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January 3, 2017 HIGHLIGHTS

- The FCC released an [Order](#) allocating an additional \$50 million annually to the budget for A-CAM support and directing the Wireline Competition Bureau to authorize support for “glide path” carriers and make revised offers to all other carriers who elected A-CAM support.
- The WCB [authorized](#) 35 RoR companies to receive A-CAM support pursuant to their existing elections, and announced 228 revised offers and revised deployment obligations for the remaining 191 companies that elected model-based support. These carriers have until January 19 to notify the Bureau, on a state-by-state basis, whether they elect to receive the revised amount of model-based support.
- The WCB released a [Public Notice](#) announcing approval of the individualized performance obligations of Alaskan carriers that elected the Alaska Plan and Bureau authorization of support amounts.
- The WCB [reminded](#) CAF Phase I Round 2 support recipients they must certify by July 3 that they have completed broadband deployment to all required locations and are offering service by the relevant three-year deadline.
- The FCC [seeks comments](#) on the high cost electronic portal filing requirement. Comments are due January 30. The FCC also [seeks PRA comments](#) on an information collection associated with FCC Form 481. Comments are due February 27. NTCA filed PRA [comments](#) on an [earlier notice](#) on broadband location reporting.
- The WCB [granted](#) in part four petitions filed by FairPoint, Blountsville Telephone, et al., Brantley Telephone, et al., and Horry Telephone, et al., which sought waivers of the ICC recovery rules to permit them to include in their ICC recovery calculations funds they were unable to collect from Halo Wireless.
- Oppositions [are due](#) January 9 to Smart City's [Petition for Reconsideration](#) of the [Order](#) denying its Petition for Waiver of section 51.917, the ICC Eligible Recovery rule. Replies due January 17.
- NECA's [Tariff](#) introducing Consumer Broadband-Only Loop service charges is effective January 3, 2017.
- [Replies were filed](#) on AT&T's [Petition](#) for forbearance from certain access charge tariffing rules.
- The OMB [approved](#) the enhancements to the Open Internet transparency requirements, except for the disclosure of packet loss as it applies to mobile broadband Internet access service, which are applicable January 17. Commissioners Pai and O'Rielly sent a [letter](#) to CTIA, NTCA, et al., saying despite lapse of the small business exemption, the new Open Internet transparency requirements are not enforceable until January 17. RWA [seeks waiver](#) of the enhanced transparency requirements for all ISPs with 100,000 or fewer broadband connections.
- Oracle filed a [Petition for Reconsideration](#) of the [Broadband Privacy Order](#).
- The FCC [seeks comment](#) on whether certain rules adopted in 2001 – 2004 should be continued without change or should be amended or rescinded. Comments are due 90 days after FR publication.
- [Replies were filed](#) on NASUCA, et al.'s [Petition](#) and NTIA's [Petition for Reconsideration](#) of the [IP Transition Order](#).
- Comments [are due](#) February 3 on the continued applicability of the study area waiver [granted](#) to SIC in 2005.
- NECA filed [2017 Modification of Average Schedules](#), proposed to become effective July 1, 2017.

Other Key Upcoming Dates

- Jan. 3 - Replies [due](#) on what rules should be modified or repealed as part of the 2016 biennial review.
- Jan. 3 - Replies due on ACS' [Petition for Reconsideration](#) of the meaning of “high-cost” in the context of the [Order](#) establishing voice and broadband service obligations for Alaska Communications. [FR](#)
- Jan. 5 - Replies due on the [FNPRM](#) on the process to eliminate duplicative high-cost funding in areas where more than one carrier is receiving support for the provision of 4G LTE service. [FR](#)

