

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Empowering Broadband Consumers Through Transparency)	CG Docket No. 22-2
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Delete, Delete, Delete)	GN Docket No. 25-133

**COMMENTS OF PUBLIC KNOWLEDGE, NATIONAL DIGITAL INCLUSION
ALLIANCE, OPEN TECHNOLOGY INSTITUTE AT NEW AMERICA, NATIONAL
CONSUMER LAW CENTER, BENTON INSTITUTE FOR BROADBAND & SOCIETY,
AND THE LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS**

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I. Introduction

Public Knowledge, National Digital Inclusion Alliance, Open Technology Institute at New America, National Consumer Law Center, Benton Institute for Broadband & Society, and The Leadership Conference on Civil and Human Rights (“Joint Commenters”) submit these comments in response to the Federal Communications Commission’s (“FCC” or “Commission”) Second Further Notice of Proposed Rulemaking (“FNPRM”) in the above-referenced proceedings.

As an increasing number of people in the United States face economic peril due to the growing affordability crisis, the Commission has an opportunity and obligation to restore trust and consumer confidence by ensuring that consumer broadband labels are transparent, accurate, and accessible. As Public Knowledge previously stated before the Commission, the broadband consumer labels, Section 706 report, and truth-in-billing proceedings are not isolated issues

before the Commission.¹ They are deeply interconnected levers that can determine if consumers are empowered or exploited. Unfortunately, the Commission’s proposed changes to the broadband consumer labels are not about fixing what is broken. They are instead about making the problem of junk fees, hidden charges, and difficult-to-understand billing worse, which could result in the widening of the digital divide. The Commission must not weaken oversight by allowing ISPs to operate without transparency, evade accountability, and entrench abusive practices. Below, the Joint Commenters emphasize that consumer protection requirements must center accountability and transparency. Additionally, we provide concrete recommendations for the Commission to engage in a robust review and reporting process on if the current requirements are functioning as intended and ways they could be improved for consumers.

I. Broadband Labels Must Center Consumer Needs

Claims that consumer protections are overly burdensome should not be confused with corporate reluctance to absorb modest costs or adjust internal practices. Attempts to frame very basic transparency and accountability requirements as regulatory overreach impacts consumers’ ability to meet their communications needs. The Commission has a responsibility to protect consumers and promote equitable access to communications services.² It would be more constructive for the Commission to assess provider compliance rather than entertaining self-serving claims that aim to minimize accountability.

The elimination of broadband label compliance requirements is particularly of concern at a time when affordable, reliable access to the internet has become so essential to daily life. The

¹ See Letter from Public Knowledge to Marlene H. Dortch, Secretary, FCC, CG Docket No. 22-2, GN Docket No. 25-133, at 2-3 (filed October 20, 2025)

<https://www.fcc.gov/ecfs/document/1020758806663/1>.

² 47 U.S.C. § 254.

absence of transparency standards impacts consumers' ability to comparison shop effectively, which undermines their ability to budget effectively for this critical service that determines access to education, employment, healthcare, and civic participation. In addition, eliminating common sense requirements, which impose no great burden on providers, reduces consumers' ability to make informed decisions. For example, removing the requirement that providers offer labels in any language they market their service in merely serves to withhold relevant information from already vulnerable consumers in service of removing an inconsequential burden on providers (who conduct the research needed to advertise to those communities regardless).³ Similarly, requiring that labels be offered in machine readable format directly and clearly benefits consumers by aiding in the development of comparison shopping tools and aggregate market research. Older adults, people with disabilities, and low-income communities are the populations who are at greatest risk of being burdened by information gaps and predatory pricing.

II. Telephone-Based Disclosures Remain Essential to Informed Consumer Decision-Making

Communities that are newly introduced to broadband services often face challenges with digital literacy and navigating online information. Online interactions are increasingly complex, and pervasive tracking technologies and AI-driven chatbots can make navigating information confusing and intimidating. While many consumers shop for broadband services through websites due to convenience, telephone-based interactions remain an important avenue to ensure these populations can obtain the information necessary to understand essential information such

³ See Tri-Caucus Letter to FCC re: Multilingual Broadband Labels (December 3, 2025), <https://barragan.house.gov/wp-content/uploads/2025/12/2025-12-03-Tri-Caucus-Letter-to-FCC-Re-Multilingual-Broadband-Labels.pdf>.

as pricing, performance standards, and terms of service. Indeed, the customers most likely to contact ISPs are those who are least digitally literate and, if anything, have a greater need for comparative information. Further, even if phones are not the primary channel, they still serve as a critical safety net that supports informed decision-making.

Telephone-based interactions with providers also serve as an important safeguard against scams and misleading offers that may reach consumers via mailers, e-mail, text messages, fake/scam websites, or robocalls. The Commission itself issued a consumer warning ahead of the December 2025 holiday season where they encouraged consumers to “call back using publicly available contact information” when they suspect a call or message may be fraudulent.⁴ This recommendation highlights the importance of having a reliable, human interaction for verifying information and resolving questions, especially for populations that struggle with online platforms. If the FCC recognizes that phone interactions are critical for safeguarding our most vulnerable consumers from scams, it is easy to see that telephone-based access to broadband labels and service disclosures is also important. Similarly, AARP, which has approximately 38 million members, has issued guidance on protecting 50+ year olds from scams through the instruction to “call a number from an existing statement to see if there is an issue.”⁵ The elimination of this option would put a substantial portion of the population at risk of being excluded from making informed decisions about broadband services. This sentiment was echoed in a December letter to the Commission led by nine U.S. Senators in which they stated, “this change would create a two-tier system that disadvantages the Americans who can least afford

⁴ Federal Communications Commission, FCC Encourages Consumers to Be Aware of Delivery and Charity Scams, (December 15, 2025), <https://www.fcc.gov/document/fcc-encourages-consumers-be-aware-delivery-and-charity-scams>.

