



## Post-Election Outlook | Future Outlook for Open Proceedings at the FCC

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- *Ban on Bulk-Billed Broadband in Multi-Tenant Environments (GN Docket No. 17-142)*: In March 2024, the Federal Communications Commission (FCC) circulated a proposal that would restrict bulk billing arrangements for service providers in multi-tenant environments (MTEs) in order to provide more choice to tenants. The press release indicated that the proposal would ban bulk billing arrangements in such buildings and/or provide tenants with the ability to opt out, as well as “seek comment on other practices that may limit consumer choice in multi-unit buildings.” Commissioner Brendan Carr spoke out against this proposal, which he said “makes no sense and would hit families like a new broadband tax.” Given Commissioner Carr’s opposition, this item will likely be pulled from circulation under his leadership at the FCC.
- *Strengthening Customer Service in the Communications Industry (CG Docket No. 24-472)*: In October, the FCC issued a Notice of Inquiry (NOI) seeking information about customer service practices across a variety of communications companies, which was aimed at assessing whether customers “have appropriate access to the customer service resources they require to interact with their service provider in a manner that allows them to efficiently resolve issues, avoid unnecessary charges and make informed choices regarding the services they obtain from these service providers.” The NOI was adopted over Commissioner Carr’s dissent, which questioned the FCC’s authority to regulate customer service standards for the industry. Once the comment cycle concludes on the NOI, the FCC will likely abandon this effort under Commissioner Carr’s leadership.

- *Establishing a 5G Fund for Rural America (GN Docket No. 20-32)*: In August, the FCC adopted new rules to advance a \$9 billion initiative to bring voice and 5G services to rural areas unlikely to see unsubsidized deployment, along with a further notice of proposed rulemaking (FNPRM). Although the 5G fund was a Carr priority years ago, he was the sole dissenting vote on the item this year, arguing that the FCC should wait to see where the Broadband Equity Access and Deployment (BEAD) Program funding is allocated, since that information will help determine where and how 5G fund bids should be made. Under Commissioner Carr's leadership, the FCC will likely not issue a further order in response to the FNPRM.
- *Data Caps in Consumer Broadband Plans (WC Docket No. 23-199)*: In October, the FCC voted to adopt a new NOI seeking information about the use of data caps by broadband internet access service providers for both fixed and mobile broadband internet service, as well as the impact of the use of data caps on consumers and competition. Initial comments were due on November 14, and reply comments are due on December 2. The NOI was adopted over a dissent from Commissioner Carr, who characterized it as an attempt to impose the type of rate regulation the FCC specifically promised to forbear from in the *2024 Net Neutrality Order*. Once the comment cycle concludes, the FCC will likely not move forward with any further items on this docket.
- *Priority Application Review for Broadcast Stations That Provide Local Journalism (MB Docket No. 24-14)*: In January, the FCC voted to adopt a Notice of Proposed Rulemaking (NPRM) that would prioritize license application review for broadcasters that provide locally originated programming. Commissioner Carr dissented to the adoption of the item because of its discussion of the 2017 repeal of the main studio rule. It is unlikely that the FCC will advance this proposal under Commissioner Carr's leadership.
- *Promoting Consumer Choice and Wireless Competition Through Handset Unlocking Requirements and Policies (WT Docket No. 24-186)*: In July, the FCC voted to adopt an NPRM proposing new rules that would require all carriers to unlock a handset 60 days after it is activated, unless it was purchased through fraud. Commissioner Carr voted in favor of the NPRM, but did not issue a statement. It is unclear whether advancing such an effort will be a priority for the agency under his leadership.
- *WTB and OET Seek Comment on NextNav Petition for Rulemaking (WT Docket No. 24-240)*: Earlier this year, NextNav filed a petition for rulemaking requesting that the FCC initiate a proceeding to reconfigure the 902-928 MHz Band and adopt new rules

to enable the deployment of a 5G terrestrial positioning, navigation and timing (PNT) network that “complements and backs up” the U.S. Global Positioning System (GPS). The FCC released a public notice soliciting comments on this proposal in September, which was met with an influx of comments from trade associations and commercial industry groups who opposed the plan. Even the National Telecommunications and Information Administration (NTIA) filed comments against the NextNav plan. However, on a recent earnings call, NextNav’s CEO suggested that the incoming Trump administration, and specifically Commissioner Carr, may support advancing the proposal.

## Categories

Policy & Regulation

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