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USF Reform

- The Commission released a [Report and Order](#) on December 20, 2016, adopting measures to allocate an additional \$50 million annually to the budget for A-CAM support and proposing in the attached FNPRM to expand the A-CAM budget further, with an associated increase in broadband deployment obligations. For those carriers for whom the offer of model-based support was less than the legacy support they received in 2015, the support amounts and associated obligations were not revised, and the Bureau is directed immediately to authorize these carriers to receive A-CAM support pursuant to their existing elections. The Commission adopted a methodology to make revised offers to the remaining electing carriers, and carriers receiving a second offer will have up to 30 days from the release of this Order to notify the Bureau whether they elect that revised offer. The Commission conditioned the second offer of A-CAM support on a requirement that carriers electing that second offer agree to meet the terms of the original offer if additional high-cost support becomes available in 2017 to fund the original offers. Comments are due 30 days after publication in the Federal Register and replies are due 45 days after publication. [Summary of order](#)
- As required by the Report and Order, the Wireline Competition Bureau released a [Public Notice](#) on December 20, 2016, authorizing 35 rate-of-return companies to receive model-based support pursuant to their existing elections. For the remaining 191 companies that elected model-based support, the Bureau announced 228 revised offers and revised deployment obligations. These carriers have until January 19, 2017 (30 days) to notify the Bureau, on a state-by-state basis, whether they elect to receive the revised amount of model-based support. Carriers should submit their election letters to the Bureau at ConnectAmerica@fcc.gov by the January 19, 2017 deadline.
- The FCC released a [Public Notice](#) on December 21, 2016, announcing Wireline Competition Bureau approval of the individualized performance obligations of Alaskan carriers that elected the Alaska Plan and Bureau authorization of support amounts, as described in the appendices to the Notice. The Bureau: deferred action on the performance plans for Bettles Telephone Company, Alaska Telephone Company and North Country Telephone Company pending resolution of whether these carriers are ultimately authorized for A-CAM support; and authorized Adak Eagle Enterprises for Alaska Plan support, noting Adak is not eligible to elect A-CAM support. Carriers must submit a letter from an officer of the company by December 29, 2016, certifying it will comply with the public interest obligations adopted in the Alaska Plan [Order](#) and the deployment obligations set forth in the adopted performance plan.
- The FCC released a [Public Notice](#) on December 19, 2016, to remind CAF Phase I Round 2 support recipients they must certify by July 3, 2017, that they have completed broadband deployment to all required locations and are offering service by the relevant three-year deadline. It said if a carrier fails to meet its Phase I obligations, it “will be required to return the incremental support distributed in connection with that deployment obligation and will be potentially subject to other penalties, including additional forfeitures, as the Commission deems appropriate.” It indicated USAC will recover funds from the carrier on a per location basis in the month immediately following the failure to certify compliance with the deadline.
- The FCC issued a [Notice](#) in the Federal Register on December 30, 2016, seeking comments on a new information collection addressing the requirement that certain carriers with high cost reporting obligations must file information about their locations which meet their broadband deployment public interest obligations via an electronic portal. The March 2016 [Rate-of-Return Order](#) required USAC to establish the portal so that carriers could file their location data with the portal starting in 2017. The Rate-of-Return Order required all recipients of Phase II model-based support and rate-of-return carriers to submit geocoded location data and related certifications to the portal. The May 2016 [Phase II Auction Order](#) required auction winners to build-out networks capable of meeting their public interest obligations and report, to an online portal, locations to which auction winners had deployed such networks. Comments are due January 30, 2017.
- The FCC published a [Notice](#) in the Federal Register on December 27, 2016, seeking Paperwork Reduction Act comments on a revision to a currently approved information collection associated with

FCC Forms 481, 505, 507, 508, 509, and 525. The FCC proposes to revise Form 481 and its instructions to provide clarification for some reporting items and to reflect certain updates. There are no changes to Forms 505, 507, 508, 509 and 525. The FCC also, subject to OMB approval, proposes to move certain reporting requirements from control number 3060–0986 into a new information collection for which OMB approval will be sought—3060–XXXX—Connect America Fund High Cost Portal Filing. PRA comments are due February 27.

