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Description of document: Written responses and/or letters from the Federal Communications Commission (FCC) to a Congressional Committee or Congressional Committee Chair, 2012-2013

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**Federal Communications Commission**  
**Office of Legislative Affairs**  
**Washington, D.C. 20554**

May 10, 2013

**Office of the Director**

Re: *FOIA Control No. 2013-272*

This letter responds to your Freedom of Information Act ("FOIA") request of April 20, 2013. You requested "one-time type responses to Committee inquiries" from 2012 and 2013 to date. The Commission is not required to, nor does it maintain Congressional logs (email, voicemail, facsimiles, and telephone).

The Office of Legislative Affairs searched its files and located only a few responsive correspondences in the agency records. If you consider this to be a denial of your FOIA request, you may file an application for review with the Office of General Counsel within 30 days of the date of this letter, *see* 47 CFR 0.46(j).

If you have any questions concerning this response, please contact Ms. Alethea Lewis of my office at 202-418-1900.

Sincerely,

A handwritten signature in blue ink that reads "Greg Guice" with "(for Greg Guice)" written in smaller text to the right.

Gregory W. Guice  
Director  
Office of Legislative Affairs



FEDERAL COMMUNICATIONS COMMISSION

April 18, 2013

JULIUS GENACHOWSKI  
CHAIRMAN

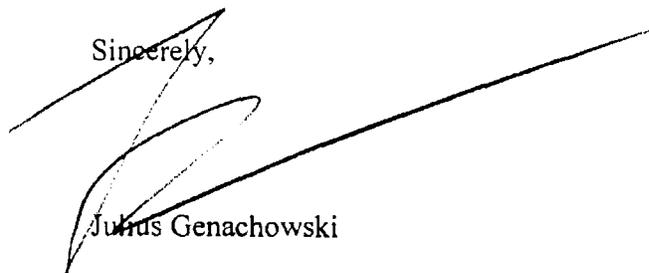
The Honorable Sam Graves  
Chairman  
Committee on Small Business  
U.S. House of Representatives  
2361 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Graves:

Thank you for your letter regarding an extension request for comments in WT 01-289. I appreciate your interest in this matter and am pleased to provide the enclosed letter on this issue from the Chief of the FCC's Wireless Telecommunications Bureau.

If you have any additional questions or need any further assistance, please do not hesitate to contact me.

Sincerely,



Julius Genachowski



Federal Communications Commission  
Washington, D.C. 20554

April 18, 2013

The Honorable Sam Graves  
U. S. House of Representatives  
Committee on Small Business  
2361 Rayburn House Office Building  
Washington, D.C. 20515-6315  
Attention: Joe Hartz

Dear Chairman Graves:

Thank you for your February 26, 2013 inquiry regarding the request for an extension of the comment deadline with respect to the Commission's *Third Further Notice of Proposed Rule Making* in WT Docket No. 01-289, Review of Part 87 of the Commission's Rules Concerning the Aviation Radio Services. Originally, comments and reply comments were due March 1 and March 18, 2013, respectively. On February 25, 2013, the Airline Owners and Pilots Association, Experimental Aircraft Association, General Aviation Manufacturers Association, and National Air Transportation Association requested a 60-day extension of the comment deadline in order to allow more time to review, discuss with their memberships, and respond to the *Third Further Notice of Proposed Rule Making*. On February 27, 2013, the Wireless Telecommunications Bureau's Mobility Division granted the request in part, extending the comment date to April 1, 2013 and the reply comment date to May 1, 2013.

I hope that this letter responds to your inquiry.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ruth Milkman".

Ruth Milkman  
Chief, Wireless Telecommunications Bureau





## FEDERAL COMMUNICATIONS COMMISSION

February 14, 2013

JULIUS GENACHOWSKI  
CHAIRMAN

The Honorable Lee Terry  
U.S. House of Representatives  
2331 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Terry:

Thank you for your letter concerning our Measuring Broadband America (MBA) program. I appreciate the opportunity to address the points you raise. For over two years, almost all major residential broadband providers have chosen to participate in this voluntary program. Through an innovative collaboration between the FCC, industry, and other stakeholders, the program has delivered a comprehensive and rigorous assessment of broadband performance in the United States. The MBA program has been commended by a broad range of voices.

Prior to the MBA program, there were reports of significant gaps between advertised and delivered broadband speeds. In our first report, one large ISP delivered only about 50% of its advertised performance during peak periods. The second MBA report showed that the same ISP had improved to deliver more than 100% of advertised speeds to its customers.

Our most recent report, the third in this series, contains three major findings. First, most broadband providers today closely meet or exceed the speeds they advertise. On average, ISPs delivered 97 percent of advertised speeds during peak periods. One provider in particular improved performance by 13 percent, but other providers still only deliver about 80% of advertised speeds during peak periods. Second, consumers are continuing to upgrade to faster broadband service: nearly half of those consumers who subscribed to speeds of less than 1 Mbps six months ago have now adopted higher speeds. Finally, satellite broadband technology has made significant improvements over the past year, and today delivers speeds well above advertised rates.

