

# BROADBANDCENSUS.COM'S weekly report

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9/21/2009

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9/29/2009

An outpouring of news: FCC Chairman Julius Genachowski announced network neutrality rules, President Obama touted an innovation agenda, FCC Commissioners Clyburn and Copps addressed universal broadband, the U.S. Broadband Coalition unveiled its final report, and the Telecommunications Policy Research Conference hosted seven top administration officials and more.

## THE WEEK'S LINKS

### Neutrality Comes Out Punching

Federal Communications Commission Chairman **Julius Genachowski** took the opening swing in the net neutrality fight, with a declaration to develop broad new rules in limiting how Internet service providers can manage their networks. [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DOC-293568A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-293568A1.pdf) **and** <http://www.latimes.com/news/opinion/editorials/la-ed-neutrality22-2009sep22,0,6156002.story> **and** <http://arstechnica.com/tech-policy/news/2009/09/fcc-chairman-wants-network-neutrality-wired-and-wireless ars>

As might be imagined, a whole host of policy players weighed in, <http://www.publicknowledge.org/node/2654>, either for: **Free Press** <http://www.freepress.net/node/72851>, **Public Knowledge** <http://www.publicknowledge.org/node/2648>, President Obama, House Speaker **Nancy Pelosi** (D-CA), Sen. **Jay Rockefeller** (D-WV) (were only a few of the politicians issuing pro-net neutrality statements); or against: the **Progress & Freedom Foundation** <http://www.pff.org/news/news/2009/092109-advisory-ferree-net-neutrality.html>, **Technology Liberation Front** <http://techliberation.com/2009/09/21/government-thinks-it-can-preserve-internet/> **and** <http://www.forbes.com/2009/09/22/fcc-internet-net-neutrality-opinions-contributors-thierer-szoka.html> Most industry incumbents were likewise not amused. <http://online.wsj.com/article/SB125354032776727741.html>

A group of Republican lawmakers, lead by **Kay Bailey Hutchison** (TX), may, or may not, be working on a bill to block the newly asserted regulatory authority claimed by the FCC. <http://www.broadcastingcable.com/article/355143-Sources-Republicans-Sitting-On-Bill-Blocking-Net-Neutrality-Efforts.php>

Conservatives on the Hill aren't the only ones worried about the FCC's power grab. The **Washington Post** called the move "heavy handed" and stated that the agency "should not be telling Internet service providers how to run their businesses." <http://www.washingtonpost.com/wp-dyn/content/article/2009/09/27/AR2009092703026.html>

**Wired's Dylan F. Tweney** analyzes' the policy change and concludes that the day's of unlimited Internet may be over. <http://www.wired.com/epicenter/2009/09/fcc-neutrality-mistake/> **Wired** also points out the FCC is playing two sides of the same

### BROADBANDCENSUS: LEADING EFFORTS FOR PUBLIC AND TRANSPARENT DATA

Public and transparent broadband data is vital for the future of the country. In a series of blog entries, BroadbandCensus.com Executive Director Drew Clark reflects on a three year struggle for better broadband data, and takes stock of efforts to push for disclosure, ally with key partners, and seek broader engagement. **For more**, see <http://broadbandcensus.com/2009/09/broadbandcensuscom-leading-the-charge-for-public-and-transparent-data/>

### FCC TO ADD NON-DISCRIMINATION, TRANSPARENCY TO NET NEUTRALITY

FCC Chairman Julius Genachowski on Monday announced his intent to launch a proceeding which would extend and formalize the "Four Principles" of the commission's 2005 Internet Policy Statement through formal rule making - as well as introduce two new principles: non-discrimination and transparency in network management. **For more**, see <http://broadbandcensus.com/2009/09/julius-genachowski-calls-for-network-neutrality-and-transparency-rules/> **and** <http://broadbandcensus.com/2009/09/genachowski-speech-draws-praise-scorn-from-industry-and-congress/>

### BROADBAND BY MINORITIES 'LESS THAN IMPRESSIVE'

A large percentage of African Americans still have not made use of the Internet a priority in their lives, especially at home, said FCC Commissioner Mignon Clyburn, speaking on Monday at a Media and Policy Institute policy forum that discussed the national broadband plan. **For more**, see <http://broadbandcensus.com/2009/09/clyburn-says-broadband-adoption-among-african-americans-less-than-impressive/>

CONTINUES ON BACK

## OFFICIALS TOUT BETTER DATA, TRANSPARENCY

ARLINGTON, VA, September 29, 2009 - Top telecom officials from the Obama administration said that better broadband data, and greater transparency about the operations of government, were two of the key technology policy priorities factoring into the FCC, and the government's approach to technology.