- NECA [filed](#) redacted rate-of-return carrier rate floor data on December 30, 2016, at the rate zone level as of December 1, 2016, for carriers reporting changes during the voluntary mid-year collection.
- NTCA filed PRA [comments](#) on December 27, 2016, on the new information collection associated with the requirement that carriers with high cost reporting obligations must file information about their locations that meet their broadband deployment obligations via an electronic portal to be established by USAC. NTCA said the narrow definition of “location” contained in the Wireline Competition Bureau’s December 8, 2016 [Public Notice](#) seems to exclude anchor institutions, and it asserted the absence of reasonable flexibility to incorporate customers of this kind in the definition of a “location” has important consequences. [Notice](#)
- NTCA [met with](#) Legal Advisors to Commissioners Clyburn, Rosenworcel, O’Rielly, and Pai and the Deputy Chief of the Wireline Competition Bureau on December 19, 2016, to urge the Commission to use additional funds on hand to close immediate funding shortfalls in the non-model high-cost support mechanisms. NTCA said if the Commission does not address such funding matters fully in the near-term, it urged the Commission to recognize explicitly as part of any upcoming order and further notice the co-equal importance of sufficiency of USF support for both the model and non-model USF mechanisms. NTCA also said the Commission should ensure that any resolution of the model elections will not have a negative effect on those companies that did not elect model support.
- Parrino Strategic Consulting, on behalf of the Nebraska companies, [met with](#) Commissioner Rosenworcel’s Legal Advisor on December 20, 2016, to urge the Commission to expeditiously release the final model-based offers so that companies can make their final election as soon as possible
- Home Telephone [met with](#) Wireline Competition Bureau staff on December 15, 2016, to discuss confusion surrounding the proper cost treatment for broadband internet access service when the service is offered directly to the end user as a retail service. Home urged the Commission to clarify the issue of what costs are properly included in calculations of USF support and access rates in an expedited manner. Home also asked about the possibility of the Commission issuing a temporary accounting rule that states a cost eligible for inclusion in rates should not change as a result of a company’s election to use the retail approach from that cost which was includable prior to such election.
- The Town of [New Shoreham, R.I.](#) filed a letter on December 23, 2016, providing comments on service tier weighting in the CAF Phase II auction, the equitable distribution of funds to declined states, and the integrity of Form 477 data. New Shoreham expressed concern about the effects of including very high cost census blocks in the auction and proposed a weighting scheme. It suggested the FCC determine each declined state’s pro rate share of the \$215 million based on the per state percentage of total declined funds, and asserted the Form 477 data for the Town are inaccurate and the inaccuracies are recent.
- Rep. Chris Gibson (R-N.Y.) filed a [letter](#) on December 19, 2016, to express support for New York’s [Petition for Expedited Waiver](#) of the CAF Phase II auction rules. He asserted granting of the Petition will allow for the establishment of a single auction process that will provide for a greater level of clarity and certainty for providers concerning whether to participate in any auction program.
- The New York State Telecommunications Association, Middleburgh Telephone, and Margaretville Telephone [spoke separately](#) by telephone with Legal Advisors to Commissioners Pai, O’Rielly, and Clyburn on December 19 and 20, 2016, to discuss New York’s Petition for Expedited Waiver of the CAF Phase II auction rules. They claimed combining CAF funding with the state’s funding will provide

synergies in areas that otherwise are uneconomical to serve; will help close the rural/urban digital divide in New York in a shorter time frame given the requirements of the state program; and a single auction process will provide for a greater level of clarity and certainty for providers. NYSTA urged the FCC to approve New York's waiver request.

- ViaSat filed a [letter](#) on December 24, 2016, responding to the [ex parte letters](#) by Empire State Development on New York's [Petition for Expedited Waiver](#) of the CAF Phase II auction rules. ViaSat claimed grant of the waiver requested by New York State would be inconsistent with the public interest and asserted New York State has failed to satisfy the Commission's waiver standard.
- Standing Rock Telecommunications filed a [Request](#) on December 27, 2016, for a limited extension of the Mobility Fund Phase 3 deadline, until June 30, 2017, to complete the network construction and drive test reporting for all the tracts for which SRT was approved for to build its network in the Tribal Mobility Fund. SRT said an extension will allow SRT to upgrade the current network to a 4G network allowing for better coverage and performance, and is needed to conduct the necessary construction and drive testing required by the FCC.

