

In the Matter of)	
)	
Connect America Fund)	WC Docket No. 10-90
)	
Universal Service Reform – Mobility Fund)	WT Docket No. 10-208
)	
ETC Annual Reports and Certifications)	WC Docket No. 14-58
)	
Establishing Just and Reasonable Rates for Local Exchange Carriers)	WC Docket No. 07-135
)	
Developing an Unified Intercarrier Compensation Regime)	CC Docket No. 01-92
)	

Comments of the American Library Association

The American Library Association (ALA)—the world’s oldest and largest library association—representing 57,000 members—is pleased to submit these reply comments on the important issue raised in paragraph 159 in the Further Notice of Proposed Rulemaking in this proceeding concerning the need to establish appropriate broadband speeds to meet the evolving needs of libraries and other community anchor institutions.¹

In its initial comments supporting the transition of the high-cost program and the creation of the Connect America Fund in 2011,² the ALA noted that broadband service increasingly is an essential service for all Americans, and ALA and its members are at the forefront of efforts to ensure library access to advanced telecommunications and information services and to promote broadband adoption and use, especially in rural areas. We also asked the Federal Communications Commission (FCC) to broaden its focus beyond residential consumers to include affordable, high-capacity broadband for libraries, and have continued this advocacy through the Schools, Health & Libraries Broadband (SHLB) Coalition,³ of which the ALA is a founding member. As such, we appreciate the Commission revisiting this issue and specifically calling out connections to schools, libraries and health care providers in the current FNPRM, and we support the joint comments filed by SHLB and the State E-rate Coordinators Alliance (SECA) in this proceeding.⁴

¹ In the Matter of Connect America Fund, et al, Report and Order, Declaratory Ruling, Order, Memorandum Opinion and Order, Seventh Order on Reconsideration, and Further Notice of Proposed Rulemaking, FCC 14-54, Order released June 10, 2014 at ¶ 159. This Order is hereinafter referred to as “FNPRM.”

² http://www.districtdispatch.org/wp-content/uploads/2011/04/ALA-CAF-comments_4-18-11.pdf

³ www.shlb.org

⁴ <http://apps.fcc.gov/ecfs/document/view?id=7521752624>

As those joint comments correctly noted, “The FCC asked the right question when it sought comment on establishing the appropriate broadband performance targets for community anchor institutions. These organizations are large consumers of broadband and need significantly greater capacity than residential or small business customers, but their resources are far less than the typical enterprise.” Small and rural libraries make up the majority of public library systems in this country (80.5%),⁵ and 70% of rural public libraries report they are the only provider of free public access to computers and the internet in their communities. In fact, our nation’s rural public libraries offer an average of 9.4 public access computers and free public wi-fi access that can more than double the number of public internet users the library supports at any given time of the day.⁶ When one considers *The E’s of Libraries*TM, which include: **Education, Employment, Entrepreneurship, Empowerment, and Engagement**; it is abundantly clear that libraries are indispensable in supporting the needs of residents throughout the nation. Using videoconferencing as just one example, rural libraries from Alaska to Maine are beginning to connect some of our most geographically remote communities with educational, employment, health and legal resources that can literally transform lives.⁷

Unfortunately, most small and rural libraries have broadband connections that lag significantly behind their urban and suburban counterparts—inhibiting their ability to fulfill their public missions and fully serve their communities. As FCC Chairman Tom Wheeler recently noted, 4 Mbps is “yesterday’s broadband,” particularly when a single HD video requires 5 Mbps capacity.⁸ In the multi-user environment of our public libraries, and at a time when more digital content and services are being delivered than ever before, the Chairman’s statement is even more relevant. Furthermore, emerging digital media labs and maker spaces demand robust upload, as well as download, speeds to support the multimedia content increasingly generated in the library and shared by library patrons.

For all these reasons, the ALA supports recommendations from SHLB and SECA that the recipients of Connect America Fund (CAF) funding should be required to serve anchor institutions with broadband much higher than for residential households. In this regard, the minimum broadband speed for anchor institutions must be greater than both the current 4 Mbps/1 Mbps requirement and the FCC’s proposed 10 Mbps/1 Mbps requirement.

The need for higher-capacity connections for libraries and other anchor institutions has been well-established in the National Broadband Plan and in the recent E-rate modernization proceeding. The July

⁵ IMLS: http://www.imls.gov/assets/1/AssetManager/Brief2013_05.pdf

⁶ 2013 Digital Inclusion Survey: Survey Findings and Results, published July 21, 2014, and available online at: <http://digitalinclusion.umd.edu/content/reports>

⁷ For examples, see “Library Technology Helps Students Explore Post-Grad Options” at <http://kucb.org/news/article/library-technology-helps-students-explore-post-grad-options/> and the Lawyers in Libraries web page at <http://www.lawyersinlibraries.org/>.

