



March 13, 2025

Representative Joseph Solomon, Jr., Chair
House Corporations Committee
Rhode Island State House
82 Smith St
Providence, RI 02903

RE: Opposition to H. 5817 – Broadband Deployment and Investment Act

Dear Chair Solomon and Members of the Committee,

On behalf of CTIA®, the trade association for the wireless communications industry, I write to express our opposition to H. 5817. While we applaud Rhode Island's ongoing commitment to expanding access to broadband services, many of the provisions in H. 5817 are unnecessary or duplicative.

The wireless industry strongly supports broadband deployment. In 2023, the wireless industry invested \$30 billion in private funding to improve connectivity for consumers, and \$190 billion since 2018. These investments support consumers and fuel economic growth in Rhode Island, where the wireless industry employs approximately 10,000 residents and contributes \$1 billion to the state's GDP annually. The ability of our industry to maintain this progress relies on policies that align with the existing federal regulatory regime for wireless, which improves efficiency and removes barriers to deployment.

Data Collection, Mapping and Regulatory Provisions

First, the bill creates an entirely new set of data collection and mapping requirements wholly redundant to existing federal activities. Both Congress and the Federal Communications Commission (FCC) have recently taken steps to improve the collection and dissemination of data on broadband availability. With strong bipartisan support, Congress passed the Broadband DATA Act, which takes several actions to improve broadband data collection, including a requirement that all internet service providers (ISPs) file data with the FCC twice a year describing where they offer mass-market internet access service using their broadband network facilities.

There also now exists a robust amount of focus, attention and information related to the location and availability of broadband as a part of the Broadband Equity, Access, and Deployment (BEAD) Program. As a part of BEAD implementation and its related data collection efforts, consumers, state, local and Tribal government entities and other stakeholders now have access to an unprecedented amount of broadband availability data. Furthermore, these stakeholders were part of an extensive broadband mapping challenge process required by BEAD. Current mapping mandates are now so extensive that some states have opted to repeal or re-assess broadband data reporting and mapping requirements that are duplicative of existing processes.

Second, various regulatory provisions in H. 5817 would put Rhode Island on a pathway towards state-level regulation of wireless services, which will move the state in the wrong direction and negatively impact consumers. By way of background, this General Assembly took proactive steps in 2013 by



recognizing that wireless is an inherently interstate service and preempting the state Public Utilities Commission and Division of Public Utilities and Carriers from regulating wireless. Since then, consumers in Rhode Island have reaped substantial benefits from what is the wireless success story. At a time of exploding demand for more wireless services, the real, inflation-adjusted price of wireless has declined by 18-19% since 2017, according to the Bureau of Labor Statistics, while the price per megabyte of data has decreased by 99% since 2010. These benefits are a result of the regulatory certainty in Rhode Island that fosters competition, which drives continued investment in networks. Rhode Island should keep this environment in place.

Outage Reporting

H. 5817 would impose unnecessary and overbroad reporting requirements related to wireless outages. The bill provides no definition of what constitutes an outage and does not differentiate between outages under a wireless provider's control and those that are not. Requiring wireless providers to report such outages that are beyond their ability to prevent would paint an inaccurate picture of a network's reliability for consumers, and when different providers interpret the outage provision differently, it will render the collection of accurate data difficult.

There are also multiple issues with the outage reporting threshold of 100 consumers and/or 4 hours. Under this threshold, maintenance or system upgrades that temporarily take service offline could be reportable even if the service interruption was extremely short in time duration but affected 100 or more customers. In contrast, the FCC's threshold for voice outage reporting under its NORS system is 900,000 user-minutes – i.e. when the number of users impacted multiplied by the number of minutes of the outage exceeds 900,000. Moreover, "outages affecting one hundred (100) or more customers" does not provide a cognizable standard for mobile broadband, since the amount of mobile broadband consumers served by any given infrastructure is constantly fluctuating and there are multiple reasons why an outage may not affect a consumer.

Finally, the bill puts insufficient guardrails around the protection of outage records from dissemination to bad actors who could exacerbate service disruptions, which is why the Department of Homeland Security (DHS), communications carriers and state public utility commissions have concurred these reports must remain confidential. The bill also creates the potential for competitively sensitive data to be shared if not adequately protected or summarized with the appropriate level of anonymity.

Fees Assessed on Providers

Second, H. 5817 would impose new fees on ISPs operating in Rhode Island that would directly impact their terms of operation in the state. This provision is unnecessary and harmful to consumers. As of 2023, Rhode Island ranked in the top quarter of all states in terms of the amount of taxes, fees and government surcharges assessed to consumers on wireless services. While our members support efforts to expand broadband services, an unfortunate consequence is the added financial burden of *more fees* like that included in H. 5817, ultimately impacting consumers. Specific to wireless, our consumers pay a disproportionate amount of taxes and fees for wireless products and services, and high wireless taxes and fees contribute to the digital divide. Putting another fee in place, as H. 5817 would do, would be ill-advised.



In closing, we strongly urge against enacting the provisions including in H. 5817, because 1) the FCC's broadband maps and the underlying data submitted by ISPs are now public and available for download by anyone, and we encourage states to work through the FCC process to obtain mapping-related information and 2) any new fee will negatively impact consumers. For these reasons, we oppose H. 5817.

Sincerely,

A handwritten signature in black ink that reads "Jeremy Crandall". The script is fluid and cursive.

Jeremy Crandall
Assistant Vice President
State Legislative Affairs