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ICC

- The Wireline Competition Bureau released an [Order](#) on December 21, 2016, granting in part four petitions filed by FairPoint; Blountsville Telephone, et al.; Brantley Telephone, et al.; and Horry Telephone, et al. The petitions sought waivers of the intercarrier compensation recovery rules to permit the carriers to include in their recovery calculations certain funds they were unable to collect from Halo Wireless due to an access charge avoidance scheme and Halo's subsequent bankruptcy. The Bureau granted the waivers, subject to the following conditions: the carrier terminated all the traffic sent to it by Halo during FY 2011 that it seeks to add to its BPR calculations; the carrier billed Halo for such traffic during FY 2011 or before the close of the next regular billing cycle in FY 2012 for the amounts to be added to its BPR calculations; a court or regulatory agency of competent jurisdiction has made a finding of liability against Halo regarding the compensation for such traffic; the carrier filed a timely claim in the Halo bankruptcy case; and the carrier did not include in its BPR adjustment amounts any interest, late payment fees, collection fees or attorney fees.
- The FCC [published](#) in the Federal Register on December 23, 2016, the [Public Notice](#) announcing Smart City Telecommunications filed a [Petition for Reconsideration](#) on November 21, 2016, of the [Order](#) denying its Petition for Waiver of section 51.917, the ICC Eligible Recovery rule. Oppositions are due January 9; replies due January 17.
- Replies were filed on December 19, 2016, on AT&T's [Petition](#) asking the FCC to forbear from the access charge tariffing rules for tandem switching, tandem-switched transport, and database queries for all LECs, including intermediate LECs, on all calls to or from LECs engaged in access stimulation. [South Dakota Network](#) said the comments show that while AT&T has identified a limited issue with respect to transport costs and certain carriers engaged in access stimulation, AT&T's proposed forbearance is too broad. It said more targeted actions are available to address the issues identified, and therefore AT&T's Petition should be denied. [CenturyLink](#) said the comments filed confirm that a more targeted approach outside of the forbearance context will more effectively address the underlying concerns. It also said with regard to the forbearance relief sought for tandem charges, the Commission should clarify that it is unlawful for terminating carriers to refuse direct interconnection to IXCs, while also clarifying that tandem rates and database query charges are subject to the CLEC benchmark rule. [AT&T](#) asserted most commenters agree there are genuine problems remaining with the Commission's legacy ICC regime, and claimed there is broad consensus that the Commission needs to act on its long-pending NPRM and put in place a concrete plan to move the access charges not subject to the 2011 transition to a default bill-and-keep regime. AT&T claimed there are no serious practical impediments to implementation of more immediate reform of these charges, and argued under the forbearance standards Congress enacted, the Commission is compelled to act now. [Public Notice List of all replies available to date.](#)

- Aureon Network Services and JSI [met with](#) Legal Advisors to Commissioners Clyburn, Rosenworcel, and O’Rielly and Wireline Competition Bureau staff on December 14, 2016, to discuss AT&T’s [Petition for forbearance](#) from enforcement of certain switched access tariffing rules. Aureon asserted the issues raised by AT&T should be handled in a notice and comment proceeding rather than in the context of a forbearance petition. Aureon stated that it would be unreasonable to require intermediate carriers to analyze the business practices or to police traffic of each subtending LEC, and said the relief requested by AT&T would constitute non-payment of tariff rates which were deemed lawful and would result in harmful impacts to Aureon and ultimately to end-user customers.