SamKnows, our vendor for this project, was selected through an open, competitive bidding process in which the FCC was prohibited by law from discriminating against non-U.S.-based companies. SamKnows submitted the lowest bid, saving taxpayer money, and was uniquely qualified, having successfully conducted a similar groundbreaking testing program in the U.K. As the most recent submission to the Recovery Act Board confirms, a majority of the funds allocated to this project were used to purchase goods and services in the United States, and thereby created jobs in the United States:

SamKnows has a policy of using primarily US suppliers for the delivery of this project, to maximize the effectiveness of the stimulus funds. In this phase of the project SamKnows appointed the following suppliers: NETGEAR, DCL Inc., Hansa GCR, Hostway, FedEx and Calpont. Budget allocated to these suppliers was the equivalent of over 80% of the total budget. SamKnows therefore ensured that the majority of budget was allocated to American companies based in the USA. This created jobs in the US in this period.

Finally, the upcoming addition of mobile broadband testing to this program is being achieved by leveraging our existing infrastructure at no additional cost to taxpayers. We look forward to sharing the results of that report with you when it is complete.

Sincerely,

Julius Genachowski

A handwritten signature in black ink, appearing to be 'JG', with a long horizontal stroke extending to the right.



FEDERAL COMMUNICATIONS COMMISSION

February 14, 2013

JULIUS GENACHOWSKI  
CHAIRMAN

The Honorable Greg Walden  
Chairman  
Subcommittee on Communications and Technology  
Committee on Energy and Commerce  
U.S. House of Representatives  
2125 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Walden:

Thank you for your letter concerning our Measuring Broadband America (MBA) program. I appreciate the opportunity to address the points you raise. For over two years, almost all major residential broadband providers have chosen to participate in this voluntary program. Through an innovative collaboration between the FCC, industry, and other stakeholders, the program has delivered a comprehensive and rigorous assessment of broadband performance in the United States. The MBA program has been commended by a broad range of voices.

Prior to the MBA program, there were reports of significant gaps between advertised and delivered broadband speeds. In our first report, one large ISP delivered only about 50% of its advertised performance during peak periods. The second MBA report showed that the same ISP had improved to deliver more than 100% of advertised speeds to its customers.

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FEDERAL COMMUNICATIONS COMMISSION

February 14, 2013

JULIUS GENACHOWSKI  
CHAIRMAN

The Honorable John M. Shimkus  
U.S. House of Representatives  
2452 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Shimkus:

Thank you for your letter concerning our Measuring Broadband America (MBA) program. I appreciate the opportunity to address the points you raise. For over two years, almost all major residential broadband providers have chosen to participate in this voluntary program. Through an innovative collaboration between the FCC, industry, and other stakeholders, the program has delivered a comprehensive and rigorous assessment of broadband performance in the United States. The MBA program has been commended by a broad range of voices.

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FEDERAL COMMUNICATIONS COMMISSION

February 14, 2013

JULIUS GENACHOWSKI  
CHAIRMAN

The Honorable Fred Upton  
Chairman  
Committee on Energy and Commerce  
U.S. House of Representatives  
2125 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Upton:

Thank you for your letter concerning our Measuring Broadband America (MBA) program. I appreciate the opportunity to address the points you raise. For over two years, almost all major residential broadband providers have chosen to participate in this voluntary program. Through an innovative collaboration between the FCC, industry, and other stakeholders, the program has delivered a comprehensive and rigorous assessment of broadband performance in the United States. The MBA program has been commended by a broad range of voices.

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Sincerely,

Julius Genachowski

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FEDERAL COMMUNICATIONS COMMISSION

December 26, 2012

JULIUS GENACHOWSKI  
CHAIRMAN

The Honorable Henry A. Waxman  
Ranking Member  
Committee on Energy and Commerce  
U.S. House of Representatives  
2322 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Waxman:

Thank you for your letter urging Commission action on two petitions for rulemaking regarding rates charged for inmate calling services. I certainly value your views on this issue and I have circulated a Further Notice of Proposed Rulemaking to my colleagues that addresses the pending petitions. Your letter will be included in the record of the proceeding and considered as part of the Commission's review.

Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to be "JG", written over a horizontal line.

Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

December 26, 2012

JULIUS GENACHOWSKI  
CHAIRMAN

The Honorable Bobby L. Rush  
U.S. House of Representatives  
2268 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Rush:

Thank you for your letter urging Commission action on two petitions for rulemaking regarding rates charged for inmate calling services. I certainly value your views on this issue and I have circulated a Further Notice of Proposed Rulemaking to my colleagues that addresses the pending petitions. Your letter will be included in the record of the proceeding and considered as part of the Commission's review.

Please let me know if I can be of any further assistance.

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Julius Genachowski

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