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February 21, 2017 HIGHLIGHTS

- The FCC released the [agenda](#) for its February 23, 2017 Open Meeting, and will consider, among other things: a Report and Order on the Mobility Fund; a Report and Order and Order on Reconsideration that resolves a number of issues raised in the CAF Phase II Auction Order FNPRM, including the adoption of weights; an Order granting a five-year waiver to BIAS providers with 250,000 or fewer broadband connections from the enhanced reporting requirements adopted in the 2015 Title II Open Internet Order; and a Report and Order that would streamline and eliminate Part 32 accounting rules.
- The FCC [announced](#) the 2017 local voice service rate floor for incumbent ETCs is \$22.49, the reasonable comparability benchmark for voice services is \$49.51, and the reasonable comparability benchmarks for broadband services range from \$76.47 for 10/1 Mbps (100 GB usage allowance) through \$90.76 for 25/5 Mbps (unlimited usage).
- [Comments were filed](#) on the [FNPRM](#) asking whether to expand the A-CAM budget for rate-of-return carriers to provide additional funding with an associated increase in broadband deployment obligations. Replies are due February 27. [FR Notice](#)
- WTA [seeks](#) a waiver or extension of the March 31, 2017 deadline until December 31, 2017, for recipients of CAF A-CAM and CAF BLS support to file deployment data in the High Cost Universal Service Broadband portal.
- WTA, et al. [support](#) full funding for both the A-CAM Path and the RoR Path.
- Oppositions [are due](#) March 6, 2017, to Adak Eagle Enterprise's [Petition for Reconsideration](#) of the FCC's decision to deny Adak Eagle a second offer of A-CAM support. Replies are due March 14, 2017.
- NTCA [said](#) a paper prepared by Vantage Point Solutions shows 5G networks will continue to have technical shortcomings that will render them very useful complements, but poor substitutes, for wireline broadband.
- Numerous ex partes were filed on the CAF Phase II auction and the Mobility Fund II.
- Allband [discussed](#) its [Petition](#) for interim partial waiver of the \$250 per line cap on high-cost support and for increased per line support above the cap.
- Oppositions [are due](#) March 6, 2017, to [Petitions for Reconsideration](#) filed on the Broadband Privacy [Report and Order](#). Replies are due March 17, 2017.
- Comments [are due](#) March 16, 2017, on why the FCC should not initiate proceedings to revoke the Commission authorizations granted to SIC. Replies are due March 31, 2017.
- USTelecom filed an [opposition](#) to SIC's [Petition for Reconsideration](#) of the [Order](#) that found SIC improperly received payments in the amount of \$27,270,390 from the federal high-cost support mechanisms from 2002 to June 2015. Replies are due February 27. [FR](#)
- [Hawaiian Telcom](#) and [Crown Castle](#) filed comments on the DHHL's [request](#) for guidance on whether SIC's exclusive license to provide telecommunications services to the Hawaiian home lands conflicts with section 253(a) of the Act. Replies are due February 27. [Public Notice](#)

Other Key Upcoming Dates

- Feb. 27 - Replies due on whether to expand the A-CAM budget for RoR carriers to provide additional funding with an associated increase in broadband deployment obligations. [FR Notice](#)
- Feb. 27 - Replies [due](#) on SIC's [Petition for Reconsideration](#) of the [Order](#) that found SIC improperly received payments in the amount of \$27,270,390 from the federal high-cost support mechanisms from 2002 to June 2015.

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USF Reform

- The Wireline Competition Bureau issued a [Public Notice](#) on February 14, 2017, announcing the 2017 local voice service rate floor for incumbent ETCs is \$22.49. All ILEC recipients of high-cost support must report in their annual Form 481 the number of residential service lines for which the sum of the local rate and state fees (as of June 1, 2017) is below \$22.49 by July 1, 2017. The Bureau indicated, as the full impact of the local rate floor was waived for a four-year period, to the extent an ILEC's local rates plus state-regulated fees in 2017 are less than \$20, that carrier's high-cost support will be reduced on a dollar-for-dollar basis. The Bureau also announced the reasonable comparability benchmark for voice services is \$49.51, and the reasonable comparability benchmarks for broadband services range from \$76.47 for 10/1 Mbps (100 GB usage allowance) through \$90.76 for 25/5 Mbps (unlimited usage). The minimum monthly usage allowance for 2017 has been increased to 160 GBs for both price cap carriers receiving Phase II model-based support and rate-of-return carriers. The Bureau also announced the [posting](#) of the fixed voice and broadband services data collected in the most recent urban rate survey and the explanatory notes.
- Comments were filed on February 13, 2017, on the [FNPRM](#) asking whether to expand the A-CAM budget for rate-of-return carriers to provide additional funding with an associated increase in broadband deployment obligations. [NTCA](#) urged the FCC to provide full funding for the A-CAM, and asked the FCC to address its [Petition for Reconsideration](#) with respect to the sufficiency of USF support for those RLECs that did not elect A-CAM distribution. NTCA said the Commission should address the non-model budget shortfall at the same time it addresses the A-CAM funding shortfall. [WTA](#) supported full funding of both the A-CAM and the RoR path by eliminating the unpredictable and investment-inhibiting section 54.904(f) budget control mechanism and adopting an inflation adjustment for the controlling RoR budget. [ITTA](#) supported fully funding the A-CAM plan and all support mechanisms applicable to RoR carriers, regardless of whether they have elected to participate in the A-CAM plan or remain under revised RoR carrier support mechanisms. [USTelecom](#) supported additional funding to fully fund A-CAM, and said at the same time, the Commission should also fully fund the CAF BLS mechanisms for non-model electors. USTelecom noted in the first half of the year, the budget control mechanism reduced support for non-model RoR carriers by almost \$80M or 10%, which equates to an annual reduction of \$160 million. USTelecom expressed the view that the requested additional amount is not outside the scope of funds that the Universal Service programs and CAF reserves have available. The [Nebraska Companies](#) supported fully funding A-CAM, claiming funding at up to \$200 per location would assure more high-quality, high-speed broadband service to tens of thousands more customers, and avoid relegating many rural consumers to sub-standard or no broadband. The [Minnesota ACAM Group](#) supported a further increase in the A-CAM budget to provide the full amount of the original August 3, 2016 offer of support to all those carriers accepting the December 20, 2016 second offer of support. They argued full funding will minimize inequities and distortions that can impair the working and results of the A-CAM experiment. [List of all comments available to date](#). Replies are due February 27. [FR Notice](#)
- WTA filed a [Petition](#) on February 17, 2017, for a temporary waiver or extension of the March 31, 2017 deadline until December 31, 2017, for recipients of CAF A-CAM and CAF BLS support to file in the High Cost Universal Service Broadband portal all new qualifying locations to which they made broadband service available in the prior calendar year (2016). WTA indicated it understands both the A-CAM and the CAF-BLS filing requirements with respect to the HUBB portal are subject to OMB review under the Paperwork Reduction Act, and it is not clear when OMB action will occur. WTA said even if full OMB approval were to be issued today, there would be only seven business days remaining for WTA members to make the new and unfamiliar filings in the HUBB portal. WTA said the HUBB filing requirements constitute a major burden for small companies.
- The FCC published a [Notice](#) in the Federal Register on February 17, 2017, announcing comment dates for Adak Eagle Enterprise's [Petition for Reconsideration](#) of the FCC's decision to deny Adak Eagle a second offer of A-CAM support. Adak Eagle has argued the decision was made based on the FCC's understanding that AEE would not be able to meet the 4/1 Mbps service standard required of RoR carriers receiving A-CAM support, but due to a change in satellite service providers, AEE claims it

