



January 3, 2017

The Honorable Steve Daines  
United States Senate  
320 Hart Senate Office Building  
Washington D.C. 20510

The Honorable Joe Manchin  
United States Senate  
306 Hart Senate Office Building  
Washington D.C. 20510

The Honorable Greg Walden  
United States House of Representatives  
2185 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Dave Loebsack  
United States House of Representatives  
1527 Longworth House Office Building  
Washington, D.C. 20515

Dear Senator Daines, Senator Manchin, Representative Walden and Representative Loebsack:

Thank you for your strong leadership on addressing issues impacting small broadband providers, particularly your work on the Small Business Broadband Deployment Act during the 114<sup>th</sup> Congress. The sound basis for your efforts to provide relief to small broadband providers from the unnecessary enhanced transparency requirements established by the 2015 Open Internet Order is evident from the wide bipartisan, bicameral support the bill has received. Unfortunately, because of unexpected inaction by the Federal Communications Commission, small broadband providers, who make up the majority of our associations, now face the prospect of imminent and irreparable harm from the rules going into effect in less than three weeks. To prevent this unjust outcome, we ask that you act again, and advance legislation relieving small businesses of these burdens as the 115<sup>th</sup> Congress convenes.

As you know, the temporary exemption for small providers expired on December 15, 2016, despite expectations that the exemption would not be permitted to expire without a broader regulatory review. Following expiration of the exemption, and the nearly-simultaneous announcement that approval of the enhanced requirements had been granted by the Office of Management and Budget, the FCC announced that the enhanced transparency rules will take effect on January 17, 2017. FCC Commissioners Ajit Pai and Michael O’Rielly have graciously assured our associations via a letter dated December 19, 2016, that they will not support “any adverse actions against small business providers for supposed non-compliance with the ‘enhanced transparency’ rules after that date,” and will attempt to revisit the requirement “as soon as possible.” This latest assurance is welcomed as our smaller members assess how to deal with the upcoming compliance deadline. However, because agency action can be protracted, as evidenced by the fact the FCC allowed the exemption to expire despite seemingly unanimous support for a further extension, our members seek greater certainty.

We therefore urge Congress to consider resolving this issue immediately to prevent irreversible economic harm to hundreds of small broadband providers. Under your leadership, Congress has demonstrated a strong record of bipartisan support for small business issues, and the current Administration has indicated no opposition in a previous Statement of Administrative Policy with regard to legislation providing relief from the enhanced transparency requirements. We stand ready to support your efforts to advance legislation that will provide certainty to America's small broadband providers and the consumers they serve.

Sincerely,

*/s/ Steven K Berry*

Steven K. Berry  
President & CEO  
Competitive Carriers Association

*/s/ Shirley Bloomfield*

Shirley Bloomfield  
Chief Executive Officer  
NTCA—The Rural Broadband Association

*/s/ Alex Phillips*

Alex Phillips  
President  
Wireless Internet Service Providers Association

*/s/ Matthew M. Polka*

Matthew M. Polka  
President and Chief Executive Officer  
American Cable Association