Speaking at the **Telecommunications Policy Research Conference** on Friday, these officials - including the head of the **National Telecommunications and Information Administration**, the leader of the broadband task force at the Federal Communications Commission, and the deputy chief technology officer - highlighted the need for better data on an ongoing basis.

"It is really hard to answer certain basic questions about broadband; it is kind of a challenge," said **Blair Levin**, executive director of the omnibus broadband initiative at the FCC. "Let's not bemoan us, we should fix it - the only caveat is, do not believe that the collection of data is free."

Levin said that the need to monitor and track broadband superseded the demands of the federal government's \$7.2 broadband stimulus program in that collecting and analyzing data could "really inform policy" going forward. "The broadband plan does not end, but is the beginning of a process."

Building on the point about broadband data, Deputy CTO **Beth Noveck** said: "one of the reasons that getting the data out there and putting it up online [is so that the government] can slice it and dice it" in new and unique ways.

Noveck discussed a multiplicity of ways in which the Obama administration was attempting to use Web 2.0 methods - including a Health and Human Services "code-a-thon" as a way to stimulate ideas on the interoperability of medical records.

White House Special Assistant for Science, Technology and Innovation Policy **Susan Crawford** also addressed the need for better research, including research into the results from the broadband stimulus grants, in responding to a question from the audience.

"We are putting all of this money into wiring the country, but two years from now," asked one TPRC attendee, researchers are going to want to know: "did it work?"

"We have to have more research," replied Crawford, underscoring the President Obama's commitment to

devote three percent of the Gross Domestic Product to scientific research. "There is a commitment to the basic research" within the administration, she said.

Crawford and Levin encouraged the audience, a wonky crowd gathered at the 37th Annual TPRC at the **George Mason University School of Law** here, to provide concerted feedback into the broadband policy process.

"You are going to file something collectively in November, saying, 'this is the research agenda' and 'here is the data you need to do it,'" Levin predicted. "If we think it is good, and in the broadband plan, we adopt that and we collect the data," then the FCC will need to know the concrete purpose for which the data and the research is necessary.

NTIA Administrator **Lawrence Strickling**, who also serves as assistant secretary of the Commerce Department, added that funding for broadband research needed to come out of the \$7.2 billion allocated to NTIA and the Agriculture Department's **Rural Utilities Service**.

With regard to broadband data and mapping from telecommunications providers, he said, "there absolutely will be disclosure of certain amounts of the information," including information at the Census block level. "We will be working with the FCC to find ways to merge that information today in a display."

As to the funds allocated for broadband data and mapping, he said that the agency was not obligated to spend the entire \$350 million allocated for that purpose. "If there is \$200 million left over, it could [transferred] into another broadband program," he said.

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## TPRC BRIEFS

**WASHINGTON, September 29, 2009** - BroadbandCensus.com covered many panels at the *Telecommunications Policy Research Conference*, the premier academic event of the field, at George Mason University School of Law in Arlington, Va., this past weekend. Full coverage is available through the links below. Additional stories are available at [BroadbandCensus.com](http://BroadbandCensus.com).

**ARLINGTON, Va., September 25, 2009** - Mobile broadband is the fastest growing segment of the broadband market. According to **Jonathan Banks**, who directs policy development for the telecommunications industry association **US Telecom**, the number of wireless broadband users is expected to grow 130% between 2008 and 2012.

These wireless networks rely on special access networks to connect cell towers to the network. This market also consists of financial institutions sending customer information from branches to main offices, as well as businesses processing credit card transactions. <http://broadbandcensus.com/2009/09/tprc-panelists-discuss-backhaul-issues-impact-on-broadband-expansion/>

**ARLINGTON, Va., September 25, 2009** - In a panel about the socio-economic impacts of broadband, panelists all agreed that the overwhelming limiting factor in proving the benefits to broadband was the lack of solid broadband data.

**James McConnaughey**, chief economist at the **National Telecommunications and Information Administration**, said that "Having good data leads to good policy making," but currently that policy-makers currently lack the necessary data to allow for effective cost-benefit analysis or even general societal implication analysis.

