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### January 29, 2018 HIGHLIGHTS

- The FCC issued the [agenda](#) for its January 30, 2018 Open Meeting. The FCC will consider, among other things: an [Order and Order on Reconsideration](#) addressing the challenges to the CAF Phase II Auction Orders; a [Public Notice](#) establishing procedures for the CAF Phase II auction; and an [Order](#) to establish an [Office of Economics and Analytics](#) within the FCC.
- NTCA, WTC Communications/Wamego Telephone, and Alexicon [discussed](#) impacts of the corporate operations expense cap and recommended section 54.1308 be amended to base corporate operations expense recovery on connections, rather than only voice loops. NTCA [urged](#) the FCC to address near-term high-cost USF sufficiency concerns and other outstanding issues that have either been presented for reconsideration or were raised in prior NPRMs.
- WTA [supported](#) an increase of the overall High Cost USF program budget, additional support for RLECs on both the A-CAM and the legacy RoR paths, and relief from the impact of the budget control mechanisms. ITTA [supported](#) the recently-circulated Order to provide additional funding for model-based rural broadband deployment at \$200/month per location and for legacy-based RoR carriers to alleviate the effects of the budget control mechanism. Beggs Telephone, BTC Broadband, et al. [urged](#) the FCC to take immediate steps to remedy shortfalls in the high-cost USF fund.
- NTCA, WTA, Vantage Point Solutions, and ITTA [expressed concern](#) with the draft CAF Phase II [Order's](#) approach for addressing the "locations gap."
- The House Subcommittee on Communications and Technology [will hold](#) a hearing on January 30, 2018, to consider 25 [bills](#) on broadband infrastructure that were recently introduced.
- Rep. Frank Pallone (D-NJ) sent a [letter](#) to USAC requesting the audits USAC conducted during the preceding three fiscal years for both the legacy High-Cost and Rural Health Care programs.
- The Commission placed an item on [circulation](#) entitled "Comprehensive Review of the Part 32 Uniform System of Accounts; Jurisdictional Separations and Referral to the Federal-State Joint Board."
- Reply comments were filed by [NTCA](#) and [Aureon Network Services](#) on the [NPRM and NOI](#) on the regulatory and technological changes that would be required to implement complete nationwide number portability between all service providers.
- [Comments were filed](#) on potential mechanisms to ensure erroneously blocked calls can be unblocked quickly and without harm to callers and consumers, and ways to measure the effectiveness of efforts to limit robocalling. Replies are due February 22, 2018.

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### Other Key Upcoming Dates

- Feb. 12 - Comments due on ATA's [Petition](#) for clarification and a waiver of Lifeline minimum service standards. Replies due February 26, 2018.
- Feb. 15 - Comments due on NECA's 2018 Modification of Average Schedule [Formulas](#). Replies due March 2, 2018.
- Feb. 16 - Replies due on the [FNPRM](#) on further changes to the pole attachment rules, network change disclosure processes, and section 214(a) discontinuance processes.
- Feb. 21 - Comments [are due](#) on the Lifeline [NPRM and NOI](#). Replies are due March 23, 2018.
- Feb. 22 - Replies due on the robocalls [FNPRM](#).