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Broadband

- Chairman Wheeler sent a [letter](#) to Senator Jeff Flake (R-Ariz.), Chairman of the Senate Subcommittee on Privacy, Technology and the Law, on December 14, 2016, responding to his two letters on the broadband privacy rules. Chairman Wheeler said upon circulating the proposed broadband privacy rules to his fellow Commissioners, he published a fact sheet and blog post describing the proposed rules to allow the public to understand and engage with the Commission on the broadband privacy issues, and stakeholders continued to provide the Commission with input on the publicly available information before the October 27 Open Meeting. He also said the Commission’s Order adopting and revising rules pursuant to section 222 recognizes and honors Congress’ interest in protecting the privacy of customers of telecommunications services, and said the sensitivity-based framework, which gives customers the tools needed to make decisions about their telecommunications carriers’ use and sharing of their information, meets the three-part test for regulation of commercial speech outlined in the *Central Hudson* case referenced by the Senator.
- Oracle filed a [Petition for Reconsideration](#) on December 21, 2016, of the [Broadband Privacy Order](#), claiming if the Order goes into effect, broadband internet access service providers will face new restrictions and requirements that do not apply to Google or other providers of other online services (edge providers) and this will “[hand] Google the market to the obvious detriment of consumers.” It argued the Order relies on the flawed premise that ISPs are situated differently than edge providers and reaches the flawed conclusion that ISPs should be subject to a stricter privacy regime. It requested the Commission reconsider the Order and, at a minimum, subject ISPs to the same privacy regime as edge providers are subject to at the Federal Trade Commission.
- The Competitive Carriers Association [met with](#) Commissioner Pai and his Legal Advisor on December 19, 2016, to discuss what it asserted is the critical nature of ensuring universal availability and maintenance of advanced mobile broadband networks and service to all Americans.
- The Advanced Communications and Law Policy Institute at New York Law School issued two papers on muni broadband on December 19, 2016. The first is an [updated case study](#) of Bristol, Virginia, which said the government-owned broadband network in Bristol, which had been touted by the FCC as a “good example of the potential of community broadband,” has failed and is in the process of being sold to a private company. The second paper is a [policy briefing](#) on Government-Owned Networks, and evaluates a number of major GON-related developments since the ACLP’s April 2016 update, including the Tennessee v. FCC appellate decision and recent developments in various GONs throughout the country.

IP Transition

- Replies were filed on December 19, 2016, on NASUCA et al.’s [Petition](#) and USTelecom’s [opposition](#) to NTIA’s [Petition for Reconsideration](#) of the [IP Transition Order](#) that updated the FCC’s review and notice procedures governing section 214 applications to discontinue, reduce or impair service. [NASUCA, the Maine Office of the Public Advocate, the Maryland Office of People’s Counsel, and the Utility Reform Network](#) said the clarifications and action sought by NTIA will ensure that the transition

occurs in an orderly manner, and ensure the Commission's core objectives to protect consumers, competition, public safety, and universal service are given their appropriate weight. [NTCA](#) said it agrees with NASUCA et al. that rural call quality and interconnection must be considered within these proceedings and the Commission's descriptions as set forth in Appendix B of the applicable Order warrant reconsideration. NTCA also said no party filed in opposition to the NASUCA Petition. [NTIA](#) said USTelecom's claims are unfounded, and prompt Commission action on its Petition will remove ambiguities and anomalies in the new framework for processing carrier applications to discontinue legacy voice services before it is fully in force. NTIA also said Commission action is more likely to make discontinuance reviews less complicated, timelier, and less costly, contrary to USTelecom's contentions. [FR](#) | [Public Notice](#).

Open Internet

- The FCC published a [Notice](#) in the Federal Register on December 21, 2016, announcing OMB approval of the enhancements to the Open Internet transparency requirements adopted in the 2015 Open Internet [Order](#) for fixed and mobile broadband internet access, except for the disclosure of packet loss as it applies to mobile broadband Internet access service. These modifications are applicable January 17, 2017.
- Commissioners Pai and O'Rielly sent a [letter](#) to CTIA, the Competitive Carriers Association, NTCA, WISPA, and the American Cable Association on December 19, 2016, to respond to their letters regarding the small business exemption from the Open Internet [Order's](#) enhanced transparency requirements. They said the Commission had not been able to reach a consensus before the exemption expired, but the new requirements are not in effect and are not enforceable until January 17, 2017. They indicated they would not support any adverse actions against small business providers for supposed non-compliance with these rules after that date, and said they will seek to revisit those particular requirements, and the Title II Net Neutrality proceeding more broadly, as soon as possible.
- NTCA [spoke by phone](#) with Commissioner Clyburn's Legal Advisor on December 14, 2016, to discuss the overwhelming consensus for action to ensure that small business broadband providers will remain exempt from "enhanced transparency" requirements given the state of the current record and until such time as a further examination of such issues can be completed by the Commission.
- The Rural Wireless Association filed a [Petition](#) on December 22, 2016, seeking a waiver of the enhanced transparency requirements adopted by the Commission in its 2015 Open Internet [Order](#) for all ISPs with 100,000 or fewer broadband connections. RWA claimed grant of this request will maintain the status quo and avoid imposing substantial and needless regulatory burdens on small ISPs who provide competitive broadband Internet access services and who continue to face substantial obstacles in expanding broadband services to rural and underserved areas of this country.
- The American Cable Association [spoke separately by phone](#) with Chairman Wheeler's Legal Advisor and Legal Advisors to Commissioners Clyburn, Pai, O'Rielly, and Rosenworcel on December 15, 16, and 19, 2016, to discuss what it claimed is widespread support to extend the exemption for small internet service providers from the Open Internet Order's enhanced transparency requirements and to urge the Commission to reach consensus to provide an interim extension of the exemption. It also urged adoption of a FNPRM to consider a permanent exemption.

