

**STATEMENT OF  
COMMISSIONER NATHAN SIMINGTON, DISSENTING**

Re: *Four Non-Compliant Participating Providers in the Affordable Connectivity Program*, FRN: 0032347759; File No.: EB-IHD-24-00036894; NAL/Acct No.: 202432080022; FRN: 0032944597; File No.: EB-IHD-24-00036896; NAL/Acct No.: 202432080023; FRN: 0031329923; File No.: EB-IHD-24-00036898; NAL/Acct No.: 202432080024; FRN: 0030065312; File No.: EB-IHD-24-00036900; NAL/Acct No.: 202432080025.

Under new and controlling Supreme Court precedent, the Commission's authority to assess monetary forfeitures as it traditionally has done is unclear. Until the Commission formally determines the bounds of its enforcement authority under this new precedent, I am obligated to dissent from any decision purporting to impose a monetary forfeiture. I call on the Commission to open a Notice of Inquiry to determine the new constitutional contours of Commission enforcement authority.