## USF Reform

- NTCA, WTC Communications/Wamego Telephone, and Alexicon [met with](#) Legal Advisors to Chairman Pai and Commissioners Clyburn, O'Rielly, and Carr on January 18, 2018, to discuss impacts of the corporate operations expense cap. They recommended section 54.1308 be amended to base corporate operations expense recovery on connections (rather than only voice loops) and to use data calculated as of December 31 of the calendar year preceding each July 31 filing.
- NTCA [met separately with](#) Advisors to Commissioners O'Rielly and Carr on January 25, 2018, to urge the Commission to address near-term high-cost USF sufficiency concerns and other outstanding issues that have either been presented for reconsideration or were raised in prior NPRMs. It also urged consideration of longer-term questions related to the sufficiency of high-cost USF programs, and urged the Commission to seek comment on the prospect of additional targeted changes that could help make the already-reformed programs operate even more effectively.
- WTA met separately with Legal Advisors to Commissioners [Clyburn](#), [O'Rielly](#), and [Carr](#) on January 22 and 23, 2018, to express support for a review and increase of the overall High Cost USF program budget, for additional USF support for rural telephone companies on both the A-CAM and the legacy RoR paths, and for relief from the impact of the budget control mechanisms in sections 54.901(f) and 54.1310(d). WTA also discussed the pending rural association proposal on various expenses with respect to the calculation of high-cost support and interstate revenue requirements. WTA also [met with](#) Commissioner Rosenworcel's Legal Advisor on January 25, 2018, to discuss the same issues.
- ITTA [met with](#) Chairman Pai's Advisor on January 19, 2018, to express support for the recently-circulated Order to provide additional funding for model-based rural broadband deployment at \$200/month per location and for additional funding for legacy-based rate-of-return carriers to alleviate the effects of the budget control mechanism. ITTA emphasized the importance of the rapid adoption of the draft Order to facilitate the planning that will result in deployment of broadband to tens of thousands of unserved and underserved rural consumers.
- Beggs Telephone, BTC Broadband, et al. filed a [letter](#) on January 19, 2018, to urge the FCC to take immediate steps to remedy shortfalls in the high-cost USF fund. They said cuts in cost-based USF support have risen rapidly from 4.5 percent to more than 9 percent, and now to greater than 12 percent, which frustrates reasonable attempts to plan for future investment.
- NTCA, WTA, Vantage Point Solutions, and ITTA [met with](#) Legal Advisors to Commissioners Clyburn and Rosenworcel on January 17, 2018, to discuss the draft CAF Phase II [Order and Order on Reconsideration](#), which will be considered at the FCC's January 30, 2018 Open Meeting. They expressed concern with the draft Order's approach for addressing the "locations gap" in the CAF Phase II auction context. They asserted the due diligence contemplated by the draft Order may have the effect of dissuading prospective bidders, especially small businesses, from participating in the Phase II auction. They also [met with](#) Chairman Pai's Legal Advisor and [with](#) Commissioner O'Rielly's Legal Advisor on January 18, 2018, to discuss the same issues.
- Verizon, AT&T, Windstream, Frontier, and USTelecom met with Legal Advisors to [Chairman Pai](#) and Commissioners [Carr](#), [O'Rielly](#), [Clyburn](#), and [Rosenworcel](#) on January 17, 2018, to discuss the draft CAF Phase II [Order and Order on Reconsideration](#) and [Public Notice](#). They discussed the potential gap between the location commitments identified by the CAM and the number of locations that may actually exist on the ground. They also reiterated the importance of supporting package bidding and substantially increased switching percentages, and discussed the proposed financial qualifications metrics.
- The Pennsylvania Governor's Office, Pennsylvania Office of General Counsel, Tilson Technology Management, and CostQuest Associates [met with](#) Chairman Pai's Advisors on January 19, 2018, to discuss Pennsylvania Governor Tom Wolf's new economic development initiative to achieve 100% broadband deployment throughout Pennsylvania utilizing a dedicated funding stream and a State-

focused auction process. They reviewed how the State and the Commission can coordinate their broadband funding efforts to ensure that areas in Pennsylvania are not overbuilt as a result of the combination of the State's efforts and the upcoming CAF Phase II auction. They also discussed the draft CAF Phase II Order that is scheduled to be voted on at the January 30, 2018 Open Meeting. The Pennsylvania Governor's Office's counsel also [met with](#) Legal Advisors to Chairman Pai and Commissioner Clyburn and staff from the Wireline Competition Bureau and Rural Broadband Auctions Task Force on January 23, 2018, to discuss the same issues.

- ADTRAN filed a [letter](#) on January 19, 2018, on the draft CAF Phase II [Order and Order on Reconsideration](#). ADTRAN claimed the draft Order inaccurately describes the relief requested in ADTRAN's Petition for Reconsideration. ADTRAN said it is not advocating use of a model network in a laboratory setting in lieu of use of the actual network; rather, ADTRAN said it proposed the Commission specify use of a conversational-opinion test, and not a listening-opinion test.
- Hughes Network Systems [met with](#) Legal Advisors to Chairman Pai and Commissioners Clyburn, Carr, O'Rielly, and Rosenworcel on January 16, 2018, to discuss the draft CAF Phase II [Order and Order on Reconsideration](#). Hughes said the Commission should grant Hughes's Petition for Reconsideration and modify the bid-weighting matrix to align weights with the values that consumers actually place on speed, capacity and latency.
- The Association of Missouri Electric Cooperatives, Co-Mo Electric Cooperative, OzarksGo, SEMO Electric Cooperative, Pemiscot-Dunklin Electric Cooperative, United Electric Cooperative, Callaway Electric Cooperative, Arkansas Electric Cooperatives, Jackson County Rural Electric Membership Corporation, NTCA, the American Cable Association, NRECA, and UTC [met separately](#) with Chairman Pai and his Advisors and the Legal Advisors to Commissioners Clyburn, O'Rielly, Rosenworcel, and Carr on January 22, 2018, to discuss the CAF Phase II Auction Public Notice and the CAF Phase II Auction Order and Order on Reconsideration. They encouraged the Commission to take a number of steps to make the auction simpler and more equitable for smaller providers, including: reducing the minimum bidding unit from census block groups to census blocks; clarifying the scope of the anti-collusion rules; adopting a 70% take-rate assumption for network engineering; and relying on the Form 477 to ensure bidders are able to deliver in the higher speed tiers. They also reiterated their support for the auction weighting, saying it allows all providers the opportunity to compete.

