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NACEPF, Mobile Beacon Respond to FCC's Notice of Apparent Liability

Johnston, RI (January 7, 2021) - The North American Catholic Education Programming Foundation Inc. (NACEPF) and Mobile Beacon are astonished that the Federal Communications Commission (FCC) has moved forward with a Notice of Apparent Liability (NAL) alleging that NACEPF failed to meet certain educational requirements, which the FCC voted to rescind over a year ago. Among many other flaws, the NALs ignore NACEPF's well established and proven track record of working with local schools and providing robust educational benefits both in its FCC-licensed markets and throughout the United States.

NACEPF's broadband service is distributed through its subsidiary, Mobile Beacon, which was formed 10 years ago for the specific purpose of making high-speed broadband available to the education and nonprofit sectors. Each of the tens of thousands of mobile broadband devices we have provided throughout the United States delivers free or low-cost unlimited, uncapped, high-speed broadband service that is available 24 hours a day, 7 days a week.

Earlier this week, Mobile Beacon [published detailed information](#) about how its broadband service is benefitting 1,422 schools throughout the United States. With teachers and students around the country forced into distance learning as a result of the COVID-19 pandemic, our service is being put to tremendous use for educational purposes in underserved urban and rural areas alike:

- In 2020 alone, our school customers and grantees used over 3,523,000 GBs of data. This represents a 45% increase in data usage by schools from the preceding year. We attribute this mainly to the critical need for robust broadband service that supports data-intensive applications like video conferencing during the COVID-19 pandemic.
- Demand for our mobile broadband donation program also grew by 235% in 2020. NACEPF and Mobile Beacon donated more than \$420,000 in mobile hotspot and laptop donations to support the technology needs of schools during the pandemic.

We are mystified as to how the NAL's allegation that NACEPF failed to provide any educational usage can be reconciled with these facts—or any facts given that the FCC did not even request information for the time period of the alleged violation. Yet there is no question that our broadband service has provided (and continues to provide) significant educational benefits to students of all ages and abilities, each facing their own unique challenges. [For an 18-year-old high school student](#) living completely alone in poverty, his Mobile Beacon hotspot not only

enabled him to continue his education online during the pandemic, but it was also the difference between total isolation during the mandated lockdown and maintaining a connection to the outside world. [For a five-year-old boy with blood cancer](#) whose immune system remains too compromised to engage in in-person learning, it's what's enabling him to go to school online and stay connected to his friends and teachers. And for [a family in financial distress](#), after the pandemic turned their lives upside down, Mobile Beacon's internet service helped a mother continue her English language studies virtually and begin working to earn her GED while helping her young girls adjust to online learning as well.

It is unfortunate the same Commissioners that failed to acknowledge *any* educational benefits in the prior EBS regime—despite hundreds of examples and testimonials from schools, libraries, teachers, and numerous educational and public interest groups in the *Transforming the 2.5 GHz Band* docket—has similarly disregarded all of the evidence of the robust educational use that we provide. Instead, the outgoing FCC majority has chosen to use its final days to allege that there is *no* educational use in *any* market at *any* of the time in question and doggedly pursue a legally and factually flawed NAL that proposes outlandish penalties for alleged technical violations of vacated rules.

NACEPF has always fully complied with all applicable FCC rules. We look forward to responding to and resolving the NAL, consistent with the law and the facts.

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About Mobile Beacon: Mobile Beacon provides high-speed, low-cost, mobile internet access to the anchors of communities: the nonprofits, schools, libraries, and healthcare organizations that provide vital services to millions of Americans every day. Through this broadband service, organizations have an essential tool to fulfill their missions and maximize their philanthropic impact, which allows organizations to access more information, reach more people, and help more in their communities. Learn more at www.mobilebeacon.org.

About NACEPF: North American Catholic Educational Programming Foundation, Inc. (NACEPF) is a Rhode Island-based 501 (c) (3) nonprofit organization and the second-largest Educational Broadband Service (EBS) licensee in the United States. NACEPF's broadband service, religious and educational programming, and advocacy efforts support education at every level. NACEPF's worldwide philanthropic efforts focus on providing access to the resources essential to human development and well-being. This includes access to healthy food, clean water, safe housing, education, healthcare, and faith-based services. NACEPF's wholly-owned subsidiary, Mobile Beacon, provides broadband service to educational, nonprofit, and community anchor institutions throughout the United States. To learn more, visit www.nacepf.net.