now has the ability to meet the A-CAM service requirements. Oppositions are due March 6, 2017; replies are due March 14, 2017.

- The Wireline Competition Bureau issued a [Public Notice](#) on February 17, 2017, releasing the list of census blocks that have been deemed initially eligible for Connect America Phase II support to be allocated in partnership with New York State's New NY Broadband program. The list can be found at: https://apps.fcc.gov/edocs_public/attachmatch/DOC-343549A1.xlsx.
- The Wireline Competition Bureau issued an [Erratum](#) on February 17, 2017, to the [Order](#) granting New York State's [Petition](#) for waiver of the CAF Phase II auction program rules. This Erratum corrects the third sentence in paragraph 12 of the Order, by replacing "New York's deadline" with "the Commission's deadlines".
- Empire State Development and CostQuest [met with](#) Chairman Pai's Senior Counsel on February 14, 2017, to discuss the New York CAF auction Order. They discussed the conditions included in the Order, and provided an overview of how the State intends to comply with these conditions in its broadband funding program.
- Northeast Louisiana Telephone, Valley TeleCom Group, TDS Telecom, and WTA [met with](#) Commissioner O'Rielly's Legal Advisor and [Wireline Competition Bureau staff](#) on February 14, 2017, to reiterate their support for full funding both the A-CAM and the RoR paths. WTA noted it had filed a suggested unsubsidized competitor form in October 2016 as a follow-up to discussions with the Bureau regarding the future challenge process for entities claiming to be unsubsidized competitors within census blocks served by RoR path carriers, and it attached a copy for Commissioner O'Rielly. WTA also urged the Commission to act expeditiously on the stay petition filed by WTA and other industry associations regarding the Broadband Privacy Order.
- NTCA filed [a letter](#) on February 13, 2017, to submit a technical paper prepared by Vantage Point Solutions entitled *Evaluating 5G Wireless Technology as a Complement or Substitute for Wireline Broadband*, which concludes that although there is much anticipation about phenomenal possible speeds for 5G wireless networks, they will continue to have technical shortcomings that will render them very useful complements, but poor substitutes, for wireline broadband. NTCA stated the paper demonstrates that wireline networks will represent the critical foundation for more robust and scalable fixed broadband solutions – both wireline and wireless.
- Allband Communications [met with](#) Legal Advisors to Chairman Pai and Commissioners Clyburn and O'Rielly, and Wireline Competition Bureau staff on February 9, 2017, to discuss Allband's [Petition](#) for interim partial waiver of section 54.302 and for increased per line support above the \$250 per line cap. Allband requested the FCC grant an immediate increase in its USF support to \$375 per line on an emergency interim basis, pending approval of a higher per line amount depending on the results of a pending USAC report, and expeditiously process Allband's final waiver petition. Allband claimed absent emergency relief, it will be unable to continue providing any services, including voice, 911, and broadband.
- The Association of Missouri Electric Cooperatives, Midwest Energy Cooperative, NTCA, the Utilities Technology Council, the National Rural Electric Cooperative Association, HomeWorks Tri-County Electric Cooperative, Alger Delta Cooperative Electric, and Great Lakes Energy [met separately with](#) Legal Advisors to Chairman Pai and Commissioners O'Rielly and Clyburn, and Wireline Competition Policy Bureau staff on February 10 and 13, 2017, to urge the Commission to adopt its weighting proposal for the CAF Phase II auction. They expressed concern that because certain weighting proposals appear to favor lower speeds, such proposals would likely discourage some providers that are seeking to deliver higher-tier speeds from participating in the auction. They also argued that evaluating the auction's success as potential homes passed is misguided, saying homes passed is not the same as homes connected, and encouraged the Commission to evaluate, on a technology-by-technology basis, Form 477 data on actual take rates in order to gain a more accurate picture of consumer preferences. They also discussed the need for the Commission to adopt accountability measures to prevent waste, fraud, and abuse.

