



**Gunnison Telephone Company, GTELCO, Lightburst Broadband**

# **Practices and Recordkeeping Policies for Preventing Digital Discrimination**

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## Introduction

Gunnison Telephone Company (“Gtelco”, “Lightburst Broadband”, “Company,” “our,” or “we”) is committed to providing equal access to broadband internet access service for all individuals, irrespective of their income level, race, ethnicity, color, religion, or national origin, as required under the FCC’s Preventing and Eliminating Digital Discrimination [Report and Order](#) and section 60506(b) of the [Infrastructure, Investment, and Jobs Act](#) (IIJA) of 2021. This Digital Discrimination Policy (Policy) outlines compliance with Federal Communications Commission (FCC) regulations and our commitment to making broadband services accessible to everyone in our service areas.

## Definitions

1. **Broadband Internet Access Service (BIAS):** A mass-market retail service providing data transmission capabilities to and from internet endpoints, including any incidental capabilities enabling the operation of the service, excluding dial-up service.
2. **Covered Consumers:** Current and potential subscribers, including individuals, organizations, and groups capable of subscribing to broadband services.
3. **Covered Elements of Service:** All policies and practices that may affect a consumer’s ability to have “equal access” to BIAS.
4. **Covered Entities:** Entities that provide, facilitate, or affect consumer access to broadband internet access service, including contractors, facilitators, and entities involved in infrastructure maintenance and upgrades.
5. **Covered Services:** Broadband internet access services.
6. **Digital Discrimination of Access:** Policies or practices not justified by reasonable technical or economic feasibility issues that differentially impact consumers’ access to broadband internet access service, based on protected characteristics, or that are intended to have such an impact.
7. **Disparate Impact:** A provider makes decisions, purposeful or not, that result in discriminatory access to BIAS for covered consumers with protected characteristics.
8. **Disparate Intent:** A provider purposefully makes decisions that will or are intended to result in discriminatory access to BIAS for covered consumers with protected characteristics.
9. **Economically Feasible:** Policies or practices that are reasonably achievable, as evidenced by prior success under similar circumstances or demonstrated new economic conditions indicating their reasonable achievability.

10. **Equal Access:** The equal opportunity to subscribe to an offered service that provides comparable speeds, capacities, latency, and other quality of service metrics in a given area, for comparable terms and conditions.
11. **Protected Characteristics:** Personal attributes or traits protected from discrimination under the law, including income level, race, ethnicity, color, religion, and national origin.
12. **Technically Feasible:** Policies or practices that are reasonably achievable as evidenced by prior success under similar circumstances or demonstrated technological advances indicating their reasonable achievability.

## Policy Scope

This Policy applies comprehensively to all of the Company's operations, encompassing service deployment, technical specifications, terms and conditions of service, and customer interactions. This Policy applies to all employees, contractors, and entities affiliated with Gunnison Telephone Company involved in providing, facilitating, or affecting consumer access to BIAS. This includes, but is not limited to, executives, managers, supervisors, technical staff, customer service representatives, and any other personnel directly or indirectly involved in delivering broadband services. Additionally, this policy extends to third-party contractors, partners, and entities working through partnership agreements or other business arrangements with Gunnison Telephone Company that affect consumer access to broadband services. Compliance with this Policy is mandatory for all individuals and entities subject to its scope.

## Prohibited Conduct

The Company strictly prohibits any form of discriminatory conduct, whether intentional or resulting from policies or practices that produce discriminatory effects based on protected characteristics, including income level, race, ethnicity, color, religion, and national origin.

## Aspects of Service Affecting Consumer Access

The aspects of service that could affect a consumer's ability to receive and effectively utilize BIAS include, but are not limited to:

- Deployment;
- Technical terms and conditions of service, such as policies and practices regarding speeds, capacities, latency, and data caps;
- Network infrastructure planning, deployment, reliability, upgrades, and maintenance;
- Customer-premise equipment and installation;
- Non-technical terms and conditions of service, such as policies and practices regarding contractual terms, mandatory arbitration clauses, pricing, deposits, discounts, customer service, language options, credit checks, marketing or advertising, contract renewal, upgrades, account termination, transfers to another covered entity, and service suspension.

## Review of Service Offerings

Gunnison Telephone Company reviews service offerings, customer base, and build-out areas to determine whether services are equitable to all current and potential customers. These reviews help identify any inadvertent disparities in service coverage and inform our efforts to address them proactively unless technical and/or economic constraints prohibit them. These processes establish transparency and accountability in decision-making, helping to mitigate the risk of digital discrimination and facilitate equitable access to our services.

## Justification of Policies and Practices

Gunnison Telephone Company requires that all policies and practices that may impact consumer broadband access based on protected characteristics are grounded in genuine technical or economic constraints. Thorough documentation of technical and economic feasibility justifications is conducted for service build-outs, upgrades, and areas not selected for expansion. Technical feasibility assessments consider infrastructure limitations, technological capabilities, and

operational constraints, while economic feasibility evaluations include projections of income, expenses, net income, expected return on investment, competition, cash flow, market trends, and working capital requirements.

All justifications for policies or practices with potential discriminatory impacts are internally reviewed for compliance with this Policy. Challenges or obstacles to implementing more inclusive alternatives are carefully assessed before proceeding.

### **Staff Training**

All Gunnison Telephone Company staff members undergo training on this Policy and related procedures. Employees are aware of their responsibilities in upholding non-discrimination principles and are equipped with the knowledge and skills necessary to implement the Policy effectively. Managers and supervisors are responsible for staff training and ensuring compliance with this Policy. Additionally, all covered third-party partners are provided with this Policy and must acknowledge their compliance as a condition of working with Gunnison Telephone Company.

### **Complaint Response Procedure**

Gunnison Telephone Company has implemented a formal Complaint Response Procedure to address any discrimination-based consumer complaints and/or FCC inquiries promptly and effectively. This includes adopting definitive policies and procedures for addressing complaints, conducting and documenting staff training, and retention of relevant documentation. Periodic reviews of complaints are conducted so that any areas of concern are addressed in a timely manner. We thoroughly document our responses to consumer complaints, demonstrating how concerns have been addressed and resolved.

### **Recordkeeping Policy**

Gunnison Telephone Company retains the following documentation for a period of no less than two years after it has been archived and can/will provide it to the FCC, upon request:

- Preventing digital discrimination policies and procedures;
- Preventing digital discrimination training materials and records;
- Network planning, deployment, and maintenance records;
- Correspondence with any third-party vendors related to the planning, deployment, and maintenance of BIAS;
- Technical feasibility assessments;
- Economic feasibility assessments;
- Customer complaints, and
- Internal policy and complaint reviews.

### **Conclusion**

Gunnison Telephone Company is dedicated to complying with FCC regulations and eliminating digital discrimination of access in all aspects of service provision. Our commitment to equal access underscores our mission to serve all individuals and communities with fairness and integrity.