

FCC MEASURING BROADBAND AMERICA PROGRAM

FIXED TESTING AND MEASUREMENT STAKEHOLDERS CODE OF CONDUCT

WHEREAS the Federal Communications Commission of the United States of America (FCC) is conducting a Broadband Testing and Measurement Program, with support from its contractor SamKnows, the purpose of which is to establish a technical platform for the Measuring Broadband America Program Fixed Broadband Testing and Measurement and further to use that platform to collect data;

WHEREAS volunteer panelists have been recruited, and in so doing have agreed to provide broadband performance information measured on their Whiteboxes to support the collection of broadband performance data; and steps have been taken to protect the privacy of panelists to the program's effort to measure broadband performance. WE, THE UNDERSIGNED, as participants and stakeholders in that Fixed Broadband Testing and Measurement, do hereby agree to be bound by and conduct ourselves in accordance with the following principles and shall:

1. At all times act in good faith;
2. Not act, nor fail to act, if the intended consequence of such act or omission is inconsistent with the privacy policies of the program;
3. Not act, nor fail to act, if the intended consequence of such act or omission is to enhance, degrade, or tamper with the results of any test for any individual panelist or broadband provider, except that:
 - 3.1. It shall not be a violation of this principle for broadband providers to:
 - 3.1.1. Operate and manage their business, including modifying or improving services delivered to any class of subscribers that may or may not include panelists among them, provided that such actions are consistent with normal business practices, and
 - 3.1.2. Address service issues for individual panelists at the request of the panelist or based on information not derived from the trial;
 - 3.2. It shall not be a violation of this principle for academic and research purposes to simulate or observe tests and components of the testing architecture, provided that no impact to MBA data or the Internet Service of the subscriber volunteer panelist occurs; and
4. Not publish any data generated by the tests, nor make any public statement based on such data, until such time as the FCC releases data, or except where expressly permitted by the FCC; and
5. Not publish or make use of any test data or testing infrastructure in a manner that would significantly reduce the anonymity of collected data, compromise panelists privacy, or compromise the MBA privacy policy governing collection and analysis of data except that:
 - 5.1. It shall not be a violation of this principle for stakeholder signatories under the direction of the FCC to:
 - 5.1.1. Make use of test data or testing infrastructure to support the writing of FCC fixed Measuring Broadband America Reports;
 - 5.1.2. Make use of test data or testing infrastructure to support various aspects of the testing and architecture for the program including to facilitate data processing or analysis;

5.1.3. Make use of test data or testing infrastructure to support the analysis of collected data or testing infrastructure for privacy risks or concerns, and plan for future measurement efforts;

6. Ensure that their employees, agents, and representatives, as appropriate, act in accordance with this Code of Conduct.

Signatories: _____

Printed: _____

Date: _____