- ITTA [met with](#) Legal Advisors to Chairman Pai and Commissioner O’Rielly on February 13 and 14, 2017, to urge the Commission to adopt CAF Phase II auction procedures that emphasize breadth of deployment and efficient use of limited USF funds. It suggested an approach to the weighting of tiers by speed and by latency. It also emphasized that time is of the essence to act on the stay petition filed jointly by ITTA and eight other associations on the Broadband Privacy Order, given the impending March 2, 2017 effective date of the new data security requirements.
- ITTA [met with](#) Commissioner Clyburn’s Legal Advisor on February 15, 2017, to recommend the Commission adopt CAF Phase II auction procedures that emphasize breadth of deployment and efficient use of limited USF funds. It suggested the Commission consider subscribership data for broadband services of various performing levels, in conjunction with their relative costs to consumers, in establishing weights accorded to the four service tier levels delineated in the CAF II Auction Order, arguing rural consumers are far more inclined to adopt less-expensive 10/1 Mbps services than higher-priced 25/3 Mbps services. ITTA also suggested weightings for speed and latency. It also said time is of the essence to receive guidance with respect to the Petition for Stay of the Broadband Privacy Order filed jointly by ITTA and eight other associations given the impending March 2, 2017 effective date of the new data security requirements.
- Verizon, Windstream, Frontier, AT&T, and USTelecom [met with](#) Commissioner Clyburn’s Legal Advisor on February 15, 2017, to discuss the formulation and use of bidding weights in a potential CAF Phase II auction.
- AT&T Services [met separately with](#) Commissioners O’Rielly and Clyburn’s Legal Advisors on February 14 and 15, 2017, to discuss the Mobility Fund II and CAF Phase II auctions. AT&T said the requirements for MF II must be reasonable and clear before the auction, but the proposed 10/1 “median data speed of the network” fails this test on both counts and the proposed “overall” 90% of the eligible square miles in a state deployment requirement does not take into account the unique challenges of the eligible areas.
- WISPA [met with](#) Chairmen Pai and his Legal Advisor and Legal Advisors to Commissioners O’Rielly and Clyburn on February 14, 2017, to discuss the bidding rules for the CAF Phase II auction. WISPA argued the bidding weights should not overweight the Above Baseline and Gigabit Tiers, but should instead favor the Baseline Tier of 25/3 Mbps service. Otherwise, in WISPA’s view the auction will effectively preclude fixed wireless and other technologies from competing for funds. WISPA reiterated its opposition to any reverse auction approach that would award bidding preferences for eligible locations in states where the price cap carrier declined the offer of model-based support. WISPA also reiterated the Commission should clarify the requirements in sections 54.315(a)(6) and 54.804(b)(6) for applicants proposing to use terrestrial spectrum and asked the Commission to further relax the letter of credit requirements so the amount of the LOC reduces at the same rate the CAF recipient meets its build-out milestones.
- Forty cable operators filed [a letter](#) on February 16, 2017, to tell the FCC they are interested in bidding in the CAF Phase II auction but assert they will not have an incentive to participate in the competitive bidding process unless they have a reasonable chance of winning against bidders proposing to offer lower performance services using alternative technologies. They said the Commission’s decision on establishing a weighting methodology for the competitive bidding process is of critical importance. They claimed only a proposal like that submitted by the American Cable Association provides a sufficient incentive for them to participate.
- Bloosurf [met with](#) Legal Advisors to Chairman Pai and Commissioners O’Rielly and Clyburn on February 14, 2017, to discuss the assignment of weights for the upcoming CAF II reverse auction. Bloosurf presented new weights for the FCC to consider when determining how to design the CAF II auction and provided information indicating that the costs of equipment providing Tier 3 services differed by 2.5x the costs of equipment providing Tier 2 services and thus a weight of 50 is preferable between Tier 3 and Tier 2.

- The Governor of Missouri sent Chairman Pai and Commissioners O’Rielly and Clyburn [a letter](#) on February 16, 2017, stating that in structuring the CAF Phase II auction process, the FCC should ensure that rural communities have a meaningful opportunity to receive future-proof, high quality broadband comparable to the services available in urban areas across the country. He encouraged them to support the proposal submitted by the Association of Missouri Electric Cooperatives, Midwest Energy Cooperative, HomeWorks Tri-County Electric Coop, Alger Delta Cooperative Electric Association, Great Lakes Energy, NRECA, and UTC. He said encouraging deployment on 1 Gigabit service will truly transform rural communities in Missouri.
- Hughes Network Systems [met with](#) Legal Advisors to Chairman Pai and Commissioners Clyburn and O’Rielly, and Wireline Competition Bureau staff on February 9, 2017, to discuss the CAF Phase II auction. Hughes asserted the record supports a bid-ranking system that maximizes participation and breadth of broadband coverage. Hughes claimed most commenters agreed that weighting per tier should be modest, and asserted those advocating for significant weighting for the gigabit tier were from fiber providers seeking to advantage their technology despite its inferior cost-effectiveness. Hughes also [met with](#) International Bureau staff on February 14, 2017, to discuss similar issues.
- ViaSat [met with](#) Commissioner Clyburn’s Legal Advisor on February 13, 2017, to discuss the weighting criteria for the CAF Phase II reverse auction, emphasizing they should be technology-neutral, grounded in empirical data, and not result in unreasonable biases against specific technologies.
- ViaSat [met with](#) Wireline Competition Bureau staff on February 14, 2017, to discuss the CAF Phase II auction rules. It advocated weighting criteria that are technology neutral and grounded in empirical data, and avoiding auction rules that in its view would result in unreasonable biases against specific technologies. ViaSat also met with Commissioner [O’Rielly’s staff](#) and [International Bureau staff](#) on February 16, 2017, to discuss similar issues.
- ViaSat filed [a letter](#) on February 16, 2017, to provide its reasoning for adopting certain weightings for the CAF Phase II auction. ViaSat argued a weighting differential of 20 percent between the Minimum (10/1 Mbps) tier and the Baseline (25/3 Mbps) tier is appropriate, and expressed concern that many weighting proposals are based on ill-informed speculation about the cost structures or likely bidding activities of certain auction participants.
- NTCA [met with](#) Commissioner Clyburn’s Legal Advisor on February 14, 2017, to suggest a data confirmation and challenge process for the Mobility Fund II. It detailed its proposed challenge process, and stressed the importance of recognizing that the GSM and CDMA networks are incompatible. NTCA also said flash cutting all support where only one LTE network is currently available could result in a total loss of voice service for existing consumers, including the ability to dial 911. NTCA expressed support for a reasonable transitional phase-down of support specifically in those areas where consumers face losing voice service because there is only one unsubsidized competitor with LTE network capabilities.
- Verizon [met with](#) Legal Advisors to Chairman Pai and Commissioners O’Rielly and Clyburn on February 13, 14, and 15, 2017, to discuss the CAF Phase II auction and the Mobility Fund II. Verizon said the Commission should design the auction rules to achieve reasonably fast speeds, emphasizing the above-baseline tier, to a reasonable percentage of eligible locations, and to address the costliest locations with the Remote Areas Fund. It urged the grant of Verizon’s Petition for Reconsideration of the ratio of bid to reserve bid ranking method adopted in the Competitive Bidding Order, and grant of its Petition for Reconsideration of the unlimited usage requirement for the above-baseline and gigabit tiers. Verizon claimed a requirement that Mobility Fund recipients cover 90 percent of the bid area could discourage bids, and also urged the Commission to adopt a lower downstream speed target. It argued the Commission should seek further comment on the design of the challenge process, and opposed NTCA’s proposal for a challenge process.
- The Competitive Carriers Association filed [a letter](#) on February 16, 2017, calling for publication of the draft Mobility Fund II Order, saying this would be a step toward transparency and improved outcomes that both the Chairman and Commissioner O’Rielly have proposed. CCA asserted certain aspects of

