

COVID-19: What Communications Service Providers Need to Know – July 13, 2020

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As the COVID-19 pandemic rapidly unfolds, the Federal Communications Commission (“FCC”) has been active to keep communications services available through various waivers, extensions, and other regulatory relief. Kelley Drye’s Communications Practice Group is tracking these actions and what they mean for communications service providers and their customers. CommLaw Monitor will provide regular updates to its analysis of the latest regulatory and legislative actions impacting your business and the communications industry. Click on the [“COVID-19”](#) blog category for previous updates.

If you have any urgent questions, please contact your usual Kelley Drye attorney or any member of the Communications Practice Group. For more information on other aspects of the federal and state response to the COVID-19 pandemic, as well as labor and employment and other issues, please visit Kelley Drye’s [COVID-19 Response Resource Center](#).

FCC Approves Final Set of COVID-19 Telehealth Program Applications

On July 8, 2020, the FCC’s Wireline Competition Bureau [approved 25 additional funding applications](#) for the COVID-19 Telehealth Program. Under the latest funding round, \$10.73 million will go to health care providers across 19 states and Guam. Since the start of Program funding on [April 16](#), the FCC approved 539 applications in 47 states plus Washington, D.C. and Guam for a total of \$200 million in funding — the amount of money appropriated by Congress for the Program in the [CARES Act](#). There are no immediate plans to provide additional funding for the Program.

FCC Grants Section 106 Emergency Authorization for AT&T

On July 10, 2020, the FCC’s Wireless Telecommunications Bureau (“WTB”) [granted via email](#) AT&T’s request for an emergency Section 106 authorization. Section 106 of the National Historic Preservation Act requires the FCC to account for the effect of any proposed “undertakings” on historic properties, including construction or collocation of wireless communications facilities. On June 25, 2020, the WTB issued a [Public Notice](#) (DA 20-668) announcing an electronic process for FCC licensees to apply for expedited Section 106 review or for emergency Section 106 authorization to resume standard review for qualifying critical infrastructure projects. On July 6, 2020, AT&T [requested](#) an emergency authorization under this process for seven priority public safety projects.

Groups Ask Congress to Extend Rural Tribal Priority Window

On July 7, 2020, more than a dozen groups [sent a letter](#) urging Congress to extend the 2.5 GHz band rural tribal priority application window until February 1, 2021, citing the “significant impact the

COVID-19 crisis has had on American Indian Tribes.” The [Rural Tribal Priority Window](#) allows Tribes in rural areas to directly access unassigned spectrum in the 2.5 GHz band, subject to buildout requirements. The Window opened Monday, February 3, 2020, and currently is scheduled to close on Monday, August 3, 2020. Public Knowledge, the National Hispanic Media Coalition, the Benton Institute for Broadband and Society, and New America’s Open Technology Institute were among the groups asking Congress to require the FCC to extend this deadline for 180 days until February 1, 2021.