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## Broadband

- The House Subcommittee on Communications and Technology [announced](#) on January 23, 2018, it will hold a hearing on January 30, 2018, entitled *Closing the Digital Divide: Broadband Infrastructure Solutions*. The Subcommittee [announced](#) the witness list for its hearing and added new bills to the list of 25 bills it will consider, including: [H.R. 4881, Precision Agriculture Connectivity Act of 2018](#); [H.R. 2903, Rural Reasonable and Comparable Wireless Access Act](#); [H.R. 1581, Tribal Digital Access Act](#); and [H.R. 1546, Rural Wireless Access Act](#).
- Chairman Pai [spoke](#) at the fourth meeting of the Broadband Deployment Advisory Committee on January 23, 2018. Pai said the BDAC's work is critical to his top policy priority to close the digital divide. He said there needs to be massive investment to construct, expand, and improve wired and wireless networks, and to spur that investment, the FCC needs to remove outdated and unnecessary regulatory barriers.
- Commissioner Clyburn [spoke](#) at the fourth meeting of the Broadband Deployment Advisory Committee on January 23, 2018. Clyburn said concerns expressed by local government representatives do not appear to have been fully addressed, asserting there was an expressed preference for industry over municipalities. Clyburn asserted private industry infrastructure investments do not always flow to communities that are most in need, and said she will continue to ask for municipalities to be allowed to deploy broadband networks if that best suits the needs of the people they are elected and appointed to

serve. Clyburn also said despite these concerns, she welcomes the inclusion of language in the Committee's Model Codes for States and Municipalities that supports eliminating digital divides between urban and rural areas and allocating resources to drive broadband adoption.