the proposed MF II framework violate the Commission's statutory obligations under section 254 of Communications Act, depart without plausible explanation from the Commission's past actions, and defy other principles of reasoned decision-making. It claimed the framework comprises inconsistent minimum speed requirements, eligibility determinations driven by poor data on service availability, and flash cuts in legacy support that stand to reduce wireless access in areas the Commission deems covered by an unsubsidized provider, but that in fact are either served exclusively by a small or regional carrier or are entirely unserved. CCA further argued the hastily designed challenge process intended as a safety valve to alleviate inaccurate eligibility determinations is not up to that task.

- The Competitive Carriers Association [met with](#) Chairman Pai and his Legal Advisors and Legal Advisors to Commissioners O'Rielly and Clyburn on February 15, 2017, to encourage the FCC to anchor its Mobility Fund II funding decisions on accurate service data and a sound challenge process, and avoid funding flash-cuts for legacy recipients to prevent widening the digital divide. CCA reiterated its recommendation that the FCC employ a data collection method and subsequent challenge process that accurately identifies which areas of the U.S. are served versus unserved, and agreed the Commission should seek comment on the structure and standards to be applied in the challenge process, provide a sufficient amount of time for carriers to accurately and wholly respond during the challenge process, and adopt a procedure that does not burden smaller carriers with limited resources. CCA also urged the FCC to implement a reasonable phase-down period for existing USF support over several years.
- Panhandle Telephone and Pine Belt Cellular filed [a letter](#) on February 15, 2017, urging the FCC to allow areas served by only one unsubsidized LTE network to be eligible for Mobility Fund II support, claiming a flash cut to high cost support in these areas may amount to a complete loss of service for customers of an incompatible technology. They said concerns regarding incompatible network technologies were raised in the MF Phase II comments over the past several years by multiple carriers and industry groups, and none have been refuted. They argued in order to assure preservation of critical voice services and access to emergency communications, the Commission's MF II rules should preserve MF II eligibility for those areas where only one unsubsidized LTE network is present and the fallback circuit switched network to support voice is either CDMA or GSM when VoLTE is not available.
- Eighteen rural wireless companies sent [a letter](#) to Chairman Pai on February 14, 2017, to urge the Commission to revise its Mobility Fund II plan to ensure sufficient, predictable support for both deployment of new networks and those supported by legacy high-cost funds. They said the Form 477 data is erratic at best and is not a suitable mechanism for determining areas that will be eligible to receive Mobility Fund support, and urged the FCC to correct these deficiencies so as not to make the same mistake as past administrations. They said it is imperative the Mobility Fund II target geographic areas without LTE, while providing sufficient transitional certainty in legacy high-cost areas for at least three years.
- Mosaik Solutions [met with](#) Legal Advisors to Chairman Pai and Commissioners O'Rielly and Clyburn on February 16, 2017, to discuss the exclusive use of FCC Form 477 data in the Mobility Fund II context. It asserted undue reliance on government-sponsored data collections threatens to stymie investment and innovation in the commercial market, asserting Form 477 data is dated upon release and is less accurate than the data produced by the private sector. Mosaik recommended the Commission adopt objectives rather than methodologies for measuring mobile broadband, and attached materials that it said include diverse categories of metadata that may be collected to better determine if networks are available and efficient under the mobile broadband standards defined by the Commission. Mosaik also said the challenge period for the data used in the Mobility Fund II context must offer stakeholders sufficient time to study the results and respond to the Commission, and suggested this process will require at least ninety days if parties are to have a meaningful opportunity to respond.
- Nielsen Holdings [spoke with](#) Legal Advisors to Commissioners Clyburn and O'Rielly on February 15, 2017, to urge the Commission not to foreclose the use of Nielsen data in any Mobility Fund Phase II challenge process. Nielsen claimed its Nielsen Mobile Performance program results would be tremendously valuable in the context of Mobility Fund Phase II and reflect actual consumer experience

at a granularity as small as five meters and said the Commission should welcome the use of NMP data as a source of evidence to verify or dispute the presence of LTE (or any other technology) in a particular census block.