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USF

- The FCC released a [Public Notice](#) on December 20, 2016, seeking comments on the continued applicability of the study area waiver [granted](#) to SIC in 2005, which provided it status as an ILEC for purposes of receiving high-cost support. Rescinding it would make SIC ineligible to receive such support. Comments are due February 3, 2017. In the December 5, 2016 [Sandwich Isles Improper](#)

[Payment Order](#), the Commission also directed SIC to submit a response by February 3, 2017, explaining why the Commission should not terminate this study area boundary waiver.

- WTA, ITTA and USTelecom [met separately](#) with Legal Advisors to Commissioners Pai and O’Rielly and Wireline Competition Bureau staff on December 19, 2016, to discuss the [Public Notice](#) seeking comment on [two Petitions](#) for waiver of E-rate rules that require E-rate recipients to cost-allocate off-campus use of E-rate services from funding requests. They asserted granting the Petitions would run counter to the definition of an “educational purpose” as contained in section 254(h) of the Communications Act and further clarified in subsequent rulings by the Commission. They also said grant of the Petitions would violate the universal service principles of specificity, predictability and explicitness codified in section 254 to the extent the Petitions seek to accomplish CAF goals of improving broadband availability and seek to accomplish Lifeline program goals of improving broadband affordability.
- The Wireline Competition Bureau released a [Public Notice](#) on December 29, 2016, granting, denying, and dismissing various petitions related to actions taken by USAC on E-rate and rural healthcare. Petitions for reconsideration or applications for review of these decisions must be filed within 30 days of the Public Notice.
- The Public Utility Division of the Oklahoma Corporate Commission filed a [Request](#) on December 29, 2016, asking the FCC to hold in abeyance ZING Wireless’s [Petition](#) seeking streamlined designation as a Lifeline Broadband Provider. The PUD said there are two critical issues pending: whether or not the FCC has authority to preempt the states in this area and to issue its own ETC designations; and what role, if any, state regulatory agencies will have in monitoring the activities of these federally designated LBPs and enforcing applicable state and federal Lifeline rules.
- Smith Bagley [met with](#) Wireline Competition Bureau staff on December 22, 2016, to discuss the [Draft National Verifier](#) Plan that was released for comment. SBI emphasized the need for the National Verifier to be designed to ensure that consumers in very remote areas, such as the Navajo Nation, are not precluded from participating in the Lifeline program. SBI also described the potential difficulties posed by the Draft Plan’s inclusion of an automated verification process for Tribal addresses for purposes of Tribal Lifeline and Link-Up eligibility, and said much of the Tribal area SBI serves lacks any postal addressing.
- KDDI America, KDDI Global, Locus Telecommunications, Telehouse International Corporation of America, and Total Call International filed a [request](#) on December 20, 2016, seeking review of USAC audit findings of their 2013 FCC Forms 499-A. They asked the Bureau to reverse USAC’s determination that Locus and Total Call’s wholesale customers were its marketing agents. They also asked the Bureau to reverse USAC’s determination that Locus is a common carrier with respect to its wholesale sales of prepaid calling cards and to direct USAC to permit carriers that offer services on both a private and a common carrier basis to report their private carriage revenue in a manner that does not subject the private carrier revenue to Title II fees that are not due on private carrier revenue.
- The Enforcement Bureau [announced](#) on December 22, 2016, that Total Call Mobile [will pay](#) \$30 million to resolve fraud investigations into allegations it enrolled tens of thousands of duplicate and ineligible consumers into the Lifeline program. The settlement includes a repayment to the Universal Service Fund and a penalty paid to the U.S. Treasury. Total Call also admitted it violated the Commission’s Lifeline program rules, and agrees to relinquish its FCC and state authorizations to participate in the Lifeline program.
- TX Mobile filed a [Petition](#) on December 23, 2016, seeking designation as a Lifeline Broadband Provider ETC for all states other than Alaska and Montana, and the District of Columbia, Puerto Rico, and the U.S. Virgin Islands, for the sole purpose of receiving USF Lifeline support for the provision of broadband internet access service. TX Mobile provided a list of states and service areas by zip code in which it seeks designation.