- San Jose, Calif. Mayor Sam Liccardo [announced](#) on January 25, 2018, that he has submitted his resignation from the FCC's Broadband Deployment Advisory Committee effective immediately, citing "the pervasive and overwhelming influence of big telecom and industry interests over the body, and the predetermined, industry-favoring outcome." He claimed "Chairman Pai and the FCC merely pay lip service to the goal of digital equity, and this body will simply serve to further the interests of the telecommunications industry over the public interest."
- Corning filed a [report](#) on January 25, 2018, as a follow-up on the report attached to its [comments](#) in the wireline infrastructure proceeding. Corning said this report investigates the potential effects of a nationwide change to one-touch make-ready on FTTP and 5G network deployments by isolating that change from other proposals, and estimates the impact of higher-than-average municipality-imposed costs/fees on nationwide 5G wireless broadband deployment if those fees became commonplace. Corning said the report concludes that allowing OTMR has the potential to enable wider deployment of next generation fiber and wireless networks in many areas of the country, but also finds that higher costs/fees on next generation wireless network operators could significantly decrease investment in and further deployment of such networks.
- AT&T [met with](#) Wireline Competition Bureau staff on January 22, 2018, to discuss AT&T's pole attachment and one-touch make-ready proposal. AT&T's proposal includes the following principles: an OTMR regime would apply to routine transfers only, with 30-days prior notice to existing attachers; be performed by pre-approved contractors while respecting existing attachers' collective bargaining agreements; allow post-OTMR work inspections by pole owners and/or existing attachers; and require new attachers to indemnify pole owners and existing attachers from liabilities associated with OTMR work.
- AT&T [met with](#) Commissioner Carr and his wireless advisor on January 18, 2018, to discuss small cell deployments. AT&T said it supported the Commission's efforts to streamline NEPA/NHPA processes for wireless infrastructure deployment and discussed implementation of those processes. AT&T also proposed ways to modernize those processes to allow for accelerated small cell deployments and how those processes would help the U.S. become the leader in 5G technology.
- Comments were filed on January 23, 2018, on the [FNPRM](#) proposing to make spectrum available at or above 24 GHz for 5G wireless, Internet-of-Things, and other advanced spectrum-based services. [Verizon](#) suggested the FCC offer an additional performance option, allowing licensees to fulfill buildout requirements by covering 25 percent of the license area's geography. Verizon said doing so could reduce uncertainty among carriers deploying IoT services by providing them with an ascertainable and relevant buildout metric and encourage the continuing introduction of other new services. [AT&T](#) encouraged the Commission to adopt light-touch rules for any millimeter wave spectrum bands it makes available for auction, and ensure licensees have the flexibility to make the investment necessary to make these bands a flourishing ecosystem of innovative 5G, IoT, and other advanced spectrum-based services. [CTIA](#) urged the Commission to make available additional high-band spectrum for licensed, exclusive terrestrial use, and to expeditiously auction millimeter wave spectrum to facilitate such use. It suggested the Commission refrain from adopting stringent performance requirements for the nascent technologies that will eventually be deployed in the millimeter wave spectrum bands, and instead adopt safe harbors that will create the regulatory certainty needed to foster experimentation and innovation for new 5G services. [Alaska Communications](#) supported the Commission's intention to move forward with auctions for these new mmW licenses, and said this spectrum is expected to play a significant role for both fixed broadband and 5G mobile service deployment in rural Alaska. [CCA](#) said making this spectrum available brings opportunity for investment, innovation and competition, and said the mmW bands have the potential to provide competitive wireless carriers the opportunity to develop next-generation technologies, such as 5G and the IoT, on an equal playing field with the largest carriers. [All comments available to date](#). Replies are due February 22, 2018. [FNPRM](#)

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## Open Internet

- Chairman Pai sent a [letter](#) to nine Senators on January 19, 2018, to respond to their letter expressing concern that the Commission did not provide the public with an opportunity to comment on evidence in the net neutrality proceeding. Pai asserted since the Commission did not rely on informal complaints as the basis for its determination, it did not have any obligation to incorporate materials relating to them into the record. Chairman Pai also sent a [letter](#) to Sen. Chris Van Hollen (D-Md.) on January 19, 2018, to respond to his letter opposing the Restoring Internet Freedom Order. Pai said the FCC made a determination that Title I provides the best legal framework for both protecting internet freedom and providing incentive for investment in next-generation networks.
- Reps. Frank Pallone Jr. (D N.J.), Jerrold Nadler (D N.Y.), Bobby Scott (D Va.), and Elijah E. Cummings (D Md.) sent a [letter](#) to the U.S. Attorney General and FBI Director on January 24, 2018, requesting them to expand a request to investigate the potentially illegal submission of fake comments to federal agencies. They said fake comments submitted to the FCC's rulemaking to roll back net neutrality protections were not an isolated incident and at least four other agencies have also been affected. They asked for an update by February 7, 2018.
- Montana Governor Steve Bullock and New York Governor Andrew Cuomo signed executive orders on net neutrality on January 22 and 24, 2018. The Montana [Order](#) directed the Department of Administration to incorporate into the state procurement process for internet, data, and telecommunications services criteria requiring that successful recipients of state contracts adhere to internet neutrality principles. The Order also requires service providers to publicly disclose to their customers in the State of Montana accurate information regarding the network and transport management practices, performance, and commercial terms of their broadband internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain internet offerings. The New York [Order](#) directed the NY State Government not to enter into any contracts for internet services unless ISPs agree to follow net neutrality principles, including principles regarding blocking lawful content, applications, services, non-harmful devices, and applications.

