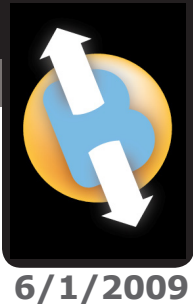


# BROADBANDCENSUS.COM'S weekly report

a publication by broadbandcensus.com | June 1, 2009



6/1/2009

The FCC issued its rural broadband report, which many see as laying the groundwork for the national broadband strategy due February 2010. Upcoming events on computers, freedom and privacy – and the broadband stimulus – force a re-evaluation: is broadband about more than just the Internet?

## THE WEEK'S LINKS

### Wider Pipes Raises Cyber Crime Fears

President Obama announced Friday the creation of the position of cyber czar: responsible for coordinating the nation's efforts to protect government and private computer systems from hackers, criminal gangs, terrorists and spies. <http://www.cnn.com/2009/POLITICS/05/28/cyber.czar.obama/index.html> The number of cyber attacks on government and private networks rose from 4,095 in 2005 to 72,065 in 2008, according to the Department of Homeland Security. Law enforcement computers were struck by a mystery computer virus on May 21, forcing the FBI and the U.S. Marshals to shut down part of their networks as a precaution. <http://www.google.com/hostednews/ap/article/ALeqM5gXkIwFEJldisQzDdYNPzDMN-z7nyAD98AU3CG0> With an increased push for broadband access, there has been a corresponding push for increased internet security. Internet technology is "the backbone that underpins a prosperous economy and a strong military and an open and efficient government," but as a result of cyber crimes "millions of Americans have been victimized, their privacy violated, their identities stolen, their lives upended, and their wallets emptied," Obama said at a Friday press conference. [http://www.whitehouse.gov/the\\_press\\_office/Remarks-by-the-President-on-Securing-Our-Nations-Cyber-Infrastructure/](http://www.whitehouse.gov/the_press_office/Remarks-by-the-President-on-Securing-Our-Nations-Cyber-Infrastructure/) "Protecting this infrastructure will be a national security priority," he said.

### Decrease in Spending Connected to Low Access

According to the **Telecommunications Industry Association**, capital spending by U.S. service providers took a dip this year, after broadband access investment has risen for seven straight years. <http://ipcommunications.tmcnet.com/topics/ip-communications/articles/56717-broadband-access-spending-takes-breather.htm> Noteworthy is a dip in every form of wired network access in 2009 and 2010, while it is anticipated that fixed wireless would continue to grow steadily through 2012. Overall broadband access investments might not start growing again, overall, until 2012. Demand for existing products based on current technology is saturating. The same problem is being experienced on the other side of the globe: in Brisbane, Australia, where **Telstra** is among the companies experiencing that first-hand, <http://springfield-news.wherelive.com.au/news/story/broadband-access-frustrates-springfield-residents/> one resident of the suburb of Springfield, **Anthony Ross**, reported that "We were told by Telstra that we have to wait for someone to cancel (ADSL service) and apply at that moment when a port becomes available."

### FURTHER UPDATES TO THE BROADBAND-CENSUS.COM LIST OF NTIA COMMENTS

The BroadbandCensus.com List of NTIA Comments has been updated to include summaries of comments from the following organizations:

- American Legislative Exchange Council
- American Library Association
- American Public Power Association
- American Tower, ApexCoVantage
- Apple, Inc., Arizona
- Association of Public Safety Officials
- Association of Public TV Stations

For more, see <http://broadbandcensus.com/2009/05/further-updates-to-the-broadband-censuscom-list-of-ntia-comments/>

### TIME WARNER CHANGES TO TOS COULD ALLOW METERING, TIERS

Consumer advocacy groups are gearing up for another fight with Time Warner Cable after the internet provider quietly updated its terms of service with language that critics have pounced on as a harbinger of future metering and usage caps.

For more, see <http://broadbandcensus.com/2009/06/time-warner-changes-to-terms-of-service-could-allow-metering-tiers/>

### NARUC TELLS FEDS: LET STATES LEAD

The Broadband Technology Opportunity Program can be put back on a faster schedule if state governments are used as a main points of contact for grant applicants, National Association of Regulatory Utilities Commissioners president Fred Butler of New Jersey and Communications Committee chairman Roy Baum of Oregon said Friday.

For more, see <http://broadbandcensus.com/2009/05/naruc-to-feds-put-states-first-get-btop-back-on-track/>

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## DATA MAPPING TAKES CENTER STAGE IN BROADBAND POLICY

WASHINGTON, June 1, 2009 - Reading through the **Federal Communications Commission's** 90-page report, "Bringing Broadband to Rural America," it is clear that questions of broadband data loom large over the pending national broadband strategy.

The report, which Acting Chairman **Michael Copps** issued under his own name, came in response to the 2008 farm bill, passed May 22, 2008. As with the Broadband Data Improvement Act, which passed Congress in October, both measures point to the recognition that broadband – as a significant national priority – warrants a significant national policy.

