

Hiding the Broadband Map

<http://towardfreedom.com/home/content/view/1081/1/>

A “David and Goliath” battle is being waged in Washington over zip codes and the names of companies offering high-speed Internet access. A non-profit organization is seeking access to records that detail the companies that offer broadband access in every zip code to include in a public database of media services. But the Federal Communications Commission (FCC), with the backing of telephone and cable companies, is keeping consumers lost by not releasing an accurate map of broadband Internet deployment in the United States.

The Center for Public Integrity contends that the current map of broadband access is unreliable, and that a more precise picture will show which areas across the nation have consumers still tapping their feet as they wait for their dial-up Internet to load. As many Americans still have limited or no access to broadband, the Center says, “The spread of broadband is important for economic development, for sharing knowledge, for entertainment and for civic participation.”

“People may be going to pay for broadband and have no options at all,” said Scott Wallsten, senior fellow and director of communications policy studies at the Progress and Freedom Foundation. “But we don’t really have a way to identify that right now because of the nature of the data.”

Although the FCC already publicly releases a semi-annual report that details how many broadband providers operate in each zip-code, the agency does not name them. But a 2006 Government Accountability Office (GAO) analysis found a discrepancy in the FCC’s reporting – while the FCC said the median number of broadband providers in each ZIP code was eight, the GAO concluded it was only two.

The FCC defines broadband – or high-speed Internet access – as data speeds of at least 200 kilobits per second (kbps) in at least one direction.

In 2006, after its Freedom of Information Act (FOIA) request was ignored, the Center filed a lawsuit against the FCC to get the data released. The Center plans to divulge the information – just the names of broadband providers and where they operate — to the public through its Media Tracker website. Currently, consumers can use the Media Tracker to find which companies offer radio, newspaper and television services in their Zip codes.

Drew Clark, senior fellow at the Center, said consumers can hold Internet providers accountable when they have the tools to research them. “[Consumers] can be able to say, ‘Hmm, why hasn’t the telephone or cable company provided service out to this area? Do you just not make it a priority to bring service to that area?’”

The Center’s request, however, has been met with fierce opposition from the FCC and Internet providers. The FCC denied the FOIA request, saying the records “contain commercially sensitive, competitive information and that release would cause harm to the entities that submitted the requested information.”

The Center filed its final legal papers last month, and the presiding judge is expected to rule in the next several months.

AT&T, Verizon and three major telecommunications trade groups have objected to the release of the records. In its declaration submitted to the court, AT&T said, "The specific insight into AT&T's presence in the marketplace – and the precise type of facilities and service it is using to achieve that presence – is commercially sensitive and would, if made public, cause substantial harm."

Wallsten agreed that there were some proprietary issues to consider. But he said the FCC is "erring on the side of holding too much secret."

"The question is whether the data the FCC is not giving out would have policy benefits that outweigh any of the costs to competition by releasing it," Wallsten said. "It seems to me that more information could be released, and it's not obvious how that would harm companies."

The FCC did not return an interview request.

One reason the companies may want to keep a close grip on their records is that it could threaten the monopolies they have in certain communities.

"I think there's a competitive edge to it," Clark said. "The big companies have more information about the small companies, than the small companies have about the big companies. Although they claim, 'Oh, it's the small companies that are going to be hurt by [releasing the records],' my instinct is that's not likely."

Clark said consumer access to broadband is important on several levels. "You use countless applications you could not use if you didn't have broadband," he said, specifically mentioning programs like Vonage and VOIP.

Increasingly, as the nation relies more heavily on the Internet in the workplace and in schools, many consumers still using dial-up services are being left behind, and their economic development is being threatened.

Clark said while there is an economic justice component to the lack of broadband availability in some communities, the full picture of who is being left out, and who is doing the leaving, is still in the dark.

"One of the next things on our list is to start making correlations with demographic data – income, education, and so forth," Clark said. This information will be much more valuable once you have the true names of the companies providing the services – these are the areas in which Verizon is providing broadband service, and overlay that on top of racial and geographic and income levels, and say 'Verizon serves this percent income and Comcast does this percent.'"

Equally concerning, said Clark, is the impact on civil participation for consumers who can't access broadband. "As YouTube provides the window into politics and the Election 2008, there's going to be countless applications that rely upon broadband, and people are going to be left out of not just economic development, but social discourse," he said.

Identifying companies will also give consumers the power to track the political influence of the providers operating in their communities. "Once you have the names of those companies, you're able to see whether they're trying to do things to manipulate the policy agenda in Washington with regards to issues, whether it's net neutrality, or blocking certain traffic or services."

While the lawsuit has drawn the ire of Internet companies, it's also drawn the attention of lawmakers. Two pieces of legislation specifically tacking broadband deployment have been introduced since May.

One bill, spearheaded by Sen. Daniel Inouye (D-HI), would create online maps that allow consumers to search high-speed Internet services at the census-block level. The other, released by Rep. Ed Markey (D-Mass) would require the Commerce Department to publicize a nationwide map which consumers could use to search broadband provider's service locations.

Additional initiatives to spread broadband access, and information on who offers the service, are being led by a group called ConnectKentucky. By partnering with broadband providers, the group is now offering a "broadband inventory map," which the Center says may be the "first of its kind in the nation."

But while consumers in Kentucky are being given a bird's eye view of the spread of broadband, for the rest of the country, the map is still being hidden.

"The first step in an improved broadband policy is ensuring that we have better data on which to build our efforts," said Inouye in a press statement. "It is imperative that we get our broadband house in order and our communications policy right. But we cannot manage what we do not measure."

#

Megan Tady is a National Political Reporter for In These Times and a freelance journalist based in Western Massachusetts.

For more information on this issue and to take action, visit <http://www.savetheinternet.com>