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## Universal Service

- Rep. Frank Pallone (D-NJ) sent a [letter](#) to Radha Sekar, CEO of USAC, on January 25, 2018, requesting the audits USAC conducted during the preceding three fiscal years for both the legacy High-Cost and Rural Health Care programs. He expressed concern that the Commission is failing to adequately address waste, fraud, and abuse in the legacy portion of the High-Cost Program and is instead directing its resources solely to smaller programs, such as the Rural Health Care program. He specifically requested: the audits conducted as part of the Payment Quality Assurance Program and the Beneficiary and Contributor Audit Program for the Legacy High-Cost Program; and the audits conducted as part of the Payment Quality Assurance Program and the Beneficiary and Contributor Audit Program for the Rural Health Care Program. Rep. Pallone requested this information no later than February 15, 2018.
- Chairman Pai sent a [letter](#) to Sen. Claire McCaskill (D.-Mo.) on January 17, 2018, to respond to her letter requesting information on steps the Commission is taking to recover over \$89 million in forfeiture penalties it proposed nearly four years ago against Lifeline carriers for violating program rules. Pai said of the 12 outstanding cases, the Commission has resolved seven, including reaching settlements in five, and expects to resolve two more soon. He also said three cases remain with the Office of Inspector General, where they were transferred under former Chairman Wheeler. He said all 12 companies fully reimbursed overpayments back to the USF by January 2014.



- The FCC filed an [Opposition](#) in the D.C. Circuit Court on January 23, 2018, to Sandwich Isles' [Petition](#) for a writ of mandamus in the case considering Sandwich Isles' [Petition for Review](#) of the [Memorandum Opinion and Order](#) that granted AT&T's [AFR](#) and denied Sandwich Isles' [PFR](#) of the 2010 [Declaratory Ruling](#) that decided certain disputed Paniolo undersea cable lease expenses should be included in SIC's revenue requirement for recovery through the NECA pooling process. The FCC said the relief sought by SIC is unwarranted and it acted well within its discretion when it suspended SIC's USF payments.
- Commissioner Rosenworcel [spoke at](#) the *20 Years of Connecting Schools and Libraries: Policy Summit* on January 24, 2018. She discussed how E-rate 2.0 has rebooted, reinvigorated, and recharged E-rate for the digital age. She said connecting our schools and libraries is not enough, asserting preparing the next generation for digital success now requires connections not just at school but at home, and more needs to be done to bridge the homework gap.
- The Wireline Competition Bureau released an [Order](#) on January 23, 2018, granting the National Hispanic Media Coalition's [Motion](#) for an extension of time to file comments and replies on the Lifeline [NPRM and NOI](#). Comments are now due February 21, 2018; replies are due March 23, 2018.
- Comments were filed on the Lifeline [NPRM and NOI](#) on January 24, 2018. The [Missouri PSC](#) said four principles should be applied as the FCC considers additional reforms to the Lifeline program: simplify a company's participation; strive for greater accountability; promote consumer choice; and minimize program administrative expenses. The PSC also expressed support for establishing a requirement for Lifeline subscribers to pay for Lifeline service. The [Indiana Utility Regulatory Commission](#) urged the Commission to move cautiously as it formulates new federal rules in order to prevent the unintended consequence of creating areas of the country not served by an ETC and are without Lifeline support. The [Michigan PSC](#) said all ETCs should be designated through the traditional state and federal processes for the purposes of both the high-cost and Lifeline programs. It also opposed halting Lifeline enrollments should there be an unnecessary delay of the launch of the National Verifier. The Wireline Competition Bureau [extended](#) the due date for filing comments. Comments are now due February 21; 2018; replies are due March 23, 2018.
- Sprint filed [reply comments](#) on January 23, 2018, to comments on its [Petition for Reconsideration](#) of a provision included in the [Order](#) that granted the California PUC's request for additional time to implement the federal streamlined Lifeline eligibility programs. Sprint agreed with the Lifeline Coalition's suggestion that the Commission continue to work closely with California and "grant additional short-term waivers" for eligibility determination if necessary, saying this is a simpler, more cost-effective approach. [Public Notice](#)
- No replies were filed on the California PUC's [Petition](#) seeking a temporary waiver of Lifeline re-certification and non-usage rules for customers affected by the recent California wildfires. [Public Notice](#)
- Puerto Rico Telephone Company filed a [Petition](#) on January 19, 2018, asking the FCC to create an emergency \$200 million Universal Service Fund to help restore telecommunications services in Puerto Rico, which PRTC says is struggling to recover from the extensive damage caused by Hurricanes Irma and Maria in September 2017.
- The Telecommunications Regulatory Board of Puerto Rico [met separately with](#) Chairman Pai and his Advisors, Commissioners Rosenworcel, Carr, O'Rielly, and Clyburn and their Advisors, and members of the FCC's [Hurricane Task Force](#) on January 22 and 23, 2018, to thank the FCC for its support to restore basic infrastructure and services to end-user customers after Hurricanes Irma and Maria. The TRBPR recommended the Board and the FCC work together to provide a mechanism to direct needed support to rural areas of Puerto Rico where the cost is very high. The TRBPR said the FCC's "presumptively uncompetitive" designation enabled ETCs to use their frozen USF support in any area of Puerto Rico regardless of whether the area was identified earlier as competitive, but it also disadvantages rural areas in the long run because limited support will have been spent in more populated urban areas.

