The UTC and Broadband

September 18, 2024

Telecommunication Section – Regulatory Services Division

High Level Summary

- The UTC regulates the rates and services of telecommunications companies in Washington. It does not have jurisdiction over wireless phones, satellite, or broadband, which are largely regulated at the federal level.
- While the commission does not regulate the rates and services of broadband providers, it has been charged with administration of the State Universal Service Fund and the designation (and annual recertification) of eligible telecommunications carriers.
- Infrastructure deployment, maintenance and affordability are key considerations in advancing universal service.
- Good data and spatial analysis is key to closing the digital divide.
- Ongoing cross agency collaboration on pole attachments, the development of a digital equity plan, the deduplication process and the 5-year action plan.

State Universal Service Fund

- In 2019, the legislature passed and the governor signed 2SSB 5511 which added a program eligibility requirement that a company adopt a plan to provide, enhance, or maintain broadband services in its service area, revised the purpose of the SUSF Program, and lastly, extended it through June 30, 2024. (RCW 80.36.610 - 700)
- On May 27, 2020, the Commission adopted new rules to incorporate these revisions and to include four eligibility criterion to assess a company's broadband plan. Broadband buildout obligations (when appropriate) were forward looking and based on estimated cost to serve and support amounts through June 30, 2024. (WAC 480-123-020, and 100 - 170)
- Seven Criterion Two companies satisfied their collective 1,590 broadband buildout obligation.
- Six Criterion Three companies satisfied their collective 1,366 broadband buildout obligation.
- Four Criterion Four companies offer 25/3 Mbps or faster to 100% of the locations within their study area.
- Ongoing confirmation that operating expenses and capital expenditures are greater than SUSF support and federal high-cost support.

Eligible Telecommunications Carrier (FUSF)

- Requirement to receive federal high-cost support or Lifeline.
- Initial designation authorized under 47 U.S.C. Sect 214(e)(2) and recertification under the FCC's rules (47 C.F.R§ 54.314). (WAC 480-123-020 - 080)
- Federal high-cost support consists of the Connect America Fund, including: Broadband Loop Support, Alternative Connect America Fund (and subsequent iterations), Phase II Reverse Auction and the Rural Digital Opportunity Fund. Each fund has specific buildout and performance requirements.
- Staff has reviewed and validated that all companies have met their federal buildout obligations as of December 31, 2023, and appears to comply with the FCC speed and latency requirements. The FCC will likely issue a public notice later this year.