



Federal Communications Commission
Washington, D.C. 20554

September 2, 2010

Alex Hunt
Chief, Information Policy Branch
Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Hunt:

The Federal Communications Commission (Commission) requests OMB approval to submit the revised information collection described herein under the “emergency processing” provisions of the Paperwork Reduction Act of 1995 (5 CFR § 1320.13). The Commission is requesting clearance to file a revised information collection to OMB Control No. 3060-1139 entitled: Residential Fixed Broadband Services Testing and Measurement. We respectfully request OMB approval for this collection by September 30, 2010.

The modification responds to new requirements that were initially unforeseen in the SamKnows Residential Fixed Broadband Services Testing and Measurement program. Recent surveys demonstrate a majority of consumers are not able to accurately report the broadband service information approved in the First Collection. Furthermore in recent discussions as part of this data collection effort, broadband internet service providers (ISPs) have indicated that certain technical characteristics of consumer broadband service may vary region to region and such details may not be fully known to the consumer. ISPs have offered to partner with the FCC in the testing and measurement trial by verifying certain customer information (ISP Partners) collected by SamKnows and by providing associated data not directly obtainable from the consumer. This information is crucial for good sample selection and analysis of results. Approval of the revised collection of information request facilitating ISP Partners’ participation will ensure that the information collected is accurate, address serious data quality concern and otherwise contribute to the success of the program. The revised information request is critical to implement the programs of the National Broadband Plan (Broadband Plan) required under the American Reinvestment and Recovery Act of 2009 (ARRA), Pub. L. No. 111-5, 123 Stat 115 (2009). The Broadband Data Improvement Act of 2008, Pub. L. No. 110-385, Stat 4096 § 103(c)(1) directs the Commission to collect information on the type of technology used to provide broadband to consumers, the price of such services, actual transmission speeds, and the reasons for non-adoption of broadband service.

This revised collection of information is necessary to complete a program begun in response to keen consumer interest concerning the testing and measurement of the actual speed and performance of consumers’ residential fixed broadband services. Information requested is necessary to ensure that a valid set of consumer panelists is selected and emergency approval is requested to ensure that ISP Partners’ contributions are integrated in a timely fashion to maximize the collection of data originally requested. The revised collection of information will

allow ISP Partners to support the statistical soundness of the testing and measurement methodologies and criteria used in the program. ISP Partners will confirm information about subscribers to their broadband services who are participating in the program as well as other technical and market information about the services they offer. Specifically, ISPs will confirm the actual service tiers to which their customers have subscribed. They will also provide technical data regarding specific service arrangements per customer (e.g., loop length for DSL, IP address, cable modem type for cable companies, etc.) and market data such as average price per service tier and percent subscribers per most popular tiers. In addition, ISP Partners will also directly support the testing operations of the program. See attached list of ISP requirements. This participation will address specific shortcoming identified by ISP Partners during recent discussions begun as part of this effort in the testing and measurement methodology and process, and improve the statistical quality of the gathering and processing of information associated with this study. Issues related to the statistical quality of the information produced by this program are central to a number of the Broadband Plan's purposes, including "ensur[ing] that all people of the United States have access to broadband capability[;] . . . analy[zing] . . . the most effective and efficient mechanisms for ensuring broadband access by all people of the United States;" developing "a detailed strategy for achieving affordability of such service and maximum utilization of broadband infrastructure and service by the public;" and "evaluat[ing] . . . the status of deployment of broadband service, including progress of projects supported by the grants made pursuant to this section." ARRA § 6001(k)(2).

The Commission would like to obtain OMB's approval to file the request immediately. This will ensure that a valid set of consumer panelists can be selected for the data collection effort, while integrating the ISPs' participation in the program.

The Commission is seeking a waiver of the notice and comment period in the Federal Register requesting public comment on the information collection requirements due to the emergency nature of this request. The Commission will conduct all the necessary regular submission requirements under the Paperwork Reduction Act after approval of this emergency request.

FCC staff is ready to work with your PRA Desk Officer to immediately provide any additional information needed to assure OMB's approval of this emergency request by September 30, 2010.



Mindy Ginsburg
Deputy Managing Director
Office of Managing Director
Federal Communications Commission