McConnaughey also said that broadband data collection must come from reliable and neutral sources. The Census Bureau has recently reinvigorated its efforts in this field, but it cannot be the only source.

**Robert Atkinson**, president of the **Information Technology and Innovation Foundation**, called for a "National Broadband Data Warehouse." Such a warehouse would house all the data on availability and usage which was collected by the government, and any organization which is getting federal funding to aid in broadband expansion or mapping. <http://broadbandcensus.com/2009/09/tprc-panelists-agree-on-need-for-better-broadband-data/>

"EACH FLOW OF THE NETWORK GETS A ROUGHLY EQUAL SHARE OF THE BOTTLE-NECK CAPACITY"

**ARLINGTON, Va., September 26, 2009** - Location-based software has become one of the hottest new web applications, fueled by the expansion of smart phone users, these applications allow users to share their location with their friends or search for businesses based on the user's location. <http://broadbandcensus.com/2009/09/panelists-consider-location-based-privacy-and-p2p-arms-race/>

**ARLINGTON, Va., September 26, 2009** - Whether internet service providers will accelerate early efforts to prioritize bandwidth, and what impact such measures might have upon the open internet, were actively discussed by panelists at the **Telecommunications Policy Research Conference**.

Traditionally, internet traffic has been managed by the Transmission Control Protocol (TCP), the engineering standard for almost all internet transmissions. When there is a greater demand for internet content than is available to flow over the network at any given point in time, "each flow of the network gets a roughly equal share of the bottleneck capacity," according to **Steve Bauer**, a professor of computer science at **MIT**. <http://broadbandcensus.com/2009/09/panelists-consider-pros-and-cons-of-alternatives-to-internets-transport-protocol/>

**ARLINGTON, Va., September 26, 2009** - Fiber to the home (FTTH) has been touted by many as the next great leap in broadband connectivity, and was discussed at the Telecommunications Policy Research Conference here on Saturday.

In Japan this service has already become the leading method of broadband connectivity, with speeds reaching 1 Gigabits per second (Gbps), and a seemingly endless potential for application development. Professor **Masatsugu Tsuji** from the **University of Hyogo** presented an analysis on how FTTH has become the dominant connection method in the country. <http://broadbandcensus.com/2009/09/success-of-fiber-to-the-home-in-japan-spurs-envy-among-telecom-experts/>

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## METRICS WORKING GROUP REPORTS TO THE FCC

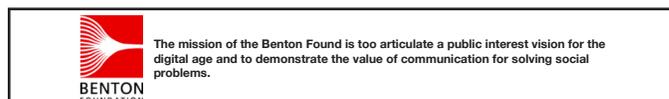
WASHINGTON, September 29, 2009 - The **U.S. Broadband Coalition**, an assemblage of more than 160 organizations pressing for a comprehensive national broadband strategy, on Thursday released its final report at the Federal Communications Commission.

Drew Clark, Editor of Broadband Census News LLC and Executive Director of Broadband Census Data LLC, was co-Chair of the coalition's **Metrics Working Group**, together with **Rob Atkinson**, President of the **Information Technology and Innovation Foundation**. Below are excerpts from the final "policy options" crafted by the working group and included in the final report. [http://www.baller.com/pdfs/US\\_Broadband\\_Coalition\\_Report\\_9-24-09.pdf](http://www.baller.com/pdfs/US_Broadband_Coalition_Report_9-24-09.pdf)

1. **Increase funding for the Census Bureau to collect better data on broadband use** - Under this option, the Census Bureau would add questions on broadband to the monthly Current Population Survey at least once a year. These questions would include whether the respondent subscribes to broadband and, if so, what they do with it. This would allow a host of data, including income, race, neighborhood, education levels, computer ownership, age, disability and other factors to be collected and analyzed. Second, the Census Bureau would significantly expand its E-stats efforts, which are currently limited to collecting data on e-commerce sales and some data on e-commerce use by manufacturing.
2. **Implement the Broadband Data Improvement Act (BDIA)** - Early on, the Metrics Group discussed implementation of the BDIA as an option to improve data collection and dissemination. The NTIA will have to ensure that all states meet at least the statutory requirements of the BDIA.
3. **Further Improvements and Refinements to the FCC's Form 477 Process** - As indicated above, the FCC has already revised its Form 477 process to collect and disseminate more granular broadband data. Some members of the Metrics Group believe that the agency should now move towards even greater granularity, by collecting data at the census block level. Other members believe that such a step is premature, as the FCC has yet to analyze and publish the new data they have obtained.

