

# United States Senate

WASHINGTON, DC 20510-4805

April 6, 2022

The Honorable Jessica Rosenworcel  
Chairwoman  
Federal Communications Commission  
45 L St NE  
Washington, DC 20002

Dear Chairwoman Rosenworcel,

We all know that Americans rise to the occasion when given the chance, willing to take on any challenge. This applies to rural Americans in West Virginia and elsewhere. However, they are at risk of missing out on opportunities and falling behind because of a lack of broadband access. We appreciate the Federal Communications Commission ("the Commission") recognizing the importance of these issues and contemplating reforms to make it easier and faster to build out broadband infrastructure – especially in unserved and underserved communities. My constituents are counting on these commonsense policies to help bring broadband – and all its benefits – within their reach.

West Virginians did not need the COVID-19 pandemic to know that the lack of broadband access is a challenge. However, the past two years have turned this challenge into a full-blown crisis. With the pandemic shifting huge parts of daily life online – including education, employment, and health care – the lack of broadband access has hurt tens of thousands of West Virginians.

There are many reasons for the stubborn lack of broadband access in rural communities, but with recent congressional action, funding is no longer one of them. I strongly supported the broadband funding in the various pandemic relief bills and the recent bipartisan infrastructure bill that allocated \$65 billion specifically for broadband expansion. Yet while Congress and the Commission move to connect every West Virginian to an online future, outdated regulations still stand in the way.

To its credit, the Commission knows there is an urgent need for change and recently released a Further Notice of Proposed Rulemaking that considers one of the most significant barriers to broadband deployment in unserved areas, the process of replacement and attachment of utility poles. Reforms are needed to ensure better, fairer rules, speed up deployment, and more equitably distribute costs between broadband providers and pole owners when poles need to be replaced. The high costs and long waits imposed by pole owners on broadband providers slow down broadband expansion in rural America. Enacting commonsense reforms that promote fair

WASHINGTON, DC

172 RUSSELL SENATE OFFICE BUILDING  
WASHINGTON, DC 20510  
(202) 224-6472

CHARLESTON

500 VIRGINIA STREET, EAST  
SUITE 950  
CHARLESTON, WV 25301  
(304) 347-5372

MARTINSBURG

300 FOXCROFT AVENUE  
SUITE 202A  
MARTINSBURG, WV 25401  
(304) 262-9285

MORGANTOWN

48 DONLEY STREET  
SUITE 504  
MORGANTOWN, WV 26501  
(304) 292-2310

and timely access to poles will ensure broadband access expands into our country's rural and hard-to-reach areas.

Rural Americans need swift action on broadband buildout solutions. I am ready and willing to continue working with the Commission to ensure that support is quickly put to good use. Your initial steps on pole attachment reform are heartening.

I look forward to working with you to see this effort through so West Virginians and everyone in unserved areas have broadband access as quickly as possible.

West Virginia should not consistently be at risk of falling behind due to a lack of broadband access. Just the opposite: we should be pushing ahead, faster than ever. Thank you for considering reforms that will make this vision a reality.

Sincerely,

A handwritten signature in blue ink that reads "Shelley Moore Capito". The signature is written in a cursive, flowing style.

Shelley Moore Capito  
United States Senator