more realistic level will both

shed an accurate light on the existing digital divide and help facilitate investment for closing the gap between rural and urban areas.

We do not find persuasive the comment of USTelecom-The Broadband Association suggesting that rural citizens do not want or need speeds faster than 25/3.<sup>3</sup> In support of its comment, USTelecom notes that Netflix works fine with 25/3 and that Zoom group chat conferences can work with a 3 Mbps upload speed. While all that may be true, 25/3 is not enough to satisfy urban citizens, and similarly it's certainly not enough to meet the needs of rural citizens. Attached to these comments are slides showing the results of the feasibility/needs survey completed by Carroll County Broadband, showing that citizens in Carroll County want and need faster more robust service.

As Broadband Connects America observes in its comments, rural America needs speeds faster than 25/3 Mbps, and the current benchmark simply does not fit the needs of multi-generational rural households that may have several family members using high bandwidth applications simultaneously<sup>4</sup> – e.g., two children doing video learning, two parents doing work-at-home, and a grandparent holding a telehealth conference with a medical professional, all at the same time.

Finally, Carroll County Broadband supports the comments of The Fiber Broadband Association on the FCC's benchmark proposal. Carroll County Broadband believes a fiber connection should be brought to every door in Carroll County, NH. The accelerating cultural and life changes we have experienced as a nation this year are only going to continue, in ways that we cannot predict, creating ever-increasing bandwidth

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<sup>3</sup> USTelecom Comments at pg.11.

<sup>4</sup> BCS Comments at pg.8.

demands. Accordingly, utilizing fiber for connectivity is a realistic way to reasonably future proof a rural deployment because fiber has so much capacity for expansion. Adopting a symmetrical gigabyte benchmark as suggested by FBA would encourage this. Given the financial commitments and difficulties of deployments particularly in rural areas, such future proofing is advisable.

Given that the comments submitted in this docket overwhelmingly reject continuing the 25/3 benchmark as antiquated and slow and support instead a much higher, preferably symmetrical benchmark, it would be perverse and indeed arbitrary and capricious for the Commission to ignore the overwhelming weight of those comments and instead continue with the 25/3 benchmark. The Commission would need a very strong, considered and convincing reason for doing so, and there is insufficient support in the record for making such a counter productive decision.

**2. The Form 477 Data Collection is Inadequate for Rural Areas and Should Not be Used.**

Carroll County Broadband agrees with the majority of comments observing that the Form 477 data collection is inadequate and overstates the deployment of broadband services. As the Commission acknowledges, Form 477 overstates the number of people served because it counts the entire population of a census block based on only a single connection within that area. This problem of overstating the deployment of broadband service is particularly exacerbated in rural areas where a larger percentage of citizens do not have adequate service or cannot obtain service at all. The result is that a report based on the Form 477 data will give Congress a misleading picture of broadband deployment,

particularly in rural areas, making the situation appear better than it actually is for rural citizens.

Despite acknowledging the problems with Form 477, the Commission proposes to utilize the data observing it is the best available. We respectfully disagree with this proposal since using the data despite its inadequacies will provide Congress and the public with a knowingly overstated and hence false report. At a minimum, if the Commission continues to use Form 477 data for the 2021 Report, the Commission should include full disclosure of the inaccuracy, without downplaying the effect of the misleading overstatement in rural areas.

### **3. Mobile Service is Not a Substitute for Fixed Service in Rural Areas.**

Carroll County Broadband supports deployment of all types of broadband service, including fixed, mobile and satellite. We believe that all broadband service in all its forms is important and should be available to citizens in rural areas. Nonetheless, we agree with the many comments that current mobile service offerings are not an adequate substitute for fixed broadband service. This is particularly true in rural areas where mobile deployments still lag far behind urban deployments. Accordingly, we urge the Commission to continue to refine its rules and policies to promote deployment of mobile services in rural areas while continuing to treat mobile and fixed services differently for purposes of the 2021 Deployment Report.

#### **4. The Commission Should Create a BDAC Rural Deployment Working Group.**

In the 2020 Broadband Deployment Report the Commission discussed efforts to close the digital divide, including re-chartering the Broadband Deployment Advisory Committee (BDAC).<sup>5</sup> The Commission seeks comments on those efforts.

We note that the re-chartered BDAC includes three working groups: Disaster Response and Recovery, Job Skills and Training Opportunities, and Investment in Low Income Communities. Under this structure it appears rural areas are largely orphaned as none of these working groups is specifically focused on broadband deployment in rural areas, or the unique and challenging concerns related to such deployments.

Deployment of broadband in rural areas has its own set of financial, structural, informational, political, regulatory and facility concerns that may or may not be present with other types of deployments. Accordingly, we urge the Commission to establish a rural broadband deployment and investment working group under the BDAC with direction to address specific concerns unique to deployments in rural areas.

### **CONCLUSION**

As discussed above, Carroll County Broadband agrees with the many comments stating that the Commission should move away from the 25/3 Mbps benchmark and adopt a benchmark of at least 100/100, but preferably gigabyte symmetrical. We encourage the Commission not to use the Form 477 data due to its inaccuracies particularly in rural areas, and at a minimum, if the Commission does use the Form 477

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<sup>5</sup> In the Matter of Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, GN Docket No. 19-285, para. 59-61 (April 24, 2020).

data in its 2021 Report, the Commission should provide an accurate description of the inadequacies without downplaying the problem particularly in rural areas. We concur with the Commission's proposal not to consider mobile broadband service a substitute for fixed broadband service, particularly in rural areas. Finally, we encourage the Commission to create a Rural Broadband Deployment and Investment Working Group under the BDAC.

Respectfully submitted,

CARROLL COUNTY BROADBAND

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