- AT&T [met with](#) Wireline Competition Bureau staff on January 23, 2018, to discuss increasing transparency in the Rural Healthcare program and targeting support to mileage-based services to address the reasonable comparability requirement of section 254(h)(1)(A). AT&T also discussed extending E-rate “best practices” to the RHC Program, including E-rate gift rules, bid evaluation criteria, eliminating discounts for voice service, allowing beneficiaries to be reimbursed directly by USAC, and making more information publicly available through searchable databases on USAC’s website.

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## Misc.

- The FCC issued the [agenda](#) on January 23, 2018, for its January 30, 2018 Open Meeting. The FCC will consider: an [Order and Order on Reconsideration](#) addressing the issues raised by parties challenging the CAF Phase II Auction Orders; a [Public Notice](#) establishing procedures for the CAF Phase II auction; an [Order](#) to establish an [Office of Economics and Analytics](#) within the FCC; a [Second Report and Order and Second Order on Reconsideration](#) to enhance the effectiveness of Wireless Emergency Alerts; an [NPRM](#) proposing to eliminate the requirement that broadcast licensees and permittees routinely submit paper copies of contracts and other documents to the FCC as specified in section 73.3613; and an enforcement action. The FCC will also receive a report from the Public Safety and Homeland Security Bureau on its investigation into the false emergency alert that occurred in Hawaii on January 13, 2018. The FCC [removed](#) the [Order](#) deleting rules made obsolete by the Digital TV transition from the January 30, 2018 Open Meeting [agenda](#). The item has already been released.
- Chairman Pai released on January 24, 2018, a list of FCC [accomplishments](#) since he became FCC Chairman a year ago. The list includes: CAF Phase II and Mobility Fund Phase II actions; reversing the FCC’s 2015 imposition of Title II regulation on internet providers; enforcement actions against those who have violated anti-robocall and anti-spoofing laws; addressing rural call completion issues; temporarily stopping and proposing elimination of the Universal Service program’s local service rate floor; and improving FCC transparency and process reforms.
- The Commission placed an item on [circulation](#) on January 19, 2018, entitled “Comprehensive Review of the Part 32 Uniform System of Accounts; Jurisdictional Separations and Referral to the Federal-State Joint Board.”
- Reply comments were filed on January 26, 2018, on the [NPRM and NOI](#) on the regulatory and technological changes that would be required to implement complete nationwide number portability between all service providers. [NTCA](#) asserted the record in this proceeding supports the use of commercial agreements as the path forward to enable implementation of NNP functionality pending a comprehensive consideration of other alternatives by industry experts. NTCA claimed this approach offers the FCC and carriers interested in offering NNP a method by which to implement this service in the near-term, with minimal disruption or confusion to all parties involved. [Aureon Network Services](#) said the Commission should take measures to ensure that NNP implementation does not harm rural carriers and that carriers that benefit from early adoption of NNP pay for those costs. Aureon said to the extent the FCC decides that carriers eager to deploy NNP to their customers may be permitted to do so, the Commission could allow those carriers to offer NNP by entering into voluntary commercial agreements so long as only those carriers offering NNP bear the costs associated with early NNP deployment.
- Comments were filed on January 23, 2018, on potential mechanisms to ensure erroneously blocked calls can be unblocked quickly and without harm to callers and consumers, and ways to measure the effectiveness of efforts to limit robocalling. [NTCA](#) said the blocking of illegal robocalls must not exacerbate the rural call completion problem, and recommended that providers who elect to block calls