- T-Mobile filed a [letter](#) on February 16, 2017, to offer recommendations for clarifications and improvements for the Mobility Fund Phase II based on its experience in Mobility Fund Phase I. T-Mobile offered recommendations on finalizing program specifications, a coverage data improvement process, the bidding areas, terms of support, performance requirements, performance bonds, performance testing, compliance testing, streamlined review of USAC determinations, a Q&A website, collocation and roaming obligations, and defaults. T-Mobile also suggested the Commission not suspend or eliminate legacy high cost support until Mobility Fund Phase II is fully operational.
- CTIA sent [a letter](#) to Chairman Pai and Commissioners O’Rielly and Clyburn on February 16, 2017, to suggest the Commission ensure that mobile wireless providers seeking to participate in Mobility Fund Phase II have clear and consistent expectations about the reverse auction and deployment and service obligations. CTIA also encouraged the Commission to provide a measured and phased transition from legacy USF support that does not inadvertently harm coverage for consumers in these areas, and encouraged the Commission to move forward with modernizing its infrastructure siting policies so that wireless networks can be rapidly and efficiently deployed.
- Cellular South, NE Colorado Cellular, Smith Bagley, East Kentucky Network, Nex-Tech Wireless, Union Telephone Company, Pine Cellular Phones, and Cellular Network Partnership filed [a letter](#) on February 16, 2017, to discuss the studies performed by ClearSky Technologies and CostQuest, which they claimed demonstrate the FCC Form 477 network deployment data disseminated by the Commission does not comply with the information quality guidelines issued by the Office of Management and Budget and implemented by the Commission. They also discussed a challenge process proposed by AT&T and others, which they claimed would be impossible to complete within sixty days. They recommended the Commission adopt a data improvement process that prescribes: the filing of improved Form 477 data that is reproducible so that LTE coverage can be verified; the format for submitting data; and the procedures carriers must follow. They argued the Commission provided no notice that it was considering the adoption of a data improvement process and must therefore issue a FNPRM on the Joint Proposal before it can adopt such a proposal. They also claim a FNPRM is required to improve the Form 477 data program and to modify the instructions to Form 477.
- The Rural Wireless Association [held conference calls](#) with Legal Advisors to Chairman Pai and Commissioners O’Rielly and Clyburn, and staff from the Wireless Telecommunications and Wireline Competition Bureaus on February 10 and 13, 2017, to discuss Mobility Fund II issues, including expected timelines, funding eligibility determinations, the transition of existing support, and service requirements. RWA expressed concern about the lack of a common coverage standard governing Form 477 data, but said the discussions with Commission staff indicated the MF II proposal will go forward with current data and the challenge process will be used to improve upon it. RWA urged the FCC to consider challenge process specifics via a public notice that seeks comment from interested parties. RWA also argued the phase-down of existing support is inadequate to protect the needs of rural consumers, and recommended a true, five-year transition.
- The Rural Wireless Association filed [a letter](#) on February 16, 2017, to respond to the Mobility Fund Phase II proposal filed by AT&T Services, Atlantic Tele-Network, and Buffalo-Lake Erie Wireless (Blue Wireless). RWA expressed concern that the speed at which the Commission is pursuing a conclusion to the Mobility Fund proceeding will leave parties without a meaningful opportunity to comment or engage in a dialogue regarding the proposal at issue, in contravention of the Administrative Procedures Act.
- RWA filed another [letter](#) on February 16, 2017, to respond to AT&T’s February 15, 2017 letter, which disclosed that its Form 477 Mobile Broadband Deployment data and Mobile Voice Deployment data as of June 2016 used coverage boundaries at a resolution of 90 meters. RWA claimed this information provides little insight into how accurately Form 477 data represents the real world.

- AT&T filed [a letter](#) on February 15, 2017, to express support for the Commission's plan to use data collected from the Form 477 as the starting point for determining areas that should be eligible for Mobility Fund Phase II support. It noted carriers are not required to publicly disclose their Form 477 methodologies, but stated its Form 477 Mobile Broadband Deployment data and Mobile Voice Deployment data as of June 2016 used coverage boundaries at a resolution of 90 meters.
- CTIA [met with](#) Commissioner O'Rielly's Legal Advisor on February 13, 2017 to reiterate the importance of the Commission implementing a permanent and robust Mobility Fund Phase II that will enable mobile wireless providers to serve rural and high-cost areas where consumers lack access to critical mobile wireless broadband services. CTIA urged the Commission to ensure that mobile wireless providers seeking to participate in Mobility Fund Phase II have clear and consistent expectations about the reverse auction, deployment, and service obligations. CTIA also [met with](#) Legal Advisors to Chairman Pai and [Commissioner Clyburn](#) on February 14 and 15, 2017, and [staff](#) from the Wireless Telecommunications and Wireline Competition Bureaus on February 10, 2017, to discuss similar issues.
- US Cellular [met with](#) staff from the Wireline Competition and Wireless Telecommunications Bureaus on February 10, 2017, to urge the Commission to avoid flash cuts in legacy support reductions. U.S. Cellular said AT&T/ATNI/Buffalo-Lake Erie's [proposal](#) contains detailed drive testing and application testing protocols that will be extraordinarily difficult for carriers to meet within the proposed 60-day window for a challenge, and it urged the Commission to fix Form 477 data, develop a challenge process to allow a fulsome examination of the various app-based tools as well as alternative testing procedures that do not burden small business, and take in new Form 477 data, release it soon thereafter, and begin the challenge and auction process.
- U.S. Cellular [met with](#) Chairman Pai and Commissioner Clyburn and their Legal Advisors and Commissioner O'Rielly's Legal Advisor on February 16, 2017, to discuss the Mobility Fund II proposal from AT&T/ATNI/Buffalo-Lake Erie that contained detailed drive testing and application testing protocols, which U.S. Cellular said will be extraordinarily difficult for carriers to meet within the proposed 60-day window for a challenge process. U.S. Cellular urged the Commission to fix the Form 477 data, not adopt package bidding in the MFII auction, and avoid flash cuts in legacy support reductions. It also attached a Cost Study for 4G Unserved Areas, authored by CostQuest, that it said provides an estimated cost of delivering 4G LTE service to unserved areas, drawn from the FCC's Form 477 proceeding.
- Union Wireless [met with](#) Legal Advisors to Chairman Pai and Commissioners O'Rielly and Clyburn on February 14, 2017, to discuss Mobility Fund Phase II. Union claimed the testing procedures described in the proposal recently filed by AT&T/ATNI will prove to be extremely burdensome, especially for small carriers. Union estimated that in Wyoming it will need to test several thousand census blocks, requiring potentially tens of thousands of individual tests and hundreds of hours. Union also stated that, on information and belief, the Form 477 data on file for Wyoming significantly overstates the actual coverage of carriers in the region, and requested the Commission to implement a rational phase down of legacy support.
- Buffalo-Lake Erie Wireless (Blue Wireless) [met with](#) Wireless Telecommunications Bureau and Wireline Competition Bureau staff on February 10, 2017, to express support for its joint proposal made with AT&T and ATN for the Mobility Fund II, and, in particular, the notion that a robust and clearly defined process can be used to improve the Form 477 shapefile data. It urged the Commission to recognize that overly burdensome letter of credit requirements will present a significant deterrent to participation by small entities, such as Blue Wireless, and suggested modifying the LOC rules for small entities such that they are not required to maintain LOCs to secure network construction beyond verification of each program construction milestone.
- ATN International [met with](#) Chairman Pai's Legal Advisor and staff from the Wireless Telecommunications and Wireline Competition Bureaus on February 7 and 9, 2017, to discuss its joint proposal, with AT&T and Blue Wireless, for the Mobility Fund Phase II, and urged the Commission to move forward without delay.

