

September 23, 2022
Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Notice of ex parte filing of Common Sense and Public Knowledge related to Notice of Proposed Rulemaking regarding Transparency Rules for Affordable Connectivity Program, WC Docket No. 21-450

Dear Ms. Dortch:

On September 19, 2022, Amina Fazlullah, Senior Director of Equity Policy at Common Sense, Drew Garner, State Broadband Policy Advisor at Common Sense, and Jenna Leventoff, Senior Policy Counsel at Public Knowledge met with Jessica Campbell and Travis Hahn of the Wireline Competition Bureau.

Common Sense and Public Knowledge recommend that USAC make additional types of data available through the [ACP Enrollment Claims Tracker](#).¹ The tracker is the main source of publicly-available data on the ACP. Many governments and digital equity organizations, including Common Sense, rely on it to help target, evaluate, and improve ACP promotional campaigns. However, the tracker currently lacks key types of data to precisely measure the effect of these campaigns or understand the quality of the services and devices purchased. By providing additional data, as detailed below, the FCC could increase the ACP's transparency; maximize the impact of ACP campaigns, including those funded by the upcoming ACP Outreach Grant Program; and generate high-quality feedback for the digital discrimination task force.

We recommend the tracker be updated to provide the following types of data::

- **Total enrollment per state per week:** The tracker has data for total enrollments per state for the current week, but not for previous weeks. Each week, when the state totals are updated, the previous week's totals become unavailable. This makes it difficult to do trend analyses. USAC should make all past weeks of per state data available as a downloadable excel file, similar to the ZIP and county datasets. Additionally, USAC itself could publish trend analyses, which would make it easier for users to monitor state-specific progress.
- **Gross new enrollments and gross de-enrollments:** The tracker does not offer a metric for gross new ACP enrollments, which is the main metric of interest for enrollment campaigns. The closest metric offered is "net new enrollments," which is the sum of new enrollments and de-enrollments. "Net new enrollments" is pulled downward by de-enrollments and

¹ Universal Service Administrative Company, ACP Enrollment and Claims Tracker, <https://www.usac.org/about/affordable-connectivity-program/acp-enrollment-and-claims-tracker/>

thus does not reflect the true impact of a campaign. E.g. If a campaign causes 35 people to enroll but 10 people de-enroll, “net new enrollments” will show an increase of 25 people even though the campaign was responsible for 35. USAC should break “net new enrollments” into “gross new enrollments” and “gross de-enrollments.” “Gross new enrollments” should be further broken down by enrollment pathway (i.e. Lifeline, National Verifier, by school, alternative process) and “gross de-enrollment” broken down by type of de-enrollment (i.e. failure to recertify, lost eligibility, failure to use service).

- **Faster data releases:** It can take multiple months for ZIP data to be released, and the length of this lag makes it hard to use the data to refine active enrollment campaigns. Optimally, we would like ZIP data released during the month after it is collected, if not on a more frequent basis.
- **Total benefits transferred between providers:** For better transparency, the tracker could offer data on how many enrolled households transfer their ACP benefit from one provider to another (or stop using their benefit entirely) and which types of providers were involved in the transfer (i.e. mobile, fixed, wireless/satellite). If this data was offered and broken down by state, ZIP, and county, it would help identify trends in which enrolled households transfer their benefit from fixed providers to mobile/Lifeline providers, which may indicate confusion or deceptive marketing practices. Such transfers are happening unintentionally and result in surprise disconnections. This is discouraging for both ACP beneficiaries and participating ISPs.
- **Data on service and device quality:** The tracker could offer information about the speed, technology, and cost of internet service and devices purchased with the ACP. E.g. how many ACP households are obtaining 100/20 service over fiber for free; how many service plans include data caps; what is the breakdown between computers and tablets purchased with the ACP, and what are those devices’ technical specifications (e.g. screen size and resolution, storage capacity, hardware connections, processing speed and RAM) ?
- **Include ACP claimed support:** For EBB, the tracker provided data on “claimed support,” i.e. the amount the EBB program spent on service and devices. USAC could provide similar data for the ACP. This would help advocates and ISPs estimate the ACP’s longevity, which is a topic of wide interest. The tracker’s ZIP and county datasets already contain the necessary data, but it requires familiarity with spreadsheet software to use.
- **Estimates of household eligibility:** Currently, the tracker only includes information on actual enrollment, not eligibility. However, eligibility estimates can help determine where to best target enrollment efforts. The FCC could facilitate this targeting by providing eligibility estimates. For example, a version of this [map](#)² (created by Hernan Galperin and the University of Southern) for the entire U.S. would be very helpful.
- **Data on Public Housing Authorities (PHA):** As USAC works with PHAs to bulk qualify residents, it would be useful to have data on how many PHAs are participating and the number of enrollments using this pathway.

² California Affordable Connectivity Program (ACP) Enrollment, <https://www.arcgis.com/apps/dashboards/8c0249a9de8d404a9b49966fb824b728>

In addition to these data requests, Common Sense and Public Knowledge ask the FCC to facilitate ACP enrollment by encouraging data sharing between states and relevant agencies. The National Verifier's lack of qualifying program data prevents a significant number of eligible consumers from enrolling in the ACP or recertifying their eligibility. According to the Government Accountability Office, 68% of customers who had to undergo a manual review for the Lifeline program abandoned their applications, and these metrics are likely similar for ACP enrollment. While it's challenging for most people to get documentation about eligibility, it is particularly challenging for those without the internet. While Congress is better positioned to fix this problem by enacting legislation to require that any agencies that have data share it with USAC in a timely manner, and to clarify that data sharing for verification purposes is legal, the Commission can nevertheless continue to proactively reach out to relevant agencies to encourage data sharing. The Commission should also work with relevant state, federal and tribal agencies to recreate the process used for Pell recipients applying for the Emergency Broadband Benefit. Those students were sent an email making them aware of the program, and were able to use that email as proof of their eligibility. For those without the internet, the Commission should also allow the use of written notification of eligibility to serve as the verifying document.

Thank you for your attention on this matter. Please direct any questions to the undersigned.

Sincerely,

/s/

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Common Sense

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Public Knowledge

Drew Garner
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Common Sense