The Metrics Group also discussed the possibility of the FCC funding the development of appropriate software tools to help aid providers in complying with the FCC's Form 477 process. For example, an Application Programming Interface (API) could help offset some of the cost and burden of more detailed mapping.

4. **Support for an integrated, user-generated data system** - As mapping becomes more advanced, input from users could become a key part of mapping. Some members of the Metrics Working Group support establishing a system that allows for consumer reviews and speed tests that measure actual upstream and downstream speeds would allow the FCC, and others, to make better informed decisions about the state of broadband in an area. Moving beyond the binary decision of "yes, they have broadband," or "no, broadband is not available," these members say that policy makers must be able to parse out the problems in a particular area.
5. **Create an Office of Broadband Statistics that would be responsible for creating a National Broadband Data Warehouse, based on common standards and interoperable formats** - Some members of the Metrics Group recommend that the NTIA create a Bureau of Broadband Statistics under the office of Policy Development and Management. Under this proposal, the Bureau would be in charge of overall national broadband data collection, analysis, and reporting and to ensure the most cost-effective use of broadband data resources. The Bureau would bring a greater degree of coordination, comparability, and quality standards to broadband data, and facilitates in the closing of important data gaps. Among other duties it would be in charge of establishing the broadband data warehouse where all data can be uploaded into a common database for use by anyone interesting in analyzing it. This data would be able to be presented graphically, including in geographic mapping format.
6. **The NTIA and RUS should require that as a condition of getting federal funds for data collection that the data be collected in an interoperable form and uploaded on a regular basis to a common data warehouse** - In addition, some members of the Metrics Working Group believe that the FCC should ensure that Form 477 data are integrated to the data warehouse, providing a useful cross-check on the data to be provided via the NTIA mapping program.



## FCC WORKSHOP BRIEFS

**WASHINGTON, September 29, 2009** - BroadbandCensus.com has been covering the FCC's broadband policy workshops with summaries of most of the sessions. Below are excerpts from workshops within the past two weeks. Full coverage is available through the links below.

**WASHINGTON, September 15, 2009** - Most hospitals are unable to effectively use telemedicine because of the lack of a truly high-speed connection, said **Douglas Van Houweling**, CEO of **Internet2**, speaking at the Federal Communications Commission broadband workshop on September 15.

Van Houweling explained that even with a T1 connection, generally dedicated bandwidth of 1.5 Megabits per second (Mbps), it can take considerable time to send a 500 megabyte MRI or PET scan image coast-to-coast. By contrast, hospitals which are connected with universities that have Internet2 access are able to send the same information in under a minute. The ability to send crucial information quickly is a vital portion of telemedicine.

Traditionally telemedicine is thought of only to help those in rural America. However, with advanced broadband connections not only to the hospitals but also to the home, individuals will be able to be diagnosed from home. This ability to see a doctor quickly and without infecting others will help prevent the spreading of disease and allow for easy follow up with medical professionals.

Distance education for medical students using telepresence technology is one of the other major benefits discussed at the workshop. Instead of having students crowd around a doctor while a procedure is being conducted; the instructor wears a camera on their head while students from around the country, and the world, watch remotely. <http://broadbandcensus.com/2009/09/high-speed-connections-vital-to-promote-telemedicine-fcc-panelists-say/>

**WASHINGTON, September 17, 2009** - Panelists with divergent viewpoints weighed in at the Federal Communications Commission workshop on September 17 on the question of whether the U.S. broadband policy should take cognizance of intellectual property issues such as copyright infringement

Moderator **John Horrigan**, consumer research director of FCC's broadband initiative, said that the effort sought

to discuss ways in which the content of the creative industries could be protected against piracy.

With dial-up internet access, downloading videos could take hours or even days. Then as the Internet has changed, the ability to download unauthorized content has grown easier, with audio or video clips downloadable within minutes.

A national plan to promote broadband might also end up facilitating the process of illegally downloading music or a video, some argued. That is why some of the panelists urged that copy-right be included in the national broadband plan.

"This tidal wave of piracy would hinder the innovation of broadband," said **Dan Glickman**, CEO of **Motion Picture Association of America**.