Writes Copps: "Our efforts to bring robust and affordable broadband to rural America begin with a simple question: what is the current state of broadband in rural America? We would like to answer this question definitively, and detail where broadband facilities are deployed, their speeds, and the number of broadband subscribers throughout rural America. Regrettably, we cannot. The Commission and other federal agencies simply have not collected the comprehensive and reliable data needed to answer this question."

The farm bill merely called for a report about rural broadband. The Broadband Data Improvement Act would have gone the next step and begun supporting more extensive data-collection efforts. Funding was stripped from the final bill, as was a national broadband map. <http://broadbandcensus.com/2008/10/house-defers-to-senate-broadband-data-bill-final-bill-deletes-funding-and-national-map/>

The broadband stimulus legislation that was signed on February 17, 2009, including provisions funding \$350 million in broadband data, re-introduced the importance of a national broadband map by the **National Telecommunications and Information Administration**, and charged the FCC with plotting precisely such a strategy by February 2010. <http://broadbandcensus.com/2009/04/is-a-national-broadband-strategy-still-relevant> This current broadband report is the first substantive effort by a Democratic-controlled FCC to wrestle with the Big Question in broadband policy.

And again and again throughout the report, Copps tackles it with what can only be called a data-driven attitude.

Here's what he writes on the need for information about broadband competition: "provider-specific and technology-specific data on broadband availability and subscribership would help policymakers evaluate issues such as the level of broadband competition in rural areas and the extent to which certain technology platforms are better suited to serve certain types of rural markets."

Copps also touts the importance of a high degree of granularity in the broadband analysis. He notes that "as with any visualization or other presentation of information, the utility of a map is only as good as the underlying data, and the accuracy and reliability of such data must be verifiable."

And he specifically articulates the need for data about speeds, prices, availability, subscribership and demand.

But Copps doesn't engage on a crucial question in the realm of broadband policy: should broadband data be public or proprietary? Although he cites to commenters on both sides of the issue, he doesn't firmly take sides on the matter.

**-Drew Clark, Editor, BroadbandCensus.com**

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### MAY: SPENDING THE STIMULUS: TECHNOLOGIES THAT ENABLE UNIVERSAL BROADBAND CONNECTIVITY

BROADBANDCENSUS.COM PRESENTS THE BROADBAND BREAKFAST CLUB  
AT CLYDE'S OF GALLERY PLACE, 707 7TH STREET, NW  
TUESDAY, JUNE 10, 2009, AT 8 A.M.

- JEFFREY CARLISLE, VICE PRESIDENT OF REGULATORY AFFAIRS, SKYTERRA COMMUNICATIONS
- ALYSSA CLEMEN, GOVERNMENT AFFAIRS COORDINATOR, INTERNATIONAL BROADBAND ELECTRIC COMMUNICATIONS, INC.
- MARIJKE MCCANDLESS, DIRECTOR, CORPORATE COMMUNICATIONS, GIGABEAM

SEE: [BROADBANDCENSUS.COM](http://BROADBANDCENSUS.COM) FOR MORE INFORMATION.



The mission of the Benton Foundation is to articulate a public interest vision for the digital age and to demonstrate the value of communication for solving social problems.



INTERNATIONAL BROADBAND ELECTRIC COMMUNICATIONS



National Cable & Telecommunications Association



## IS 'BROADBAND' JUST ANOTHER NAME FOR THE INTERNET?

WASHINGTON, June 1, 2009 - This week marks the 19th annual conference, about **"Computers, Freedom and Privacy,"** which is hosted this week in Washington, D.C.

Washington has had more than its fair share of these gatherings, <http://cfp.org/>, but it is definitely not a "Washington" event. More like Silicon Valley entrepreneurs-meets-the-Berkeley free speech movement, or cypherpunks meets copyleftists.

One question posed by the gathering, in this era in which broadband policy seems to be swallowing up the broader, decades-long politics of the Internet, is: aren't they really one and the same? Isn't "broadband" just another name for "the Internet?"

Well, yes and no. My friend **Dave Isenberg** addressed this very issue <http://broadbandcensus.com/2009/05/the-internet-more-than-digital-voice-or-high-definition-television> in a speech at **Broadband Properties** in Dallas in April. <http://broadbandcensus.com/2009/05/broadbandcensuscom-weekly-report-may-4th-2009/> He said, "Broadband Without the Internet Ain't Worth Squat." <http://isen.com/blog/2009/04/broadband-without-internet-ain-worth.html>

In other words, the Internet is and must be more than infrastructure. That seems to suggest a continuing realm for internet policies, from privacy to freedom to cyber security to fair use to ... whatever currently seems significant in our public digital life.

So why the big hubbub over broadband? Why get all excited over a Cat5 Ethernet cable, like the type currently featured on the home page of BroadbandCensus.com?

Well, as those of us who were once dial-up subscribers can attest, the Internet is different at 56 kilobits per second. It's hard to engage in copyright violations. You don't have to worry (as much) about malware. Net neu-

trality is a non-issue because everything is in the slow lane. And you certainly can't Twitter at modem speed.