⁵ AARP, (January 18, 2019), “How to Spot a Phone Scam,” <https://www.aarp.org/money/scams-fraud/phone/>.

confusion about the services they are purchasing.”⁶ We agree with this assessment and urge the Commission to consider a proposal raised by New America’s Open Technology Institute in this proceeding, which states that the Commission could “clarify that providers must disclose broadband plan details in a manner consistent with the structure and substance of the labels, without requiring a verbatim recitation.” This would ensure that consumers receive standardized, meaningful disclosures.⁷

III. The Commission Should Preserve Itemized Fee Disclosures as a Core Consumer Protection

The Joint Commenters disagree with the proposal to eliminate the requirement that providers itemize discretionary, recurring monthly fees. This proposal would strip consumers of critical pricing transparency and invite providers to mask charges they choose to pass along to consumers. Allowing providers to forgo itemization is similar to permitting hospitals to send bills to patients with no explanation of charges, medication, or facility fees. Eliminating itemized statements would deprive consumers of the ability to meaningfully assess and, if necessary, dispute bills—in other words, to maintain an informed view into where their dollars are going. This technically means there is no principled limit on what new fees the provider may impose next and how those charges could be included in an increasingly expensive broadband bill. As public interest commenters stated, “weakening this requirement would invite mischief, lead to bill shock, and undermine competition.”⁸

⁶ See Sens. Schiff, Luján, Klobuchar Colleagues Blast FCC Efforts to Strip Broadband Price Transparency Labels for Consumers, Demand Reversal (December 17, 2025), <https://www.schiff.senate.gov/news/press-releases/news-sens-schiff-lujan-colleagues-blast-fcc-efforts-to-strip-broadband-price-transparency-labels-for-consumers-demand-reversal/>.

⁷ Letter from New America’s Open Technology Institute, NDIA, https://d1y8sb8igg2f8e.cloudfront.net/documents/OTI_Ex_Parte_Gomez_22-2_10-21-2025.pdf

⁸ *Id.*

Research shows that 4 in 10 low-income households are already subscription-vulnerable or those who lose service intermittently due to job loss or reduction in work hours.⁹ Additionally, a recent analysis of the FCC’s Urban Rate Survey (URS) data shows that the broadband marketplace has grown increasingly complex and more expensive at the high-end of offerings, while low-cost plans quietly disappear.¹⁰ In 2025, just 3% of offerings were priced at \$30 or less, down from 9% when the Affordable Connectivity Program existed. This leaves budget-constrained households with fewer realistic choices. Broadband labels are essential for cutting through confusion by giving consumers clear, standardized, and comparable information about prices, speeds, and terms, which is especially necessary for those on tight budgets. Without transparency, consumers risk being steered into plans they cannot afford, and this is concerning given economic pressures and cost-of-living challenges for low to moderate income households.

IV. The Commission Must Act to Improve Broadband Labels Through Evidence and Enforcement.

Before making changes to the consumer broadband labels, the Commission should undertake a review of the existing complaint record to determine whether these requirements are actually functioning as intended. The Commission cannot credibly claim that certain disclosures are unnecessary without first examining the evidence of consumer harm in its own complaint system. A decision to eliminate requirements without a foundational investigation is not aligned with evidence-based policymaking.

⁹ John Horrigan (April 2025), “One More Thing: The ACP Boosted Rural Adoption and Helped to Keep the Subscription Vulnerable Online,” Benton Institute for Broadband & Society, <https://www.benton.org/sites/default/files/One-More-Thing.pdf>.

¹⁰ *Id.*

As the National Digital Inclusion Alliance has previously stated, the Commission should establish a dedicated staff group equipped with responsibilities, capacities, and tools to receive and investigate consumer complaints about provider labels and identify patterns of non-compliance.¹¹ This team can then conduct regular reviews as well as periodic formal audits of service providers' disclosures. After such a system has been operating transparently and has generated meaningful data, the Commission can make an informed judgement about what requirements serve consumers and which do not.

Additionally, the Commission should actively solicit feedback from the public through field hearings to hear directly from those most impacted by the proposed changes. This kind of participatory process is critical as it allows for the Commission to make a consequential decision that centers real-world experiences of the consumers the agency is charged with protecting.

V. Conclusion

At a time when access to affordable, reliable broadband is inseparable from economic opportunity, healthcare, and civic participation, the Commission's role is to ensure the needs of consumers are centered. Telephone-based disclosures remain a critical safeguard for informed decision-making and fraud prevention while itemized fee disclosures are essential to preventing bill shock and enabling accountability in an increasingly complex broadband marketplace. Rather than dismantling core protections, the Commission should improve compliance, strengthen oversight, and ground future changes in evidence from consumer complaints, audits, and direct engagement with the country's most vulnerable consumers.

For these reasons, Public Knowledge and the Joint Commenters urge the Commission to preserve robust, accessible, and standardized broadband label requirements, and we reject

¹¹ Comments of the National Digital Inclusion Alliance in GN Docket 22-2 (March 9, 2022), <https://www.digitalinclusion.org/wp-content/uploads/2022/03/Broadband-Consumer-Labels-Comments-N-DIA-3.9.22-2.pdf>.

proposals that would reduce transparency and accountability. It is time for the Commission to restore trust with the public by protecting consumers from abusive practices and by advancing the Commission's statutory obligation to promote equitable access to essential communications services for all.

/s/
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