CTIA filed a lawsuit against the Kentucky 911 Services Board last Tuesday, alleging that the Board is illegally diverting funds from the Lifeline program to the state’s 911 services. Kentucky Gov. Andy Beshear signed a bill in March that required Lifeline providers to pay a $0.70 fee per subscriber each month to the 911 Services Board, even if the subscriber receives free service. CTIA claims that federal law prohibits the state from requiring providers to remit a state or local tax on behalf of
any other person unless it is in connection with a financial transaction. CTIA argues that providers do not receive money or other compensation from Lifeline subscribers in connection with a financial transaction.

California AG Releases Long-Awaited CCPA Final Regulations

On June 1, 2020, California Attorney General Xavier Becerra submitted the final package of regulations implementing the California Consumer Privacy Act (CCPA) to the California Office of Administrative Law (OAL) for approval. The regulations reflect key CCPA compliance obligations for businesses, including specific actions that must be taken to allow consumers to exercise their rights under the law. Substantively, the regulations remain unchanged from the last draft submitted in March of this year. To learn more about the final regulations and what businesses might expect in terms of CCPA enforcement, read our analysis here.

Executive Order Expedites Infrastructure Development

President Donald Trump issued an Executive Order on Thursday aimed at expediting the approval of infrastructure projects to stimulate economic growth in light of the pandemic. The Executive Order directs agencies to speed up infrastructure investments and siting projects. It permits agencies to use emergency provisions in the National Environmental Policy Act (NEPA), Endangered Species Act (ESA), and other federal laws to exempt projects from certain environmental review requirements and use alternative processes.

Lifeline Temporary Waiver for Rural Tribal Areas

The FCC issued an Order last Monday temporarily waiving certain application and enrollment process requirements for consumers who reside in rural Tribal areas in light of the pandemic. Under FCC rules, if a consumer’s application fails an automated check to confirm the consumer’s qualification, they must submit supporting documents. The Order waives that requirement until August 31, 2020, and permits providers to begin offering service to such consumers. The Commission also extended its waivers of the Lifeline program’s recertification, reverification, general de-enrollment, usage, and income documentation requirements through August 31.

June Open Meeting

Last Tuesday, the FCC issued a Sunshine Notice announcing the items it will consider at its Open Meeting on June 9. Among the items is a Public Notice establishing procedures for the RDOF Phase I auction (Vol. XVII, Issue 21), which will make up to $16 billion in support over ten years for broadband deployment in unserved areas. The Commission will also consider a Declaratory Ruling and Notice of Proposed Rulemaking that seeks to clarify Section 6409(a) of the Spectrum Act of 2012 and a Notice of Proposed Rulemaking and Order that would explore innovative new uses of the 70, 80, and 90 GHz bands.

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