be required to provide an intercept message to all callers using a blocked number, which would include clear and simple instructions about how a caller can challenge the block. NTCA also suggested the Commission require larger providers to report the quantity of “false positives” at least quarterly so the FCC can measure the effectiveness of its anti-robocalling efforts. [ITTA](#) urged the Commission to refrain from adopting a reporting obligation for voice service providers. It suggested the Commission continue to use data from the FCC’s Consumer Complaint Data Center as a benchmark for assessing the effectiveness of Commission and industry efforts to combat unlawful robocalls. [USTelecom](#) said the Commission should reject proposals that would require providers who block calls to provide some form of challenge mechanism to originating callers and instead encourage ongoing industry-led efforts that are developing approaches for addressing instances of false positives. It suggested the Commission refrain from requiring intercept messages associated with such blocking, saying illegal robocallers are notoriously adaptable and quick to adjust to such measures. USTelecom also said the Commission should reject its mandatory reporting proposal limited solely to voice providers and replace it with a voluntary reporting framework covering a broader range of stakeholders. [CTIA](#) urged the Commission to adopt a safe harbor to mitigate risks and encourage voluntary blocking, work internationally to reduce illegal robocalls, and continue effective enforcement against illegal robocallers. The [VON Coalition](#) suggested that cooperation between service providers provides the best mechanism to ensure that erroneously blocked calls may be unblocked as quickly as possible, and said the FCC should not mandate new reporting requirements to track erroneously blocked calls. [Comcast](#) asserted the Commission can address robocalling without imposing undue burdens and could require voice providers to establish their own easy-to-find web pages that individuals or entities can then use to report erroneous call blocking. The [Federal Trade Commission’s Bureau of Consumer Protection](#) supported Commission efforts to identify and rectify any erroneous blocking, but does not support the Commission’s proposal to require providers who block calls to provide a formal challenge mechanism. [Noble Systems Corporation](#) encouraged the Commission to require carriers providing call blocking services to offer specific mitigation services. [Encore Capital Group](#) urged the Commission to issue a formal definition of a robocall, and said callers should be able to upload and update legitimate numbers to a white list with relative ease. [All comments available to date](#). Replies are due February 22, 2018. [FNPRM](#)

- The FCC [announced](#) on January 25, 2018, the next Consumer Advisory Committee meeting will be on February 26, 2018. The CAC is expected to consider a recommendation from its Robocalls Working Group regarding call authentication, and will receive briefings from Commission staff on issues of interest to the Committee.
- First Orion [met with](#) Chairman Pai and his Legal Advisor on January 17, 2018, to discuss efforts to develop tools to combat unwanted and illegal calls. It asked the Commission to avoid mandating a particular reporting process, and encouraged the Chairman to support voluntary adoption of industry best practices.
- ITTA filed [a letter](#) on January 23, 2018, to urge the Commission and its new Office of Economics and Analytics to consider how to accommodate the lesser resources of smaller businesses so they can also engage on the economics- and data-intensive issues that typically play a large role in the most prominent FCC proceedings. ITTA said the [OEA Plan](#) evinces cognizance on the part of the working group that formulated it of the need to ensure the Commission’s economic analysis properly considers a proposed rule’s effects on small businesses. ITTA noted, however, nowhere in the Draft Order or the OEA Plan is there evidence that the Commission has heretofore considered, as it prepares to elevate the roles of economics and data analysis in its work, how to facilitate small businesses having an effect on those facets of the Commission’s work.
- The North American Portability Management filed a [response](#) on January 24, 2018, to Neustar’s [letter](#) claiming the December 29, 2017 LNP transition [status report](#) fails to inform stakeholders of key elements of transition readiness. NAPM urged Neustar to act in good faith by proactively mitigating risks associated with the transition rather than exacerbating risks through its own actions and failures to act. NAPM asserted Neustar’s explicit threat to leave the industry with no contingency support should any problems arise during the transition is unconscionable, and said Neustar’s failures to act in good faith violate the FCC Orders and Neustar’s contractual obligations.



