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January 28, 2019

Please note: Due to the partial lapse of federal government funding, this week's REGScan has limited items.

- President Trump [signed](#) into law [H.J. Res. 28](#), the *Further Additional Continuing Appropriations Act, 2019*, on January 25, 2019, which includes a short-term continuing resolution that provides fiscal year 2019 appropriations through February 15, 2019, for continuing projects and activities of the federal government.
- The FCC [announced](#) on January 23, 2019, it will hold its Open Meeting on January 30, 2019. The FCC said due to the current partial lapse in appropriations, the Open Meeting will consist of announcements only, and the items set forth in the January 3, 2019 [tentative agenda](#) will not be considered. The FCC said if the lapse in appropriations continues through January 29, 2019, the Open Meeting will be conducted via a conference call; if the lapse in appropriations ends prior to January 29, 2019, and the Commission resumes normal operations by January 29, 2019, the Open Meeting will take place at the FCC's D.C. headquarters.
- Sen. Jeffrey A. Merkley (D-Wash.) sent [a letter](#) to Chairman Pai on January 23, 2019, to ask what the FCC is doing to stop predatory scams implemented through robocalls, especially as they relate to deliberate impersonations of government officials. He said on November 20, 2018, he received an automated call impersonating an official from the FBI claiming to be a final notice of an outstanding case with the "Department of Tax and Crime Investigation." He requested the FCC share what it is doing to protect consumers from these fraudulent calls and to authenticate calls to unmask these callers and track down the perpetrators. [Press Release](#)
- Reps. Frank Pallone, Jr. (D-NJ) and Mike Doyle (D-Pa.) sent a [letter](#) to Chairman Pai on January 24, 2019, requesting information about what communications, if any, took place between the FCC and FCC licensees relating to legal challenges of the September 2018 [Declaratory Ruling and Third Report and Order](#) on wireless infrastructure deployment. Pallone and Doyle said "certain individuals at the FCC may have urged companies to challenge the Order the Commission adopted in order to game the judicial lottery procedure and intimated the agency would look unfavorably towards entities that were not helpful." They said if this is true, "it would be inappropriate for the FCC to leverage its power as a regulator to influence regulated companies to further its agenda in seeking a more friendly court." They requested Chairman Pai provide a response within three weeks of the FCC receiving normal operational funding. The Tenth Circuit Court recently [granted](#) a motion to transfer the appeal case to the Ninth Circuit Court. [Press Release](#)
- House Energy and Commerce Committee Chairman Frank Pallone, Jr. (D-NJ) [announced](#) on January 24, 2019, the Committee will hold a hearing on January 31, 2019, on the impact the ongoing Federal Government shutdown is having on affected federal agencies within the Committee's jurisdiction. This includes the FCC.
- The D.C. Circuit Court issued an [Order](#) on January 23, 2019, announcing time allotments for parties at the February 1, 2019 oral argument in the Restoring Internet Freedom [Order](#) appeal.

Upcoming Filing Dates

*Note: Per the FCC's January 28, 2019 [Public Notice](#), all filings that would have been due from January 3, 2019, through January 29, 2019, are due on January 30, 2019.

- Jan. 30 - Comments due on the Second FNPRM and FNPRM that accompanied the [Report and Order](#) that allows certain RLECs that receive fixed high-cost support to transition from RoR regulation to incentive regulation for their business data services. Reply comments are due February 12, 2019. [FR](#) *
- Jan. 30 - Replies due on USTelecom, CTIA, and ITTA's [Petition](#) for a one-time waiver of section 54.420, which requires completion of a biennial audit. [Public Notice](#) *
- Jan. 30 - Replies due on the [NPRM](#) on amending tariff filing rules to allow a carrier to cross-reference its own tariffs and eliminating the requirement that price cap ILECs file short form tariff review plans 90 days before access tariffs are due.*
- Jan. 30 - Comments due on issues raised in the [NPRM](#) on promoting telehealth in rural areas related to determining the urban and rural rates used to calculate support in the Telecommunications Program within the Rural Health Care Program. [Public Notice](#) *
- Jan. 30 - Comments due on the 2018 Biennial Review of Telecommunications Regulations, which seeks comments on amending rules in Parts 1, 8, 32, 36, 42, 43, 51, 52, 53, 54, 59, 61, 63, 64, 68 and 69. Replies are due February 19, 2019. [Public Notice](#) *
- Feb. 4 - Comments due on GCI's [Application for Review](#) of a Bureau decision approving cost-based rural rates for certain Funding Year 2017 funding requests for services provided by GCI to health care providers in the Telecom Program of the Rural Health Care Mechanism. Replies are due February 19, 2019. [Public Notice](#)
- Feb. 12 - Replies due on the Second FNPRM and FNPRM that accompanied the [Report and Order](#) that allows certain RLECs that receive fixed high-cost support to transition from RoR regulation to incentive regulation for their business data services. [FR](#)
- Feb. 19 - Replies due on the 2018 Biennial Review of Telecommunications Regulations, which seeks comments on amending rules in Parts 1, 8, 32, 36, 42, 43, 51, 52, 53, 54, 59, 61, 63, 64, 68 and 69. [Public Notice](#)
- Feb. 19 - Replies due on GCI's [Application for Review](#) of a Bureau decision approving cost-based rural rates for certain Funding Year 2017 funding requests for services provided by GCI to health care providers in the Telecom Program of the Rural Health Care Mechanism. [Public Notice](#)
- Feb. 25 - PRA comments due on an extension of a currently approved information collection associated with certain Part 64 rules on cost allocation. [Notice](#)

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