

March 16, 2020

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Dear Messrs. McElfresh, Esser, Rutledge, Combes, Storey, Legere, Watson, Vestberg, Han, and Goei:

The undersigned organizations write to you urging additional action in the telecommunications industry in response to the novel coronavirus pandemic. The recent "Keep Americans Connected Pledge" released by Federal Communications Commission (FCC) Chairman Pai and the actions of many companies are excellent, but incomplete. The industry must do more to protect consumers and facilitate connectivity during this time of crisis. As CEOs of major

companies in the telecommunications industry, we call on you to implement the following three policies during the pandemic:

1. Lift all data caps and waive all data cap fees for all customers -- wired and wireless -- including the current practice of throttling the capacity of “unlimited” plans after customers exceed certain data use thresholds;¹
2. Remove barriers to immediate access to service plans, including any waiting period to enroll (e.g., 90-day period without a broadband subscription) and the disqualification of those with past or current arrearages with the company; and
3. Share with the FCC data collected on the number of customers served, by what packages, and where expanded services were provided during the emergency, especially data on the impacts of raised data limits on service quality and network management or any challenges raised by waiving waiting periods. This information can help the FCC manage connectivity challenges associated with the pandemic, including identification of critical-need communities and network weaknesses, and help the government prepare for future crises. The FCC should also make this information available to the public, with appropriate safeguards for privacy and data use, to help communities address the pandemic with the best available data.

Connectivity is essential during times of crisis, and during an infectious disease crisis in particular. In response to the coronavirus pandemic, public health officials have recommended “social distancing,” which the Center for Disease Control (CDC) defines as “remaining out of congregate settings, avoiding mass gatherings, and maintaining distance (approximately 6 feet) from others when possible.”² This guidance will require a significant shift to tele-work, tele-medicine, and tele-education. This shift necessitates far more bandwidth than under normal circumstances. Moreover, while wireless broadband is no substitute for fixed broadband service, 17 percent of Americans are “smartphone-only” with disproportionately higher numbers among younger, lower-income, and communities of color.³

Chairman Pai recently announced that many broadband and telephone service providers and trade associations pledged to (1) not terminate service to any residential or small business customers because of their inability to pay their bills due to the disruptions caused by the coronavirus pandemic; (2) waive any late fees that any residential or small business customers incur because of their economic circumstances related to the coronavirus pandemic; and (3) open Wi-Fi hotspots to any American who needs them.⁴ Many individual companies have already begun taking action by lifting data caps on fixed broadband service during the crisis,

¹ Data management prioritization should be applied to maintain the network and should not penalize residential customers on their ability to pay.

² Center for Disease Control, “[Interim US Guidance for Risk Assessment and Public Health Management of Persons with Potential Coronavirus Disease 2019 \(COVID-19\) Exposures: Geographic Risk and Contacts of Laboratory-confirmed Cases](#)” (update Mar. 7, 2020).

³ Pew Research Center, “[Mobile Technology and Home Broadband 2019](#)” (June 13, 2019).

⁴ Federal Communications Commission, “[Chairman Pai Launches the Keep Americans Connected Pledge](#)” (Mar. 13, 2020).

making it easier for low-income families to sign up for service by offering new customers 60 days of complimentary service, or offering 60 days free service to households with K-12 or college students at home.⁵

While these are excellent first steps, the telecommunications industry must do more. Implementing the policies outlined above will help protect consumers, facilitate connectivity during this time of crisis, and provide information to better plan for future public health emergencies and natural disasters.

Sincerely,

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⁵ Aaron Mak, "[Why It's So Important for Broadband Companies to Ditch Data Caps Right Now](#)," Slate (Mar. 13, 2020)

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