



July 13, 2022

## GENERAL MEMORANDUM 22-010

### *FCC Webinar on Using the Broadband Data Collection System*

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On June 29, 2022, the Federal Communications Commission (FCC) held a [Webinar](#) discussing the Broadband Data Collection (BDC) System. The purpose of the Webinar was to help service providers learn how to submit required information in the BDC System. The inaugural BDC filing window began on June 30, 2022. The first deadline for submission of broadband availability data is on September 1, 2022. The main presentation during the Webinar was a tutorial walkthrough on the BDC System followed by a Q&A.

#### ***1. Brief History***

The Broadband Deployment Accuracy and Technological Available Act ([DATA Act](#)) was enacted by Congress in March 23, 2020. The DATA Act requires the FCC to collect data from service providers on the availability and quality of broadband internet access. The collected data will provide the federal government with an accurate coverage map including the upload and download speeds of fixed broadband services throughout the United States.

The BDC System is the means by which the FCC plans on complying with the provisions set forth in the DATA Act. The DATA Act mandates workshops for tribal governments in each of the 12 Bureau of Indian Affairs regions on technical assistance in data collection and submission.<sup>1</sup>

The FCC has encouraged tribal governments to identify an entity that will be primarily responsible for mapping or tracking broadband coverage over reservation land.<sup>2</sup> Tribal governments should email [native@fcc.gov](mailto:native@fcc.gov) with questions and/or concerns about using the BDC System.

#### ***2. Broadband Data Collection (BDC) System Tutorial***

Tribal governments can enter broadband location data into the [BDC](#) System. The tutorial on how to use the BDC System was led by Ian Locke, analyst at Emprata. Emprata is the company that created the BDC System for the FCC. The BDC System opened on June 30, 2022, for service providers to enter fixed broadband coverage data with a deadline of September 1, 2022.

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<sup>1</sup> Broadband Deployment Accuracy and Technological Availability Act, Pub. L. No. 116—130, § 804(c)(1), 134 STAT. 237 (2020)

<sup>2</sup> FCC, *Broadband Data Collection Technical Assistance Workshop for Tribal Governments*, <https://www.fcc.gov/sites/default/files/bdc-tribal-workshop-presentation-12082021.pdf> (last visited July 1, 2022).

The tutorial covered several topics such as how to gain access to the BDC System, how to upload data, what kind of format the data has to be in, and more. A FCC Registration Number ([FRN](#)) is required to upload data into the BDC System. The BDC System has internal safeguards and notifications to help prevent incorrect data entries and to help provide guidance for correcting mistakes.

### 3. *Q&A Session*

The Q&A panel included Chelsea Fallon, Senior Implementation Manager of the Broadband Data Task Force; Jonathan McCormack, Acting Deputy Chief of the FCC Data Division; and Paul Salaszyk, CEO of Emprata. The FCC Q&A portion primarily focused on questions presented by service providers. Additional topics related to tribal governments were also addressed.

Tribal governments can obtain the FCC's Fabric data. The Fabric data includes current locations where broadband services are available. A tribal government is not required to upload any data in order to receive Fabric data. This data can be helpful when making broadband infrastructure plans. Additionally, the FCC will soon provide an online location where consumers and tribal governments can challenge the accuracy of the broadband coverage map.

In order to receive the Fabric data, the tribal government must obtain an [FRN](#) and complete the [Entity Information Form](#). Then the FCC will review the information on the Entity Information Form. The FCC will then contact [CostQuest](#), the company hosting the Fabric data, which will send an email invitation to execute a license agreement to gain access to the Fabric data. The tribal government can then download the broadband coverage data limited to the tribal government's jurisdiction.

All facilities-based service providers should register and submit data as a service provider, even if a tribal government owns the service provider. Resellers of broadband services should not file broadband availability data. This is because the facilities-based service provider, where the reseller receives the service to resell, is required to file its broadband availability data with the FCC through the BDC System. There are [helpful guides](#) to help entities prepare broadband availability data for the BDC System. If a broadband provider also provides voice data it must file data in both the [Form 477](#) and the [BDC System](#). Only a fixed voice service provider that does not provide broadband service can forego using the BDC System and only file the Form 477.

**If you have any questions or would like further information on the topics raised in this report, please do not hesitate to contact Hobbs, Straus, Dean & Walker, LLP.**

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