

# The FCC's New Broadband Data Collection is About to Launch

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The Federal Communications Commission (“FCC” or “Commission”) is poised to implement a comprehensive overhaul of its existing broadband data mapping and collection process with a new Broadband Data Collection (“BDC”) program. Under the BDC, all facilities-based providers of fixed and mobile broadband Internet access services will be required to submit broadband data on a biannual basis. As discussed below, the initial filing window is between June 30, 2022, and September 1, 2022.

Ensuring nationwide access to affordable high-speed broadband service is a national priority. A critical but elusive step in this effort is accurate broadband availability data. This challenge is even more pressing in light of the unprecedented federal broadband funding being made available under the Infrastructure Investment and Jobs Act (“IIJA”).

This entry is the first in a series of posts on the FCC's Broadband Data Collection program and will provide background and an introduction to the program, as well as an overview of key requirements. Subsequent posts will delve more deeply into specific requirements as well as corresponding data collection provisions of the IIJA.

## Current Broadband Data Collection Processes and the History of Form 477

Over the past two decades, the FCC has addressed the challenge of obtaining accurate broadband availability data, with the most comprehensive effort to modernize data collection coming in 2019 with the FCC's adoption of a Digital Opportunity Data Collection (“DODC”) proceeding. Not long after, Congress passed the [Broadband Deployment Accuracy and Technological Availability \(“DATA Act”\)](#). These two efforts pushed the FCC to work towards a data collection solution that fits today's landscape culminating in the new BDC program.

Historically the FCC has collected broadband deployment data from facility-based service providers through FCC Form 477. In its current iteration, Form 477 collects data twice each year at the census block level, instructing service providers to report as “served” any Census block in which *any* homes or businesses are served by the service provider. Under this approach, if a provider makes fixed

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broadband available to one location in a census block, the entire block is considered served by the provider.

## Digital Opportunity Data Collection and the Broadband DATA Act

In 2019, the Commission concluded “that there is compelling and immediate need to develop more granular broadband deployment data” and, to meet this goal, initiated a proceeding to create the Digital Opportunity Data Collection (“DODC”) program.<sup>[1]</sup> The FCC described the DODC initiative as “a new data collection that will collect geospatial broadband coverage maps from fixed broadband Internet service providers of areas where they make fixed service available.”<sup>[2]</sup> In addition to establishing the Data Collection, the FCC adopted a process for crowdsourcing information to allow the public to provide input regarding providers’ broadband coverage maps. As part of this effort, the FCC sought comment on sunsetting the Form 477.

On March 23, 2020, Congress enacted the DATA Act. The DATA Act requires the FCC to adopt rules regarding the collection and dissemination of granular broadband service availability data, with the goal of establishing a “Broadband Serviceable Location Fabric,” which will be a dataset of all locations in the U.S. where fixed broadband Internet access service can be installed. The data must be geocoded, compatible with commonly used GIS software, and updated at least every 6 months.

In creating the Fabric, the DATA Act requires the Commission to establish processes to (i) verify the accuracy of the data submitted by broadband service providers, (ii) collect verified availability data from other federal agencies, state, local, and Tribal governmental entities, and other third parties, and (iii) facilitate “a user-friendly challenge process through which consumers, state, local, and Tribal governmental entities, and other entities or individuals may submit coverage data to the Commission.

Over the past two years, the Commission has adopted a series of orders aimed at implementing the DATA Act and creating its new BDC program.<sup>[3]</sup> These include data submission requirements, verification procedures, and coverage maps necessary to create the Fabric, as well as establishing a challenge process as to what constitutes a “broadband serviceable location,” as well as rules on sunsetting the census-block approach used on Form 477.

Under the FCC’s BDC program, all facilities-based fixed service providers are required to report broadband Internet access service coverage and identify where such services are offered to residential and business locations. The rules establish speed and latency reporting requirements for fixed service providers and require terrestrial fixed wireless services providers to report the coordinates of their base stations. Mobile service providers are required to provide even more information.

On February 22, 2022, the Commission issued a [Public Notice](#) announcing the filing dates for the inaugural data collection under the new BDC program. **Providers can begin submitting data on June 30, 2022, and all data must be submitted by September 1, 2022.** On March 4, 2022, the Commission published [Data Specifications for the Broadband Data Collection](#) related to the biannual submission of subscription, availability, and supporting data for the BDC. The specifications provide guidance to filers on how to prepare and format availability and other related data for submission. On March 9, 2022, the Commission published two more data specifications, which provided additional detail about the technical elements of the data to be collected as part of the mobile challenge, verification, and crowdsource processes.<sup>[4]</sup>

The FCC’s implementation of the BDC and the initial filing window does not alter the on-going

obligation of facility-based fixed or mobile broadband service providers to file the semiannual Form 477. Until the Commission announces a sunset date for the submission of Form 477 broadband deployment data, all service providers currently required to submit these data under Form 477 must continue to do so.

We encourage broadband service providers to closely review the data specifications in preparation for the upcoming BDC. Once the filing window opens, we recommend that providers submit their information as early as possible to allow for issues that may arise due to the new process.

Our next entry will focus on the who, what, how, when, and where of the BDC filing.

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## FOOTNOTES

[1] *FCC Establishes New Digital Opportunity Data Collection*, WC Docket Nos. 19-195, 11-10, Press Release (rel. August 1, 2019).

[2] *Id.*

[3] [Second Report and Order and Third Further Notice of Proposed Rulemaking](#); [Third Report and Order](#).

[4] [FCC Publishes Data Specifications for the Broadband Data Collection](#); [FCC Releases BDC Mobile Technical Requirements Order](#).

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