**Gigi Sohn**, president of **Public Knowledge**, favored shaming tactics, or "service warnings," against individuals engaged in copyright infringement. <http://broadbandcensus.com/2009/09/is-there-a-role-for-content-protection-in-the-fccs-national-broadband-strategy/>

**WASHINGTON, September 17, 2009** - A three-panel workshop on the role of wireless spectrum in the Federal Communications Commission's national broadband plan considered how one could tell the value of spectrum: by its current use, by its cost, and by demand.

These were the central discussions at the agency's Spectrum workshop on September 17. Among the issues discussed were fourth-generation wireless supply and demand, sources of spectrum, and innovation in spectrum access.

The economic efficiency of spectrum becomes a crucial means to measure the efficiency of spectrum, since many bands have been undervalued.

**Apple's** iPhone is jacking up the demand for video downloads by 75 percent, according to **Kris Rinne**, the senior vice president of Architecture and Planning at **AT&T**. "We need to start thinking of global harmonization, and band spectrum efficiency," Rinne said. <http://broadbandcensus.com/2009/09/fcc-panelists-valued-wireless-spectrum-by-current-use-by-cost-and-by-demand/>

FCC: HOW DO YOU DETERMINE SPECTRUM'S VALUATION? USE, COST, OR DEMAND?



CONTINUED FROM PAGE ONE

## THE WEEK'S LINKS...

table in claiming to already have the authority for which it is asking. <http://www.wired.com/epicenter/2009/09/fcc-going-schizo-on-net-neutrality-rules/>

### Spectrum Continues to Expand as an Issue

Wireless continues to grow in importance and, as a result, also radio spectrum. *The Hill* calls it the "oxygen of (the) wireless world". <http://thehill.com/special-reports/technology-september-2009/60265-spectrum-oxygen-of-wireless-world> Indeed, and at this point the definition of the broadband wireless industry is about as clear as oxygen.

The carriers claim there is a spectrum shortage. <http://arstechnica.com/tech-policy/news/2009/09/wireless-carriers-beg-fcc-for-spectrum-blame-smartphones.ars> However, rumors of spectrum abound: **Deutsche Telekom** is buying **Sprint** for its spectrum; then it isn't. **T-Mobile** is buying **Clearwire's** spectrum, but maybe also **MetroPCS'**. <http://www.dailywireless.org/2009/09/23/t-mobile-buying-clearwire-spectrum/> and [http://www.nytimes.com/2009/09/28/technology/companies/28wimax.html?\\_r=5&ref=todayspaper](http://www.nytimes.com/2009/09/28/technology/companies/28wimax.html?_r=5&ref=todayspaper)

The game is clearly afoot, but who are the players and where exactly are the pieces on the board? Even the government is puzzled – perhaps most especially the government. The FCC has opened a Request for Comment on the subject of spectrum for wireless broadband. <http://gigaom.com/2009/09/24/fcc-opens-spectrum-inquiry-as-part-of-broadband-plan/>

In the meantime, **Iridium** has announce new funding and a merger with **GHL Acquisition Corp.**, which perhaps moves the game to a whole new level – quite literally. <http://www.dailywireless.org/2009/09/28/iridium-merger/>

A **Marketwatch** study sponsored by **Microsoft** suggests that white spaces spectrum may become worth as much as \$100 billion dollars in the near future. <http://www3.marketwatch.com/story/microsoft-study-places-value-on-white-spaces-2009-09-23>

**Free Press** calls the spectrum bidding that leads to such prices, and the wireless competition it supposedly produces, a shame. <http://www.freepress.net/node/73109> It is an interesting argument.

**Saul Hansell** at the **New York Times** sees ominous implications to **Verizon Communications'** decision to de-emphasize its traditional wired-line business. <http://bits.blogs.nytimes.com/2009/09/17/verizon-boss-hangs-up-on-landline-phone-business/>

As the importance of wireless grows, so does the importance of towers. **RCRWireless** has published a list of the top 10 tower companies. <http://www.rcrwireless.com/article/20090923/FRONTPAGE/909239996/By-the-Numbers--Top-10-Tower-Companies>

## Calendar Items

October 1, 2009 - 10:30am - 12:00pm – FCC Hearing on the challenges of capital formation in the broadband sector [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DOC-293691A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-293691A1.pdf)

October 13, 2009 - 2:00pm - 3:00pm – "Making the most of broadband stimulus funds" - Webinar hosted by **FierceWireless** and **Motorola** <http://www.fiercewireless.com/webinars/making-most-broadband-stimulus-funds>

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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.

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