



PUBLIC NOTICE

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**BROADBAND DATA TASK FORCE AND OFFICE OF ENGINEERING AND TECHNOLOGY
SEEK COMMENT ON GEORGIA INSTITUTE OF TECHNOLOGY'S THIRD-PARTY
MOBILE SPEED TEST APP**

**ET Docket No. 24-2
WC Docket No. 19-195
ET Docket No. 22-152**

Comments Due: October 17, 2024

Reply Comments Due: November 1, 2024

By this *Public Notice*, the Broadband Data Task Force (BDTF) and the Office of Engineering and Technology (OET) seek comment on an application for approval of the Georgia Institute of Technology's (Georgia Tech) third-party mobile speed test app for use in the FCC's Broadband Data Collection (BDC) mobile challenge process. In conjunction with this *Public Notice*, the BDTF and OET will publish information regarding approved third-party speed test apps and available data specifications on the Broadband Data Collection page on the Commission's website at <https://www.fcc.gov/BroadbandData/third-party-mobile-speed-test-apps>.¹

In the *Third-Party App Procedures Public Notice*, OET adopted procedures for third-party mobile speed test application developers to submit, for OET review and approval, proposals for mobile speed test applications for use in collecting and submitting mobile network performance data as part of the BDC.² On July 10, 2024, in accordance with the procedures set forth in the *Third-Party App Procedures Public Notice*, Georgia Tech submitted an application to OET for approval of the mobile speed test app

¹ See *Establishing the Digital Opportunity Data Collection*, WC Docket No. 19-195, Order, 37 FCC Rcd 3007, 3022, para. 25 (WTB/OEA/OET 2022) (*BDC Mobile Technical Requirements Order*); FCC, *Data Specifications for Mobile Speed Test Data* (2022), <https://us-fcc.app.box.com/v/bdc-mobile-speedtest-spec>.

² *Broadband Data Task Force and Office of Engineering and Technology Announce Procedures for Third-Party Mobile Speed Test Applications Seeking Approval for Use in the FCC's Broadband Data Collection*, WC Docket No. 19-195, ET Docket No. 22-152, Public Notice, 37 FCC Rcd 5004, 5004, para. 1 (OET 2022) (*Third-Party App Procedures Public Notice*). In the *BDC Third Report and Order*, the Commission adopted a requirement that consumers submitting on-the-ground data to challenge the availability and quality of service of mobile wireless broadband coverage data do so "us[ing] a speed test application that has been designated by OET, in consultation with OEA and WTB, for use in the [mobile] challenge process." *Establishing the Digital Opportunity Data Collection; Modernizing the FCC Form 477 Data Program*, WC Docket Nos. 19-195, 11-10, *Third Report and Order*, 36 FCC Rcd 1126, 1166, para. 103 (2021) (*BDC Third Report and Order*). Additionally, the Commission specified that "applications approved by OET for collecting consumer challenges must automatically collect [specific] information associated with each speed test . . . [and] designated applications must allow consumer challengers to submit all of the information required to support a challenge directly to the Commission from their mobile device." *Id.* at 1166-67, para. 103.

“CellWatch v1.0” to collect and submit BDC mobile challenge data.³ As part of its application, Georgia Tech submitted a proposal (in the template set forth in Appendix A of the *Third-Party App Procedures Public Notice*),⁴ beta version of the app, sample test data, and a privacy policy for the app.⁵

OET has conducted an initial review of the proposal and finds that Georgia Tech has provided sufficient information and details related to the various requirements to warrant public comment on the proposal prior to approval.⁶ Interested parties may review the proposal, including a beta version of the app, test data results, and privacy policy, and may file comments and reply comments in ET Docket No. 24-2.⁷ As discussed in the *Third-Party App Procedures Public Notice*, comments on third-party app proposals should address technical deficiencies in the submission(s), including whether any required information is missing from the proposal (notwithstanding OET’s initial review); whether the proposed test system architecture would prevent the Commission, mobile broadband service providers, or other interested parties from reliably receiving the data needed to adjudicate a challenge or evaluate mobile crowdsourced submissions; whether the proposal fails to satisfy applicable privacy, security, or other policy requirements; or whether the proposal has any other shortcomings of the requirements as described in OET Bulletin 75.⁸ We also encourage commenters to provide information or comments on specific testing methodologies underlying the third-party app, which OET may consider as part of its evaluation and review of the third-party app proposal.⁹