- [K-Communications](#), [Amerimex Communications](#), and [Cross Cable](#) filed Petitions on December 29 and 30, 2016, seeking designation as Lifeline Broadband Provider ETCs for the limited purpose of receiving USF Lifeline support for the provision of broadband internet access service.

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Misc.

- Commissioner Rosenworcel issued a [statement](#) on December 30, 2016, entitled *Bringing the Connected Future to All Americans*. She discussed the work at the FCC during her time as an FCC Commissioner, from May 11, 2012 – January 3, 2017, discussing public safety efforts, E-rate, broadband and net neutrality, wireless, unlicensed spectrum and Wi-Fi issues, and consumer protection. Rosenworcel said she saw up close the challenge of bringing broadband to rural communities, noting financing, constructing, and operating these facilities in remote areas is not easy. She said she was proud to have pressed for the reform and update of the high-cost USF to facilitate broadband deployment in the most rural communities.
- NECA's [Transmittal No. 1503](#), introducing Consumer Broadband-Only Loop service charges, is effective January 3, 2017.
- NECA filed [2017 Modification of Average Schedules](#) on December 22, 2016, that contains proposed revisions to formulas used for average schedule interstate settlement disbursements. The revisions are proposed to become effective for a one-year period beginning on July 1, 2017.
- The FCC issued a [Public Notice](#) on December 28, 2016, seeking comment on whether the rules adopted in 2001 – 2004 should be continued without change, or should be amended or rescinded, consistent with the stated objective of section 610 of the Regulatory Flexibility Act, to minimize any significant economic impact of such rules upon a substantial number of small entities. Certain rules in Parts 32, 51, 52, 54, 61, 64, and 69 are included in this review. Comments are due 90 days after Federal Register publication.
- AT&T, Verizon and CenturyLink [met with](#) Wireline Competition Bureau and General Counsel staff on December 20, 2016, to discuss the elimination of Part 32 obligations for price cap carriers. They discussed a potential framework for transitioning from Part 32 to GAAP accounting for the determination of pole attachment rates and the possibility that such a change could result in increases to pole attachment rates. They said the industry may need to follow-up with Commission staff regarding the precise way to articulate the proposed relief in an eventual Order, and claimed the proposed relief would not impact already existing state ability to regulate pole attachment rates.
- Sandwich Isles Communications filed a [letter](#) on December 22, 2016, withdrawing its [Motion for Extension of Time](#) relating to the submission of responses to the FCC's proposed Forfeiture [Order](#).
- The FCC issued a [press release](#) on December 21, 2016, in which Chairman Wheeler expressed strong support for the consumer protections provided by the Telephone Consumer Protection Act, signed into law 25 years ago. He said, "With strong rules, vigilant enforcement and support for new tools like robocall blocking, the FCC plays a vital role in ensuring that this law protects and empowers consumers as it was intended." The TCPA authorizes the FCC to establish strong rules against telemarketing and other unwanted robocalls that can be intrusive and at times harmful. Under the law, consumers have protections against telemarketing calls to landline phones, such as the Do Not Call registry, and broad protections against robocalls to mobile phones.
- The FCC released a [Public Notice](#) on December 19, 2016, to announce the draft release of Commissioner Clyburn's #Solutions2020 Call to Action Plan. Comments, suggestions or feedback are due by January 11, 2017, and should be submitted to solutions2020@fcc.gov, and may subsequently be posted on the Commission's website. The final report will be released during the 1st quarter of 2017.

