



## **ACA Connects Member Alert**

### **Chairman Pai Extends Keep Americans Connected Pledge Through End of June 2020**

#### ***ACA Connects Members Who Took the Pledge Have Until May 12 to Decide Whether They Will Extend It or Not***

On April 30, FCC Chairman Pai [announced](#) extension of the Keep Americans Connected Pledge through June 30, 2020. Individual ACA Connects members who took the pledge, and elect not to extend it beyond May 12, have until that date to provide notice; absent such notice, the FCC will deem operators who previously took the pledge as extending it until the end of June. Please notify ACA Connects of your election decision no later than noon EDT on May 12 by emailing Mike Jacobs, ACA Connects' VP of Regulatory Affairs at [mjacobs@acaconnects.org](mailto:mjacobs@acaconnects.org), and ACA Connects will notify the FCC on your behalf.

#### **Background**

In response to the COVID-19 pandemic, on March 13, 2020, Chairman Pai [launched the Keep Americans Connected Pledge](#). ACA Connects immediately endorsed the pledge, and within a few weeks, [nearly 200 ACA Connects members had taken the pledge](#). Dozens more also heeded Chairman's Pai call to take additional steps to ensure that Americans, especially low-income American families and veterans, remain connected.

#### **FCC Chairman Pai Extends the Pledge**

With the 60-day term of the initial pledge set to expire on May 12, 2020, on April 30, Chairman Pai announced that the FCC will extend the pledge through June 30, 2020, and urged providers who took it previously to continue abiding by the pledge's terms through that date. The announcement acknowledged that "[w]hile the FCC encourages all providers that have signed the pledge previously to extend their commitments to June 30, we understand that some providers, particularly those in small markets and rural areas, may not be able to do so as a result of financial challenges." In response to Chairman Pai's announcement, ACA Connects issued a [statement](#) noting that all of its members have been and will continue to be looking out for their customers and communities until June 30 and beyond, including those who did not initially take the pledge and those who choose not to extend it.

## **ACA Connects Members Must Decide Whether to Extend the Pledge by May 12**

The FCC has requested that all providers who took the pledge notify it should they choose not to extend the pledge's terms beyond May 12, 2020.

ACA Connects recognizes the difficulty of this decision for some ACA Connects members. As the Chairman noted, some providers, especially in small markets and rural areas, have suffered or may suffer financial challenges due to the pledge, and an extension of the pledge would exacerbate these harms. At the same time, an operator choosing not to extend the pledge may suffer significant reputational damage. Moreover, in light of [27 State Attorneys General sending a letter to Chairman Pai](#) requesting that he extend the pledge and impose additional commitments on operators, those operators not extending the pledge could lead State and local governments to adopt executive orders or laws requiring all operators in their respective regions to abide by the pledge's terms anyway, or even more onerous obligations. ACA Connects members should carefully weigh these factors in their own decision making, and how the decision, in combination with the decisions of other providers in their regions, may reflect on the industry as a whole.

Many large broadband providers have announced publicly they will be extending the pledge. Some ACA Connects members have done the same, and we believe others will follow suit. ACA Connects intends to continue endorsing the pledge as well, but ACA Connects' position does not prevent any individual member from choosing not to extend it.

*Members Opting Out.* The FCC's announcement states that providers wishing to opt out of the extension should let the FCC know by May 12. *The Chairman's Office has encouraged ACA Connects to aggregate and send it notifications of any ACA Connects members that wish to opt out.* Therefore, if your company is opting out from extending the pledge, please inform Mike Jacobs, ACA Connects Vice President of Regulatory Affairs, at [mjacobs@acaconnects.org](mailto:mjacobs@acaconnects.org) no later than noon EDT on May 12. **If you do not let ACA Connects (or the FCC) know by May 12 that you are opting out, the FCC will assume you are extending the pledge, and will continue to publicly list you as doing so.**

*Members Extending the Pledge.* Even if your company is extending the pledge, for tracking purposes it would be helpful for you to inform Mike Jacobs, ACA Connects Vice President of Regulatory Affairs, at [mjacobs@acaconnects.org](mailto:mjacobs@acaconnects.org) no later than noon EDT on May 12. There is no need to inform the FCC if you are extending the pledge, but ACA Connects is happy to tout to the FCC our members who are doing so, and we encourage you to announce it publicly at least in the same manner that you announced your taking of the initial pledge.

### **For Additional Information**

Information on the Keep Americans Connected Pledge is posted on the FCC's website at <https://www.fcc.gov/keep-americans-connected>. You may also contact Mike Jacobs, ACA Connects Vice President of Regulatory Affairs, at [mjacobs@acaconnects.org](mailto:mjacobs@acaconnects.org) with any questions about this alert.

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