

COVID-19: What Communications Service Providers Need to Know – May 18, 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 Latest Set of COVID-19 Telehealth Program Applications, Bringing Approvals to \$33 million

On May 13, 2020, the FCC’s Wireline Competition Bureau (“WCB”) [approved 33 funding applications](#) for the COVID-19 Telehealth Program. Under the latest funding round, \$8.36 million will go to health care providers across 18 states for telehealth services during the pandemic. With this latest set of application, the [FCC’s COVID-19 Telehealth Program](#) has approved and funded 82 health care providers in 30 states for a total of \$33.26 million in funding. Congress authorized up to \$200 million in funding for the program.

Over 750 Providers Extend Keep Americans Connected Pledge

On May 14, 2020, the FCC announced that [774 broadband and telephone service providers](#) have taken the Keep Americans Connected Pledge and extended that commitment through June 30, 2020. On April 30, 2020, Chairman Pai [announced he was extending the Pledge](#), originally set to expire on May 12, to June 30. Since Pai’s announcement, the number of companies covered by the Pledge has increased, as more companies have signed onto the Pledge for the first time than declined to extend it. The pledge involves service providers committing to not terminate service, to waive late fees for residential and small business customers who cannot pay during the pandemic, and to make their Wi-Fi hotspots available to any American who needs them.

In the latest episode of [Kelley Drye's Full Spectrum podcast](#), we discuss the unique issues the Keep Americans Connected Pledge creates in a bankruptcy proceeding involving an affected customer. [Click here](#) to listen.

Consumer and Government Affairs Bureau Extends Temporary Waivers for Relay Services Rules

On May 14, 2020, FCC's Consumer and Governmental Affairs Bureau [extended temporary waivers](#) (DA 20-517) through June 30, 2020 for Telecommunications Relay Service ("TRS") providers to ensure relay services remain available for individuals who are deaf, hard of hearing, deafblind, or have a speech disability. These waivers [extend actions previously](#) taken to grant TRS providers flexibility.

WTB Permits More WISPs to Use 5.9 GHz Spectrum on a Temporary Basis

Last week, the FCC's Wireless Telecommunications Bureau ("WTB") granted requests by [United Wireless Communications, Inc.](#) and [Comcell, Inc.](#) for emergency Special Temporary Authority ("STA") to operate in the 5850-5895 MHz band to provide relief during the pandemic. The grants are for a period of 60 days, provided the applicant files a complete FCC Form 601 application within 10 days. These actions are part of the FCC's [continued effort](#) to improve communications and broadband service in rural and other hard-to-serve areas during the pandemic.

WTB Grants GE Healthcare Waiver to Expedite Medical Equipment from New Suppliers

On May 11, 2020, the WTB [granted GE Healthcare's request for a waiver](#) (DA 20-489) to allow the importation, marketing, and operation of certain GE medical devices, including wearable patient monitors, diagnostic testing systems, and portable x-rays. The action will enable GE Healthcare to overcome disruptions in the medical device supply chain. Without the waiver, many of GE's devices that are sourced from new suppliers or that contain new components would have required prior FCC equipment certification.