



2023 Policy Initiatives

INCOMPAS, the internet and competitive networks association, is the leading trade association advocating for competition and innovation in the broadband marketplace, representing new network builders, internet innovators, and the world's leading video streaming and cloud services. Our members help deliver better service to consumers, businesses, government agencies, and local communities seeking more choice, lower prices, and faster broadband speeds that attract jobs and private investment.

Our competitive broadband companies are building networks of the future, including fiber, fixed wireless, mobile (5G), and satellite networks that connect residences, businesses, and community anchor institutions. We also represent online content companies that are investing significantly in network infrastructure and delivering streaming, cloud, social media, and other online content, services, and goods to meet consumer and business needs across the globe. INCOMPAS is unique among trade associations in that we represent the entire internet value chain.

Our core mission is to ensure that competitive communications and technology providers can continue to develop and deliver better service and greater innovation to consumers and businesses.

Competition Policy is Key to Delivering Fast, Affordable Broadband Networks

- INCOMPAS advocates for federal, state, and local policies that enable competitive broadband alternatives in every community, which will lead to more innovation, investment, and affordability.
- We support the deployment of robust, scalable broadband network capability throughout the U.S., including fiber-based, 1 gigabit and above infrastructure that also will support 5G network connectivity.
- We encourage consumer-friendly internet, streaming, and cloud policies that keep prices low for families while driving the need for faster and better network connectivity.
- We urge Congress to ensure that the funding process for the Infrastructure Investment and Jobs Act (IIJA) "Internet for All" be open to competitors and that policymakers require funded entities to enable competition and choice for customers through wholesale access policies.
- We support ensuring all unserved and underserved locations in the U.S. be eligible for IIJA funding as intended so that every location in the United States is finally served by robust broadband.
- We support Congressional action to facilitate faster, more affordable infrastructure deployment.
- We want to ensure the money allocated from BEAD is not being unfairly taxed and are fully supportive of the Broadband Grant Tax Treatment Act.
- We support streamlined permitting processes for public rights-of-way and railroad access and crossings that speed faster broadband infrastructure deployment.
- Fees must be publicly disclosed, competitively and technology neutral, nondiscriminatory and based on actual, objectively reasonable costs for accessing public and railroad rights-of-way, poles, and conduit.
- We advocate at the FCC for it to take action on a pending pole attachment proceeding that if resolved will help provide more certainty and speed deployment in a more cost-effective manner for the poles the FCC regulates.

- We are working to ensure the Affordable Connectivity Program has longevity and is fully funded by Congress to meet consumer needs.

Shared and Flexible Use of Spectrum Resources

- INCOMPAS supports efforts to increase competition for broadband through the broader use of midband and millimeter wave spectrum and urges Congress to empower the FCC to leverage the nation's spectrum resources for more licensed and unlicensed broadband use cases.
- We believe the FCC needs to take immediate action in the 12.2-12.7 GHz proceeding to modernize its rules to permit mobile 5G and two-way terrestrial uses in the band. This band has no federal encumbrances, does not require an auction, and can be put to immediate use by current licenses.
- Furthermore, the FCC should finalize a technology-neutral, licensed sharing framework in the 37.0-37.6 GHz band so that the spectrum can be made available for increased commercial use. Such a framework would maximize the use of the spectrum for both federal and commercial users. Commercial operators could put the band to immediate use delivering fixed wireless broadband service in urban and rural communities across the country.

USF Reform

- With the billions of dollars invested by Congress in broadband infrastructure deployment and affordability programs through IJJA and other pandemic-related funding, the FCC should review and update the Universal Service Fund (USF).
 - This is especially needed for the High-Cost program, where incumbent providers are being subsidized without sufficient oversight or review of geographic areas that are receiving, or will receive, funding from other broadband programs, including IJJA funding.
 - INCOMPAS supports coordination of funding among the agencies administering broadband funding. Pursuant to the IJJA, the FCC should implement an overlay on its broadband map that shows where funding has been allocated by program for unserved and underserved locations, which would enable better coordination, additional oversight, and efficient and effective deployment with taxpayer dollars.
- While the USF has helped millions of families, community anchor institutions, and small businesses connect to voice and broadband services for several decades, the USF is in crisis. The FCC must act soon to stabilize it by addressing the high contribution factor, which has reached 32.6% for the first quarter of 2023 that telecom customers pay to finance USF.
- The [projection](#) is that the USF contribution factor will continue to rise if the FCC does not take action. We continue to support the [USForward Coalition](#) and the over 340 parties that have weighed in and agree that reform must be done now by expanding the USF contribution base to include broadband internet access service (BIAS) revenues. Broadband networks and services are supported by the USF through the modernization of all the distribution programs. The FCC historically requires services that are supported by the Fund to be included in providers' revenues for USF contribution, and it is time for the FCC to modernize the contribution system.
- The FCC has the authority and responsibility under the current statute to complete its reform to ensure that the USF can continue to meet its mission. Congress should communicate to the FCC that reform is necessary and must happen expeditiously by the FCC expanding the contribution base to include BIAS revenues, which would decrease the factor to less than 4% and ensure that every consumer and business that relies on broadband is contributing to the USF.
- INCOMPAS opposes assessing edge providers. Arguments to do so are rife with problems, would result in significant delay of reform, expand government regulation, and be challenging to implement without unfairly skewing online competition.
- As demonstrated in our most recent [report](#), tech and streaming innovators invest over \$120 billion annually in internet infrastructure locally and globally. These investments save BIAS providers \$5

billion to \$6.4 billion annually.

Encouraging Competition and Innovation in Voice and Messaging Services

- INCOMPAS represents a variety of voice service business models, including traditional CLECs and VoIP providers, that serve residential and enterprise customers. These providers are committed to mitigating the threat of illegal robocalls to their customers while working with the Commission to help identify ways to preserve competition and innovation in the market.
- As policymakers continue their efforts to combat illegal robocalling and robotexting, INCOMPAS advocates for solutions that will fill current regulatory gaps (including gaps for wholesale providers and enterprise customers), avoid putting any unnecessary restrictions that impact the ability of voice providers to innovate and compete, and are tailored appropriately for smaller competitors based on their resources.
- To mitigate fraudulent robocalling and robotexting activity, the Commission must advance the IP transition to ensure STIR/SHAKEN operates across IP-interconnected networks, address outstanding issues related to call authentication for non-residential use cases, institute robust call/text blocking notification and redress mechanisms, and ensure industry efforts to manage illegal robocalls do not intentionally or inadvertently discriminate against competitive providers.