- Neustar filed a [letter](#) on January 24, 2018, requesting that the Wireline Competition Bureau fully disclose Article 19 of iconectiv's Master Services Agreement with the NAPM and disclose the Transition and Implementation Plan submitted with iconectiv's response to the 2015 LNP Administrator Request for Proposal. Neustar claimed now that the LNPA selection process has concluded, there is no longer any risk that disclosing additional portions of the MSA could give Neustar a competitive advantage. Neustar claimed the lack of transparency surrounding the Transition and Implementation Plan makes it impossible to hold iconectiv accountable for fulfilling its obligations.
- Chairman Pai [announced](#) on January 24, 2018, Sarah Whitesell has been appointed as a Deputy Chief of the Media Bureau. In addition to her prior role as Deputy Chief of the Media Bureau, Ms. Whitesell served as a Legal Advisor to Acting Chairwoman Clyburn and to Commissioners Adelstein and Tristani.
- The FCC posted an updated [membership list](#) of the Federal State Joint Board on Separations on January 3, 2018.
- President Trump [submitted](#) to the Senate on January 25, 2018, the following five nominations for Federal Trade Commissioners: Rohit Chopra, of New York, for the unexpired term of seven years from September 26, 2012; Noah Joshua Phillips, of Maryland, for the term of seven years from September 26, 2016; Joseph Simons, of Virginia, for the term of seven years from September 26, 2017; Christine S. Wilson, of Virginia, for the unexpired term of seven years from September 26, 2011; and Christine S. Wilson, of Virginia, for the term of seven years from September 26, 2018 (reappointment). Chairman Pai issued a [statement](#) on the nominations.

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## Upcoming Filing Dates

- Feb. 1 - PRA comments due on an extension of a currently approved information collection associated with Form 480, Rural Call Completion Recordkeeping and Reporting Requirements. [Notice](#)
- Feb. 2 - Comments due on the [NPRM](#) on ways to ensure that rural healthcare providers get the support they need from the Rural Healthcare Program while guarding against waste, fraud, and abuse, and proposing a series of measures to ensure the RHC Program operates efficiently and within the appropriate size of the funding cap. Replies due March 5, 2018. [FR](#), [FR](#)
- Feb. 8 - PRA comments due on an extension of a currently approved information collection that implements sections 201 and 251 and provides for physical collocation on rates, terms and conditions that are just, reasonable and nondiscriminatory, and promotes deployment of advanced telecommunications services without significantly degrading the performance of other services. [Notice](#)
- Feb. 12 - Comments due on Alaska Telephone Association's [Petition](#) seeking clarification and a waiver of Lifeline minimum service standards. Replies are due February 26, 2018. [Public Notice](#)
- Feb. 15 - Comments due on NECA's 2018 Modification of Average Schedule [Formulas](#). Replies are due March 2, 2018. [Public Notice](#)
- Feb. 16 - Replies due on the [FNPRM](#) on further changes to the pole attachment rules, network change disclosure processes, and section 214(a) discontinuance processes.
- Feb. 21 - Comments due on the Lifeline [NPRM and NOI](#). Replies are due March 23, 2018. [Order](#)
- Feb. 22 - Replies due on potential mechanisms to ensure that erroneously blocked calls can be unblocked quickly and without harm to callers and consumers, and ways to measure the effectiveness of robocalling efforts. [FNPRM](#)

- Feb. 22 - Replies due on the [FNPRM](#) on spectrum bands above 24 GHz.
- Feb. 26 - Replies due on Alaska Telephone Association's [Petition](#) seeking clarification and a waiver of Lifeline minimum service standards. [Public Notice](#)
- Mar. 2 - Replies due on NECA's 2018 Modification of Average Schedule [Formulas](#). [Public Notice](#)
- Mar. 5 - PRA comments due on two revisions of currently approved information collections associated with pole attachment complaint procedures and section 251 network change disclosure requirements. [Notice](#)
- Mar. 5 - Replies due on the [NPRM](#) on ways to ensure that rural healthcare providers get the support they need from the Rural Healthcare Program while guarding against waste, fraud, and abuse, and proposing a series of measures to ensure the RHC Program operates efficiently and within the appropriate size of the funding cap. [FR](#), [FR](#).
- Mar. 13 - PRA comments due on a revision of a currently approved information collection associated with changes to the approval process for service discontinuance applications for low-speed legacy services made in the November 29, 2017 [Wireline Infrastructure Order](#). [Notice](#)
- Mar. 19 - PRA comments due on the information collection requirements relating to disclosure requirements in the Restoring Internet Freedom [Order](#) requiring ISP to publicly disclose their network management practices, performance, and commercial terms of service for broadband internet access services. [Notice](#)
- Mar. 19 - PRA comments due on an extension of a currently approved information collection relating to the accounting rules that require carriers to account for adverse federal antitrust judgments and post-judgment special charges. [Notice](#)
- Mar. 23 - Replies due on the Lifeline [NPRM and NOI](#). [Order](#)

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Editor: [Teresa Evert](#) | Assistant Editor: [Shawn O'Brien](#)