On the recent occasions when I have attended CFP, as it is affectionately known, the energy level has been low - slow, even. BroadbandCensus.com reporters will be at CFP again this year, ready to be proven wrong, if things are different this year.

But at the same time, BroadbandCensus.com has also been engaging and nurturing the vibrant, new conversation: how will truly ubiquitous broadband access begin to change our media or democracy, as well as the very technologies that we use, and way that this country keeps public and private players accountable?

We're grateful for the opportunity that we have had to be at the forefront of understanding and explaining the implementation of the \$7.2 billion broadband stimulus package on the federal, state and local level, through news, information and events.

Together with our video partner, **TV Worldwide**, BroadbandCensus.com is pleased to co-host the **Broadband Stimulus National Town Hall Meeting** [http://www.nlctv.org/events/broadbandstimulus\\_thm/090604/](http://www.nlctv.org/events/broadbandstimulus_thm/090604/), this Thursday, June 4, from 2 p.m. to 4:30 p.m.

Just a few weeks before the **National Telecommunications and Information Administration** issues its rules governing key aspects of the broadband grants, this free webcast will feature many of the key companies and thinkers attuned to the way that broadband policy is freshening up all of the creaky old internet controversies.

**-Drew Clark, Editor, BroadbandCensus.com**

**BROADBAND-CENSUS.COM REPORTERS WILL BE AT CFP AGAIN THIS YEAR.**



NATIONAL LEAGUE OF CITIES TV (NLCTV)  
**BROADBAND STIMULUS NATIONAL TOWN HALL MEETING**  
 THURSDAY, JUNE 4, 2009 - 2:00 - 4:30 EDT

**CLICK HERE TO REGISTER:**  
[HTTP://WWW.NLCTV.ORG/EVENTS/BROADBANDSTIMULUS\\_THM/090604/](http://www.nlctv.org/events/broadbandstimulus_thm/090604/)

[CLICK HERE TO VIEW THE DRAFT AGENDA \(.PDF FORMAT\)](#)

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## THE WEEK'S LINKS...

### Stimulus Funding Continues to Exert Unintended Consequences

**Bob Howard-Anderson**, CEO of **Occam**, pointed out that broadband companies are now spending less of their own money as a result of the availability of stimulus funds, and the broadband market has been slowed as a result. <http://blog.telephonyonline.com/unfiltered/2009/05/06/occam-cuts-10-of-staff-amid-broadband-stimulus-chill/> The same problem was highlighted in an *ex parte* filing at the **National Telecommunications and Information Administration** by **ADTRAN**. "Because of the 20 percent matching requirement, many service providers are not making any broadband investments presently in order to be in a position to make the 20 percent matching investments to qualify for grants," the company said. <http://www.ntia.doc.gov/broadbandgrants/exparte/ExParteADTRAN.doc> "As a result of the significant reductions in current investment, jobs in the telecommunications industry and jobs associated with telecommunications build out are being lost currently."

### How Much Will Privacy Invasions Cost Consumers?

The **National Institute of Standards and Technology's Information Security and Privacy Advisory Board** called on Congress to amend the 1974 Privacy Act and provisions of the 2002 E-Government Act to improve federal privacy notices and clearly cover commercial data sources. [http://commerce.senate.gov/public/index.cfm?FuseAction=PressReleases.Detail&PressRelease\\_id=31d6ebe5-a416-4932-8412-167e6a3b996b&Month=5&Year=2009](http://commerce.senate.gov/public/index.cfm?FuseAction=PressReleases.Detail&PressRelease_id=31d6ebe5-a416-4932-8412-167e6a3b996b&Month=5&Year=2009) Senate Commerce Committee Chairman **Jay Rockefeller** launched an investigation into certain e-commerce marketing practices that generate thousands of mysterious monthly charges to consumer credit cards. <http://techdailydose.nationaljournal.com/2009/05/group-calls-for-overhaul-of-pr.php> The source of these monthly fees appears to be from a group of marketing companies that acquire consumers' billing information through agreements with popular online retail sites, such as **Fandango.com** and **Orbitz.com**, according to Rockefeller. Rockefeller wants **Vertrue** and **Webloyalty** to provide the committee with a host of documents, including every e-commerce retailer or Web site with which they have a business relationship and copies of contracts or other agreements with those retailers. <http://online.wsj.com/article/BT-CO-20090528-713911.html>

## ABOUT BROADBANDCENSUS.COM

BroadbandCensus.com is a premium provider of news, information and events about broadband technology and internet policy. BroadbandCensus.com is at the forefront of understanding and explaining the implementation of the \$7.2 billion broadband stimulus package on the federal, state and local level. Since January 2008, BroadbandCensus.com has been building a public, transparent and freely accessible database about local broadband speeds, prices, availability, reliability and competition.

BroadbandCensus.com is also host of the **Broadband Breakfast Club**, an on-the-record discussion forum that meets at the Old Ebbitt Grill on the second Tuesday of each month, from 8 a.m. to 10 a.m. Registration is available [here](#). Webcasts of previous **Broadband Breakfast Club** events are available for purchase [here](#).

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