⁸ <http://www.fcc.gov/document/chairman-remarks-facts-and-future-broadband-competition>

2014 E-rate Order established a target of 100 Mbps for smaller public libraries (those serving communities smaller than 50,000 population) and a target of 1 Gbps for larger libraries. And the National Broadband Plan specifically calls for 1 Gbps capacity to anchor institutions by the year 2020.⁹ While achieving 1 Gbps connection speeds for each and every anchor institution in rural, unserved areas may be difficult to attain in the next six years, we believe this is a worthy standard that the CAF program should strive to achieve in light of increasingly bandwidth-intensive applications and the proliferation of wi-fi enabled devices.

We recognize and acknowledge the difficulty in determining a single, specific speed requirement that will serve a diverse range of libraries and other anchor institutions. Ideally, the FCC's decision in this proceeding can immediately benefit those libraries that lag furthest behind *and* be scalable for future growth. With this in mind, we respectfully propose that eligible telecommunications carriers (ETCs) receiving CAF support must serve each public library in its service territory at connection speeds of *at least* 50 Mbps download and 25 Mbps upload, unless the library waives the obligation in writing.¹⁰ This would create an opportunity for the ETC to engage in a dialogue with the library about its broadband needs and give the ETC a chance to demonstrate that a lower speed might be the most cost-effective technological solution in the near-term and that higher speeds are immediately cost-prohibitive. We further recommend that the library would be able to rescind that confirmation, after 60 days' written notice to the ETC, if it determines it needs a higher level of service. (The ETC would have six months to implement the higher bandwidth.) For example, as technology improves and/or deployment costs decline, the waiver could be reconsidered.

We believe 50/25 Mbps is an appropriate minimum requirement for two basic reasons:

- The broadband needs within the multi-user environment of the public library are at least five times as great as the average household, even in our smallest communities. As Netflix notes in a recent Ex Parte filing (GN Docket 14-28):¹¹ "In view of the increasingly sophisticated services and content available over the Internet and the increasing likelihood that multiple members of a household (average of 2.58 individuals) will access those services and content simultaneously, the Commission's existing 4 Mbps downstream/1 Mbps upstream benchmark is inadequate." Netflix further notes that Time Warner Cable currently suggests at least 50 Mbps speeds for households

⁹ Several specific recommendations encouraged the FCC to set specific performance goals and to marshal USF resources to help achieve those goals.

¹⁰ While the ALA does not speak directly to the minimum connection needs of other community anchor institutions, we believe *all* anchors have needs greater than the current FCC 4/1 Mbps and proposed 10/1 Mbps requirement.

¹¹ <http://apps.fcc.gov/ecfs/document/view?id=7521827953>

with multiple people on multiple devices.¹² Libraries typically serve far more simultaneous users and provide diverse and bandwidth-intensive resources over wired and wireless connections.

- Synchronous download/upload is the standard libraries increasingly seek based on current trends for content creation and consumption, so we must have a more robust upload speed than what is proposed for residents. For instance, if even a few library users are uploading video to social media, Skyping into a job interview, and participating in a real-time, interactive online classroom, at least 20 Mbps upload would be needed to support these common simultaneous uses in the library.

The Connect America Fund should provide the maximum incentives possible to deploy the infrastructure that will last the longest (is scalable) and will serve libraries' needs for the longest period of time. The Commission also should ensure that charges, terms and conditions—including recurring costs—for service to libraries in high-cost areas are reasonably comparable to the rates offered in urban areas.

We want to emphasize that our support for the 50 Mbps download and 25 Mbps upload connection speeds is intended as a minimal obligation for public investment through the Connect America Fund for libraries in high-cost areas of the country and where the higher bandwidth targets stated in the July 2014 E-rate Order are not attainable within a reasonable timeframe. However, we continue to support the more robust bandwidth targets as reflecting what is truly needed to adequately support modern library services and community demands. Also, as the National Broadband Plan notes, the FCC should review and reset its target for broadband availability every four years.¹³

We also agree with NTCA that the Commission should ensure all “would-be ETCs and would-be unsubsidized competitors are held accountable for providing sufficiently robust connectivity...to anchor institutions.”¹⁴ Any competitive carrier serving a given community should document that it can provide the required speeds at a competitive price to that community's library. If it is unable to provide such documentation, we propose that the Commission provide CAF support to the ETC to ensure the library can be assured the necessarily higher speeds.

Finally, we agree with the SHLB and SECA comments that “Investing in broadband networks to serve community anchor institutions is an important social good and also has a multiplier effect on the economic activity in the community as a whole.” Libraries can and do serve as “anchor tenants” and can

¹² Time Warner Cable, High Speed Internet Plans and Packages, available at <http://www.timewarnercable.com/en/internet/internet-service-plans.html> (last visited Sept. 8, 2014).

¹³ <http://www.broadband.gov/plan/8-availability/>

¹⁴ <http://apps.fcc.gov/ecfs/document/view?id=7521752397>

help the ETC's network as whole achieve long-term financial sustainability. Building out broadband infrastructure to libraries and other community anchor institutions can provide great "bang for the buck," as the capacity used to serve the anchor institutions can also be shared with the surrounding business and residential community.

Respectfully submitted,

A handwritten signature in black ink that reads "Emily Sheketoff". The signature is written in a cursive, slightly slanted style.

Emily Sheketoff
Executive Director,
American Library Association Washington Office