

April 2, 2019

Commissioner Michael O’Rielly
Federal Communications Commission
445 Twelfth Street SW
Washington, DC 20554

Via Email

Re: WCB Universal Service Contribution Methodology Item on Circulation

Dear Commissioner O’Rielly:

The undersigned are a broad range of consumer, labor, civil and human rights, and low-income advocacy organizations. We strongly support Federal Communications Commission policies to bridge the digital divide and ensure that all Americans have access to affordable broadband. Yet we are concerned by the Universal Service Fund (“USF”) Contribution Methodology item circulated on March 26, 2019 (the “item”),¹ and request that you release the text of the item prior to any consideration or approval of it on circulation.

Considering the great importance of these programs and the direct impact they have on access to communications for millions of Americans, any proposed changes to their funding mechanisms justifiably cause immediate concerns. Reforms to the funding structure of USF cannot tilt so far as to undermine the core purpose of these programs: to connect all people in the United States to reasonably comparable, robust communications services.

We appreciate your recent attempts to clarify a few points regarding the item,² but we need to know more. You have suggested in the past that items on circulation should be made public.³ In this instance, we certainly agree — and cannot withdraw our concerns about the reported

¹ See, e.g., Press Release, National Consumer Law Center, *Statement of National Consumer Law Center Staff Attorney Olivia Wein Regarding FCC Proposal to Cap Critical Universal Service Fund Programs* (Mar. 28, 2019), <https://www.nclc.org/media-center/statement-of-national-consumer-law-center-staff-attorney-olivia-wein-regarding-fcc-proposal-to-cap-critical-universal-service-fund-programs.html>; Press Release, Public Knowledge, *Public Knowledge Opposes FCC Move to Cap USF, Abandon Universal Service Mission* (Mar. 28, 2019), <https://www.publicknowledge.org/press-release/public-knowledge-opposes-fcc-move-to-cap-usf-abandon-universal-service-mission/>; Press Release, SHLB Coalition, *SHLB Opposes Proposal to Cap USF Programs* (Mar. 27, 2019), <http://www.shlb.org/news/shlb/2019/03/SHLB-Opposes-Proposal-to-Cap-USF-Programs/>; Press Release, Benton Foundation, *Why is the FCC Talking about a USF Cap?* (Mar. 27, 2019), <https://www.benton.org/content/why-fcc-talking-about-usf-cap>.

² See Michael O’Rielly, *A Needed USF Budgetary Cap*, Federal Communications Commission: FCC Blog (Apr. 2, 2019, 3:40 PM), <https://www.fcc.gov/news-events/blog/2019/04/02/needed-usf-budgetary-cap>.

³ See Michael O’Rielly, *Further Improving the FCC’s Procedures*, Federal Communications Commission: FCC Blog (Dec. 20, 2018, 10:00 AM), <https://www.fcc.gov/news-events/blog/2018/12/20/further-improving-fccs-procedures>.

contours of this item before even having had the chance to review it. Releasing the item now — prior to its consideration or approval on circulation — would, in your words, “help take the next leap towards a more efficient, accountable, and transparent FCC.”⁴ We ask you now for your assistance in making this item publicly available.

Respectfully,

Access Humboldt
Benton Foundation
Center for Media Justice
Common Cause
Commons Sense Media
Communications Workers of America
Demand Progress Education Fund
Free Press
NAACP

National Consumer Law Center on behalf of its
low-income clients
National Digital Inclusion Alliance
Native Public Media
New America's Open Technology Institute
Public Knowledge
The Greenlining Institute
United Church of Christ, OC Inc.

cc: Chairman Ajit Pai
Commissioner Brendan Carr
Commissioner Jessica Rosenworcel
Commissioner Geoffrey Starks

⁴ *Id.*