- ATN International filed [a letter](#) on February 16, 2017, to urge the Commission to adopt bidding credits to ensure that unserved and underserved Tribal areas benefit from Mobility Fund and CAF Phase II auction, and to make provisions in MF II similar to those in CAF Phase II to ensure that winning bidders can obtain ETC status in time to participate in the auction.
- Smith Bagley filed [a letter](#) on February 13, 2017, to supplement its previous ex partes, which were attached to the letter, and to update its proposal for a Tribal Lands Plan. SBI proposed the Commission adopt a Tribal Lands Plan similar to the plan adopted for Alaska's mobile wireless carriers in August of 2016. It suggested any carrier would be eligible to opt into the Tribal Lands Plan if it serves a rural Tribal land where less than 90% of households have no telephone service available in the most recent U.S. census, and each qualifying mobile carrier choosing to participate would receive annual amounts of support equal to its CETC support frozen at 2014 levels for a period of 10 years. SBI said the goal of the Tribal Lands Plan would be to extend, insofar as practicable, 4G LTE service to distressed populations who are currently served by 2G or 3G service and to fill in dead zones in remote areas with mobile wireless service, as opposed to satellite telephony, which it claimed is impractical and not mobile in areas where mobility is a critical functionality.
- Smith Bagley, Inc. [met with](#) Legal Advisors to Chairman Pai and Commissioners O'Rielly and Clyburn and Wireline Competition Bureau staff on February 15 and 16, 2017, to discuss SBI's [letter](#) on Tribal Mobility Fund Phase II. SBI urged the Commission to afford special treatment for Tribal Lands in the Lower 48, similar to that provided in the Commission's recent "Alaska Plan" order.
- The Navajo Tribal Utility Authority filed [a letter](#) on February 16, 2017, to urge the Commission to include a bidding credit in the Mobility Fund II to encourage service to tribal lands. It suggested tribal entities bidding on tribal lands should receive a 25% credit, and non-tribal entities bidding on tribal lands should receive a 10% credit. I said it did not support Smith Bagley's proposal to maintain legacy support on tribal lands for ten years, but suggested instead the bidding credits for tribal lands should be adopted for the Mobility Fund II.
- Chariton Valley Wireless, Cross Wireless, NTT Docomo, FTC Wireless, SI Wireless, and Thumb Cellular sent [a letter](#) to Chairman Pai on February 16, 2017, to express support for the [letter](#) sent to Chairman Pai by top executives at eighteen wireless carriers representing rural and regional interests across rural and remote portions of the United States. They said it is imperative the FCC employ the most accurate measurement analyses to identify gaps in service coverage and determine which areas of the U.S. will be eligible for Mobility Fund II support. They maintained the Form 477 data cannot be confidently applied to achieve the Commission's goals.
- Chariton Valley Wireless, Farmers Telephone, Leaco Rural Telephone, and Northwest Missouri Cellular Partnership [met with](#) Chairman Pai's Legal Advisor on February 9, 2017, to discuss the Mobility Fund II. They presented proposals for phase-down of existing support, eligibility requirements for MF II, auction winner obligations, and projected timelines. The rural carriers also urged the Commission to adopt a budget sufficient to preserve and advance mobile services in rural areas.
- ATN International, on behalf of its subsidiary Virgin Islands Telephone, d/b/a Innovative, [met with](#) Wireline Competition Bureau staff on February 9, 2017, to discuss Innovative's tailored service obligations as a non-contiguous carrier that has elected to receive frozen support in CAF Phase II. ATN provided an update on the deployment of the hybrid fiber-coaxial network, explaining the HFC network is not as extensively deployed or as well maintained as previously reported, and remediation is required and underway.

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Open Internet

- Free Press filed a [letter](#) on February 17, 2017, to oppose NCTA and USTelecom's [letter](#), which suggested if the Commission decides to grant a stay of the enhanced transparency requirements, it should do so for all BIAS providers. Free Press claimed NCTA and USTelecom did not present sufficient justification for granting the request.

Broadband

- The FCC [published](#) the [Public Notice](#) in the Federal Register on February 17, 2017, announcing [Petitions for Reconsideration](#) were filed on the Broadband Privacy [Report and Order](#). Oppositions are due March 6, 2017; replies are due March 17, 2017.
- Level 3 [spoke with](#) Commissioner Clyburn's Legal Advisor on February 7, 2017, to discuss the [Joint Petition](#) filed by ACA, ITTA, NTCA, WTA, et al. asking the FCC to stay the broadband privacy [rules](#) while the FCC addresses the [petitions for reconsideration](#) and Level 3's [Petition for Reconsideration](#) of the Order. Level 3 urged the FCC to exclude the business customer exemption from any grant of the Joint Stay Petition, and expressed support for the position taken in the Stay Request and in [VON's comments](#) that the Commission preserve its decision eliminating the recordkeeping and annual certification requirements formerly contained in the section 64.2009.
- iconectiv [met with](#) Chairman Pai's Legal Advisor and Wireline Competition Bureau and Public Safety and Homeland Security Bureau staff on February 14, 2017, to discuss the Broadband Privacy Order and CPNI. iconectiv asked the FCC to reiterate clearly the breadth of the section 222(d)(2) exemption, which it said allows carriers to use and share CPNI with third parties in order to combat fraud, without having to first seek customer consent. iconectiv asserted a clear statement from the Commission is necessary for the fraud-prevention industry to continue to develop and deploy solutions to protect telecommunications customers from account takeover.
- INCOMPAS [met with](#) Chairman Pai and his Legal Advisor on February 9, 2017, to offer suggestions on broadband deployment obstacles. INCOMPAS said the FCC should reform its pole attachment rules, and recommended the FCC authorize "one touch make-ready" whereby a contractor approved by the pole owner could do all make-ready work at once. INCOMPAS also asserted competitive providers of fixed and mobile broadband services continue to face challenges in gaining access to customers residing in multiple dwelling units who want their service. INCOMPAS urged the FCC to address the ease with which smaller MVPDs and new entrants can gain access to video programming, and to address what it says is the footprint barrier to new last-mile deployment to certain business locations.