We note that Georgia Tech has submitted only a beta version of the app, and has not made a production version of the app available for download. As a result, any approval of the CellWatch v1.0 app by OET will be conditional and subject to submission of the production version of the app and review by OET to ensure that it complies with applicable technical requirements.¹⁰ Please note that the version of the app available for review is an app developed by a third party and not the FCC; while the FCC has reviewed the privacy policy for completeness against our requirements, we have not independently validated the claims, and the FCC is not responsible for the performance or security of the current version of the app. Once approved and designated by OET for use in the BDC mobile challenge process, the

³ Application of Georgia Institute of Technology, ET Docket No. 22-152 (filed July 10, 2024), <https://www.fcc.gov/ecfs/search/search-filings/filing/10710974725173> (Georgia Tech Application); see *Third-Party App Procedures Public Notice*, 37 FCC Rcd at 5006-10, paras. 6-15 (setting forth procedures for third-parties to submit to OET application proposals seeking approval of their app for the collection and submission of mobile BDC challenge data). The Georgia Tech mobile speed test app will collect data for the mobile challenge process. Georgia Tech Application at 4. It will not collect data for the mobile crowdsource process. See *id.*

⁴ *Third-Party App Procedures Public Notice*, 37 FCC Rcd at 5014-15, Appx. A.

⁵ See Georgia Tech Application.

⁶ *Third-Party App Procedures Public Notice*, 37 FCC Rcd at 5010, para. 16.

⁷ See *Id.* at 5010-11, paras. 16-17. Interested parties can find the *proposal*, privacy policy, and sample data at <https://www.fcc.gov/ecfs/search/search-filings/filing/10710974725173>. A link to download the beta version can be found in section C of the proposal document.

⁸ *Id.* at 5011, para. 20.

⁹ *Id.*

¹⁰ *Id.* at 5010-11, para. 17. To the extent that the production version deviates from the conditionally approved beta version, it will be subject to either the minor change or major change procedures set forth in the *Third-Party App Procedures Public Notice and OET Bulletin 75*. *Id.* at 5011, paras. 18-19; Office of Engineering and Technology, OET Bulletin: Broadband Data Collection Program: Third-Party Speed Test Mobile Application Approval Process Guidance (2022), <https://www.fcc.gov/sites/default/files/oet75.pdf>.

CellWatch v1.0 app would be approved for use in the BDC mobile challenge process for a term of five years.¹¹

Concurrent with this announcement of the first proposal for approval of a third-party app, BDTF and OET are publishing a webpage for noticing approved third-party speed test apps, which can be found at: <https://www.fcc.gov/BroadbandData/third-party-mobile-speed-test-apps>. A list of approved third-party speed test apps, as well as any available data specifications for third-party apps, will be available on this webpage.¹² The webpage will also identify any approved third-party speed test apps whose approval term has expired or that have requested that the FCC discontinue their participation in the BDC program.¹³

Comment Filing Procedures. Interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) in ET Docket No. 24-2.

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.
- Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. **All filings must be addressed to the Secretary, Federal Communications Commission.**
- Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial courier deliveries (any deliveries not by the U.S. Postal Service) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street NE Washington, DC 20554

People with Disabilities. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice).

Ex Parte Rules. The proceeding this Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the

¹¹ *Third-Party App Procedures Public Notice*, 37 FCC Rcd at 5012, para. 23.

¹² *Id.* at 5011, para. 22 (citing *BDC Mobile Technical Requirements Order*, 37 FCC Rcd at 3022, 3072, paras. 25, 122).

¹³ *Id.* at 5012, para. 25.

presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Further Information. Questions regarding this *Public Notice* may be directed to Janet Moran at janet.moran@fcc.gov or 202-418-7923.

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