
Title **0010** 11/09/2023

by **Erin Waitz** in **Kansas BEAD Volume 2 Public comment** id. 44654481

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Are you filing a comment on behalf of an organization? Yes

Which organization are filing on behalf of? UScellular

Please indicate which sections of volume 2 you are responding to:
Requirement 8: Subgrantee Selection process
Requirement 16: Low Cost Broadband Service Option
Requirement 20: Middle Class Affordability

Please provide your response to Requirement 8: Subgrantee Selection Process

UScellular remains committed to partnering with the Kansas Office of Broadband Development (“KOBD”) in helping bridge the digital divide in Kansas. We appreciate the opportunity to submit these comments. Additionally, as an active member of CTIA, the wireless industry association, UScellular was involved in drafting its comments and fully supports what CTIA submitted.

UScellular suggests KOBD reconsider the application requirement to separately outline the requested dollar amount for unserved and underserved locations. While we understand and agree with the importance of first focusing on the unserved locations it is not technically feasible to separate out the cost when deploying an alternative technology solution such as Fixed Wireless Access. The cost of a new tower and/or the cost to upgrade existing infrastructure will result in coverage for all locations within the propagation area of the tower. The cost of bringing connectivity to the area will not change if the focus is just on the unserved. This application requirement is disadvantageous to alternative technologies.

Additionally, to better inform advanced preparation by providers we suggest that if KOBD ultimately elects to use USDs as project areas, that additional insight be provided into how USDs that are particularly large may be split into multiple Project Funding Areas. It would be helpful to understand how these splits will occur well in advance of the application period.

Regarding the EHCPLT, we would comment that it is unclear exactly how KOBD will define the threshold and how it will be used. Rather the proposal reads that KOBD may not use the threshold at all if funding is available to continue awarding priority broadband projects over the threshold. This can serve to limit robust participation by a diverse group of providers.

Please provide your response to Requirement 16: Low Cost Broadband Service Option

UScellular remains committed to partnering with the Kansas Office of Broadband Development (“KOBD”) in helping bridge the digital divide in Kansas. We appreciate the opportunity to submit these comments. Additionally, as an active member of CTIA, the wireless industry association, UScellular was involved in drafting its comments and fully supports what CTIA submitted.

UScellular agrees with KOBD that affordability is important for the success of BEAD projects. In Kansas, UScellular offers a variety of affordable plans, including plans supported by both Lifeline and ACP. UScellular encourages KOBD to avoid requirements that would lead to rate regulation which is prohibited under federal law. We suggest KOBD simply require participation in ACP to ensure low-income affordability service is provided. Adding excessive requirements that set a pre-determined price as well as requiring that price to include all taxes, fees and surcharges as well as any installation expense, creates risk that the business case economics for the provider can no longer be supported. Additionally, the requirements prohibiting usage-based throttling, particularly at extremely low-price points will also serve to significantly negatively impact business case economics. This will result in less participation in the state’s program and risk fully delivering on the promise of Internet for All in Kansas.

Please provide your response to Requirement 20: Middle Class Affordability

UScellular remains committed to partnering with the Kansas Office of Broadband Development (“KOBD”) in helping bridge the digital divide in Kansas. We appreciate the opportunity to submit these comments. Additionally, as an active member of CTIA, the wireless industry association, UScellular was involved in drafting its comments and fully supports what CTIA submitted.

UScellular suggests that KOBD revise their approach to middle-class affordability to better align with NTIA’s requirements by removing the prescribed rate plans and tiers from the scoring process. As referenced in our comments to Requirement 16, UScellular encourages KOBD to avoid requirements that would lead to rate regulation which is prohibited under federal law. And more importantly, excessive requirements related to plan pricing and congestion management practices could prevent the robust participation KOBD is seeking to achieve Internet for All in Kansas.

By submitting the Public Comment Form (the "Form") and any supporting evidence, you attest that all information furnished is true and accurate to the best of your knowledge and that any attachments are free of malware or viruses. You also acknowledge that

Stephanie Cassioppi; 11/9/23

falsifying any information could result in legal action against you and will bar you from submitting public comments to this web site in the future. You authorize the Kansas Office of Broadband Development, Kansas Department of Commerce (KOBD) to contact you if further information is needed. You expressly acknowledge and consent to some personal information, including your name, address, phone, e-mail, organization you represent, and comments, being posted for public view on the Kansas Department of Commerce web site at www.kansascommerce.gov. The KOBD will use its best efforts to redact any personal identifiable information outside of the above that is not considered in the public domain. By typing your name and date and by submitting the Form, you acknowledge, authorize, and consent to this Public Comment Privacy & Acknowledgments.