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Accounting

- USTelecom, Verizon, CenturyLink, and AT&T [met with](#) Legal Advisors to Commissioners Clyburn and O'Rielly on February 9 and 10, 2017, to express support for the elimination of Part 32 rules, and to discuss the methodology the companies used in developing their proposed transition for calculating pole attachment rates. They noted pole attachment rates derived using Part 32 accounting data are highly variable from year to year and claimed that variability would continue with GAAP-derived pole attachment rates. They also claimed under the proposal, pole attachment rates are expected to be lower than those derived under Part 32 in many instances. They suggested this proceeding is about removing unnecessary accounting regulations that are no longer necessary for price cap carriers and only serve to create an administrative and regulatory burden.
- USTelecom, CenturyLink, Verizon, and AT&T [spoke with](#) Chairman Pai's Legal Advisor on February 15, 2017, to discuss the draft Order on circulation on the elimination of Part 32 rules. USTelecom, et al.

expressed support for the elimination of the Part 32 rules, and discussed the methodology the companies used in developing their proposed transition for calculating pole attachment rates.

- The American Cable Association filed [a letter](#) on February 15, 2017, to urge the FCC to adopt measures to ensure that price cap LECs' rates for access to their poles and conduit remain reasonable should it end the mandatory use of data based on Part 32 Uniform System of Accounts for purposes of calculating such rates. ACA urged the Commission to adopt the proposal submitted by NCTA to freeze price cap carriers' pole attachment rates at current levels, but said if the Commission chooses to adopt the transition proposed by the incumbent carriers in lieu of a rate freeze, it should provide that incumbent carriers: cannot increase rates for the first five years of the transition; must maintain and produce Part 32 data during this five year period so it can be compared to rates that would result from the use of GAAP; and should file annually underlying data to show how they derive rates.
- USTelecom filed a [letter](#) on February 16, 2017, to respond to ACA's [ex parte](#) on the phase-out of Part 32 accounting obligations for price cap carriers. USTelecom asserted what ACA has proposed does not raise anything beyond that which was already proposed recently by NCTA. USTelecom asserted any sort of requirement that Part 32 books be maintained only for pole attachments defeats the value of the relief sought. USTelecom said these duplicate accounting requirements impose real costs, and claimed a freeze does not provide any additional benefit to either party.
- USTelecom filed [a letter](#) on February 14, 2017, to respond to NCTA's February 8, 2017 [ex parte](#) on Part 32 accounting obligations for price cap carriers. USTelecom asserted the major differences between Part 32 rules and GAAP arise primarily from the timing of certain costs, such as the different treatment of asset lives under GAAP and Part 32 and the costs of removing or taking down a pole. It claimed the proposal developed by AT&T, CenturyLink, and Verizon takes into account these and any other differences between the two methodologies and cancels the effects of the move from Part 32 to GAAP by providing a transition that accounts for these costs on a going-forward basis. USTelecom asserted imposing a rate freeze, as NCTA asks, would be arbitrary and contrary to the statute.
- NCTA [met with](#) Commissioner O'Rielly's Legal Advisor on February 13, 2017, to discuss Part 32 Uniform System of Accounts. NCTA claimed a GAAP-based approach that does not track investment and expenses specifically related to poles, as is required today under Part 32, would lead to unwarranted increases in pole attachment rates, and asserted the harm attributable to such rate increases cannot be addressed solely through a lengthy transition period, as proposed by the ILECs. NCTA suggested any relief from Part 32 rules should be conditioned on a freeze of ILEC pole attachment rates.
- NCTA [met with](#) Wireline Competition Bureau staff on February 15, 2017, to express concern that in some cases, e.g., pole maintenance, GAAP accounting does not track investment and expenses at the same level of detail required today under Part 32 and that this mismatch could lead to harmful increases in pole attachment rates. NCTA said a temporary freeze on rate increases would address such concerns, and discussed a proposed 12-year transition period for rate increases attributable to the initial transition from Part 32 to GAAP.
- INCOMPAS filed a [letter](#) on February 16, 2017, expressing agreement with NCTA that the Commission should reject the proposal of AT&T, CenturyLink, and Verizon to end the mandatory use of data based on Part 32 for purposes of calculating pole attachment rates and instead give carriers the option to discontinue such reporting and make pole attachment information available using GAAP accounting. INCOMPAS claimed ensuring the rates are reduced to the appropriate level is critical to Chairman Pai's broadband build-out agenda, and said the Commission should not take action that results in any rate increases for pole attachments, even if temporary or transitioned over time.

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USF

- Forty-one House Representatives sent a [letter](#) to Chairman Pai on February 13, 2017, to express concerns with the decision to block nine Lifeline providers from participating in the program for subsidized broadband internet access. They said the [decision](#) to reverse their LBP ETC designations reduces, not expands, internet access, and they asked the Commission to reconsider its decision to remove the nine companies.
- The Wireline Competition Bureau issued a [Public Notice](#) on February 16, 2017, seeking comment on TracFone Wireless' [request](#) for clarification of the Lifeline minimum service standards established in the 2016 Lifeline Modernization Order. Comments are due March 2, 2017; replies due March 9, 2017.
- TracFone Wireless met with [Chairman Pai's](#) Senior Counsel and Legal Advisor and [Wireline Competition Bureau](#) staff on February 13, 2017, to express concern that certain Lifeline providers have been misinterpreting the Commission's rule governing "port freezes," which resulted in customers being tied to one provider for twelve months despite the fact that those providers were not providing their Lifeline customers with BIAS. TracFone reiterated its request for the Commission to clarify that: the revised Lifeline rules only permit 12-month port freezes on broadband Lifeline services which meet the 500 MB minimum service standard for mobile broadband services; Lifeline service provided to consumers using feature phones does not enable Lifeline consumers to utilize BIAS as that term is defined in the Commission's rules; and broadband access through Wi-Fi does not meet the 500 MB minimum standard.
- Sprint [met with](#) Wireline Competition Bureau staff on February 14, 2017, to discuss minimum performance standards for Lifeline mobile broadband internet access service, and requested clarification of two aspects of section 54.408(b)(2). Sprint seeks clarification that WiFi service does not satisfy the current 500MB mandated Lifeline mobile broadband data allotment requirement and that Lifeline broadband customers who do not have a 3G-capable and configured device are not receiving the benefits of mobile broadband service and should not be considered BIAS customers subject to the 12-month port freeze.
- Boomerang Wireless [met with](#) Chairman Pai's Legal Advisor, Legal Counsel to Commissioner Clyburn, Acting General Counsel, and Wireline Competition Bureau staff on February 13 and 14, 2017, to ask that the Bureau reconsider the [Revocation Order](#) to delay the effective date of the revocation of Boomerang's LBP designation until either Boomerang's ETC designation is granted by the state (or the Commission) or 60 days after Boomerang's ETC designation is denied by the state (or the Commission), the process for which it expects to complete within six months.
- FreedomPop [met with](#) Legal Advisors to Chairman Pai and Commissioners Clyburn and O'Rielly, and Wireline Competition Bureau and General Counsel staff on February 8-10, 2017, to discuss FreedomPop's entry into the Lifeline program after the Bureau [reversed](#) its designation as a Lifeline Broadband Provider. FreedomPop said it needs the Bureau to expeditiously approve its application for the limited purposes of granting Lifeline-only compliance plan status and for designation as a wireless Lifeline-only ETC in each of the twelve states which lack or decline to exercise jurisdiction to designate wireless Lifeline-only ETCs. FreedomPop said with approved compliance plan status, it can then seek from state commissions wireless Lifeline-only ETC designations.
- [Northland Cable Television](#) and [SHOIT](#) met separately with Legal Advisors to Chairman Pai and Commissioner Clyburn on February 10, 2017, to discuss the negative impact on companies like Northland and SHOIT of the [Order](#) revoking Lifeline Broadband Provider ETC status. They claimed the Bureau's rationale that the LBP ETC designations needed to be revoked to prevent waste, fraud, and abuse in the Lifeline program relied on past actions by a single actor and questionable statistics, and is imprudent and ill-conceived when Chairman Pai believes one of the biggest challenges facing our nation is closing the "digital divide." They also said creating a blanket ban removes the Bureau's discretion and therefore modifies section 54.202(e) without the required notice and comment process.

