



February 15, 2022

The Honorable Michael F. Doyle  
Chair  
Subcommittee on Communications and  
Technology  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Robert E. Latta  
Ranking Member  
Subcommittee on Communications and  
Technology  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Doyle and Ranking Member Latta:

WISPA commends you for conducting the oversight hearing titled, “Connecting America: Oversight of NTIA” on February 16, 2022.

WISPA represents the interests of the evolving broadband ecosystem: small innovative entrepreneurs who provide fixed wireless and other broadband solutions such as fiber to approximately seven million consumers, businesses, first responders and community anchor institutions.

Wireless internet service providers (WISPs) bring critical Internet access to millions of Americans in unserved and underserved rural, suburban, Tribal and urban areas of the country, quickly and affordably, offering cost-effective, competitive and innovative service options where they did not previously exist. Many WISP owners have used their own capital to build their businesses, helping not only to close the digital divide, but create thousands of well-paying jobs and attract other investment in rural and exurban areas.

The Infrastructure Investment and Jobs Act (P.L. 117-58) (IIJA) provides \$65 billion in federal funding for broadband deployment through the Broadband Equity, Access, and Deployment (BEAD) program that provides funding to states and territories for deployment of broadband networks, planning and mapping activities, a \$1 billion grant program to fund the construction, improvement, or acquisition of middle mile infrastructure; and grant programs to ensure that more Americans have the ability to participate in the digital economy. These programs, to be administered by NTIA, represent historic investments that will help close the digital divide if administrated properly.

As NTIA works to implement the provisions of the IIJA, WISPA believes it is essential that it adhere to several key principles to ensure that this investment of taxpayer money helps as many Americans as possible:

- 1. Ensure broad participation by broadband providers through program implementation, competitive processes and program requirements that afford all providers fair and equal access to application.**

We are encouraged that NTIA already has taken the important first step of seeking public comments via its January 7, 2022, Notice and Request for Comment. Its next step should be to consider the record and meet the May 14, 2022, deadline for establishing the BEAD program. NTIA also should continue to conduct listening sessions and engage with stakeholders through webinars, attendance at government and broadband conferences and other public outreach initiatives.

In addition, it is essential that NTIA ensures full transparency in funding requirements, from application and challenge processes to selection criteria.

**2. Ensure efficient use of federal funds by making sure NTIA grants are not used for overbuilding.**

Subsidizing overbuilding in places where innovative, small providers are delivering broadband service inequitably distorts the market. Government funds should go only to support a provider deploying first-time broadband service to unserved areas, not to create competition among multiple providers.

This is why WISPA believes it is important that NTIA grant funding is not used to compete with providers that are already providing service with 25/3 Mbps or faster service; are subject to an enforceable federal or state deployment commitment to provide 100/20 Mbps or faster service; or have filed pending applications for federal or state funding programs that include enforceable deployment requirements to provide 100/20Mbps or faster speeds.

Locations served by at least one provider offering 25/3 Mbps or faster service should be excluded from BEAD funding because private investment, or investment from other government programs, has eliminated the need for support, which can be more efficiently applied to locations that lack adequate levels of service.

**3. Rely on granular data in determining the broadband-serviceable locations eligible for NTIA broadband funding.**

As the IJA requires, grants must be premised on up-to-date, accurate and granular broadband mapping data to ensure investments are targeted to the truly unserved first, and avoid using government funds to overbuild existing investments.

While we recognize that NTIA is not responsible for the completion of mapping data, we are encouraged that Secretary of Commerce Gina Raimondo agreed with the principle that accurate FCC maps are necessary for the successful implementation of the IJA grant programs when she testified before the Senate Appropriations Commerce, Justice, Science and Related Agencies Subcommittee earlier this month.

**4. Ensure that all provider types can participate in a technology-neutral environment.**

In adopting rules for IJA broadband programs, NTIA should ensure that smaller community-based broadband providers – those like WISPA’s members that have deployed service in areas that larger, legacy carriers have ignored – have a fair and meaningful opportunity to apply for subgrants. This objective can be best achieved by not favoring one technology or class of providers over others.

In its Notice and Request for Comment (RFC), NTIA rightfully acknowledges that “the participation of a variety of provider types is important to achieving the overall goals of the [Act’s] broadband programs.” The best provider of broadband in any given community could be a for-profit company (including a small provider), a cooperative or non-profit, or a municipality. Putting all providers on an equal footing is a far more affecting way to make sure that each community gets the best solution for its needs.

In addition, neither the IJJA, nor the RFC suggest that NTIA should favor one particular technology over others. Rather, the emphasis is on functionality – whether the proposed network can meet certain specified consumer-facing service metrics.

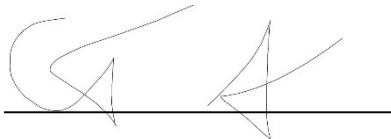
NTIA must ensure that its application process and selection criteria, and the practices of the states and territories, do not foreclose participation by any provider type or technology. States and territories should not be permitted to adopt rules or selection criteria that favor incumbents or particular classes of subgrantees, or award preferences for speeds faster than the statutory service requirement of 100/20 Mbps.

Furthermore, NTIA should not depart from the IJJA's requirements and impose restrictive financial requirements that may be more difficult or impossible for small providers to meet. For example, providers should be able to meet the 25 percent match through a variety of means, including cash on hand, a commitment to provide equity or debt financing if the provider is a successful subgrantee, or the provision of in-kind contributions.

Restrictive requirements would mean that entrepreneurs that have risked private capital to deploy reliable, affordable, high-speed broadband to millions of unserved Americans could face government-subsidized competition to overbuild their networks.

Thank you again for holding this timely and important hearing. We look forward to working with you to ensure that the promise of broadband connectivity for all Americans becomes a reality.

Sincerely,

A handwritten signature in black ink, appearing to read 'Claude Aiken', written over a horizontal line.

Claude Aiken

WISPA President & CEO