- The Wireline Competition Bureau issued a [Public Notice](#) on December 22, 2016, seeking comment on Onvoy Spectrum's [Petition for Waiver](#) of section 52.15(g)(2) to allow it to directly obtain pseudo-Automatic Number Identifications (p-ANIs) for use in its 9-1-1 solution for data-only devices using over-the-top VoIP. Comments are due January 23 and replies are due February 6.
- Telcordia, d/b/a iconectiv, filed a [letter](#) on December 16, 2016, to respond to Neustar's ex partes on the LNPA transition. iconectiv said regardless of Neustar's view, there is a well-defined transition plan and iconectiv is working closely with the North American Portability Management and the Transition Oversight Manager to implement a smooth transition to iconectiv as the LNP Administrator. It discussed the planned stages and timelines for the overall transition, and said it is committed to achieving a smooth transition, and to doing so by May 2018.
- The North American Portability Management filed a [letter](#) on December 29, 2016, to provide a summary of the NAPM's status updates to the FCC on the transition of the current LNPA, Neustar, to the new LNPA, Telcordia d/b/a/ iconectiv. NAPM said it will continue to file updates of this report with the FCC at the end of each month until the transition is complete.
- The FCC released an [Erratum](#) on December 27, 2016, to the [Report and Order and FNPRM](#) that amended rules to allow phone companies to replace support for TTY technology with support for real-time text communication over wireless IP networks. The Erratum amended certain text in Appendices B and C of the Report and Order and FNPRM.
- The FCC issued a [News release](#) on December 29, 2016, announcing the Enforcement Bureau entered into a [Consent Decree](#) with Birch Communications to the investigation into whether Birch slammed consumers by switching their preferred phone carriers without authorization, crammed unauthorized charges on its customers' bills and engaged in deceptive marketing. The FCC said Birch will pay a \$4.2 million penalty, refund at least \$1.9 million to consumers who filed complaints about unauthorized carrier changes or unauthorized charges within the past two years and adopt a compliance plan.

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Upcoming Filing Dates

- Jan. 3 - Replies due on what rules should be modified or repealed as part of the 2016 biennial review. [Public Notice](#)
- Jan. 3 - Replies to oppositions due on ACS' [Petition for Reconsideration](#) of the meaning of "high-cost" in the context of the [Order](#) establishing voice and broadband service obligations for Alaska Communications. [Federal Register](#)
- Jan. 5 - Replies due on the [FNPRM](#) on the process to eliminate duplicative high-cost funding in areas where more than one carrier is receiving support for the provision of 4G LTE service. [FR](#)
- Jan. 9 - Oppositions due to Smart City Telecommunications' [Petition for Reconsideration](#) of the [Order](#) denying its Petition for Waiver of section 51.917, the ICC Eligible Recovery rule. Replies due January 17. [FR](#)
- Jan. 17 - PRA comments due on changes to an information collection resulting from the Commission's new rules on notices of planned copper retirements. [Notice](#)
- Jan. 17 - Replies due to oppositions to Smart City Telecommunications' [Petition for Reconsideration](#) of the [Order](#) denying its Petition for Waiver of section 51.917, the ICC Eligible Recovery rule. [FR](#)
- Jan. 23 - Comments due on Onvoy Spectrum's [Petition for Waiver](#) of section 52.15(g)(2) to allow it to directly obtain pseudo-Automatic Number Identifications for use in its 911 solution for data-only devices using over-the-top VoIP. Replies are due February 6. [Public Notice](#)

- Jan. 30 - Comments due on a new information collection addressing the requirement that certain carriers with high cost reporting obligations must file information about their locations which meet their broadband deployment public interest obligations via an electronic portal. [Notice](#)
- Feb. 3 - Comments due on Sandwich Isles' continued applicability of the study area waiver [granted](#) to SIC in 2005, which provided it status as an ILEC for purposes of receiving high-cost support. [PN](#)
- Feb. 6 - Replies due on Onvoy Spectrum's [Petition for Waiver](#) to allow it to directly obtain pseudo-Automatic Number Identifications for use in its 911 solution for data-only devices using over-the-top VoIP. [Public Notice](#)
- Feb. 14 - PRA comments due on an extension of a currently approved information collection associated with section 69.123, on density pricing zone plans. [Notice](#)
- Feb. 27 - PRA comments due on a revision to a currently approved information collection associated with Form 481 and its instructions to provide clarification for some reporting items and to reflect certain updates. [Notice](#)

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