- Amerimex Communications filed an [amended Petition](#) seeking designation as a Lifeline Broadband Provider ETC on February 14, 2017. It said the amended Petition removes certain zip codes from its original [Petition](#), and specifies that none of the service areas for which it seeks designation as a Lifeline Broadband Provider at this time are on Tribal land.
- [Talk Now Telco](#) and [New Talk](#) filed supplements on February 8 and 10, 2017, to their requests for forbearance from the Lifeline BIAS requirements. They said the supplements provide a list of counties that cover the service areas referenced in their original filings. [List of all forbearance requests filed to date.](#)
- MAXIMUS [met with](#) Wireline Competition Bureau staff on February 8, 2017, to discuss MAXIMUS' support for an independent national verifier free from conflicts of interest. It also discussed program integrity goals in the National Lifeline Verifier Plan from January 2017 and the need for close coordination between the systems integrator and business process manager for the national verifier to successfully execute the goals of the FCC.
- Five9 filed a [Petition for Reconsideration](#) on February 13, 2017, of the [Order](#) remanding appeals to USAC involving resellers seeking a credit for contributions to the USF. [Five9](#) claimed the Bureau misinterpreted USAC and the FCC's longstanding "pay and dispute" policy, and said the Commission should void the fees accrued on USF assessments that USAC erroneously imposed.
- Eureka Broadband filed an [Application for Review](#) on February 10, 2017, claiming the Bureau violated both the APA and Commission rules by not acting on Eureka's 2007 [Petition for Reconsideration](#) in a timely manner, and said the Commission should issue an outright reversal of the USF payment [Order](#) as requested by Eureka over nine years ago.

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Misc.

- The FCC released the [agenda](#) for its February 23, 2017 Open Meeting. The FCC will consider, among other things: a Report and Order on the Mobility Fund; a Report and Order and Order on Reconsideration that resolves a number of issues raised in the CAF Phase II Auction Order FNPRM, including the adoption of weights; an Order granting a five-year waiver to broadband internet access service providers with 250,000 or fewer broadband connections from the enhanced reporting requirements adopted in the 2015 Title II Open Internet Order; and a Report and Order that would streamline and eliminate Part 32 accounting rules.
- Chairman Pai sent a [letter](#) to Sen. Al Franken (D-Minn.) on February 8, 2017, in response to Sen. Franken's [letter](#) on his designation as FCC Chairman. Chairman Pai said he shares the same goals of promoting a free and open Internet and protecting fully Americans' rights under the First Amendment, and looks forward to working with Sen. Franken to ensure that the FCC's regulatory framework preserves each of these values.
- The Wireline Competition Bureau issued a [Public Notice](#) on February 14, 2017, seeking comment on why the Commission should not initiate proceedings to revoke the Commission authorizations granted to Sandwich Isles Communications. The Bureau stated the [Notice of Apparent Liability for Forfeiture](#) ordered Sandwich Isles to [submit a report](#) explaining why the Commission should not initiate proceedings against Sandwich Isles to revoke its Commission authorizations, including, but not limited to, its section 214 authorizations, and directed the Bureau to seek comment from the HPUC, the Department of Hawaiian Home Lands, and other interested stakeholders on this matter. Comments are due March 16; replies due March 31.
- USTelecom filed an [opposition](#) on February 16, 2017, to Sandwich Isles Communications' [Petition for Reconsideration](#) of the [Order](#) that found SIC improperly received payments in the amount of

\$27,270,390 from the federal high-cost support mechanisms from 2002 to June 2015. USTelecom said the Commission has made it clear that it will not tolerate an entity that flouts the Commission's rules and policies, and claimed SIC has presented no new facts or arguments in its Petition that refutes the facts already presented. It said the Commission should not now walk back any of the determinations in this instance. Replies are due February 27. [FR](#)

- Comments were filed on February 20, 2017, on the Department of Hawaiian Home Lands' [request](#) for guidance on whether terms of the exclusive license it provided "in perpetuity" to Waimana Enterprises, the parent company of Sandwich Isles, and a subsequent, partial assignment of that license directly to Sandwich Isles to provide telecommunications services to the Hawaiian home lands conflicts with section 253(a). [Hawaiian Telcom](#) said it has stated in various FCC proceedings in the past that the grant of an "exclusive license" to SIC is unlawful for a variety of reasons and attached its 2013 opposition SIC's Petition for Expedited Study Area Waiver. [Crown Castle](#) claimed if the Sandwich Isles exclusive license continues to be interpreted by DHHL to exclude mobile broadband services, the Sandwich Isles license would be in conflict with section 253(a). Crown Castle requested that the FCC address this issue in its response to the DHHL request for guidance. Replies are due February 27. [Public Notice](#)
- Sandwich Isles Communications [met with](#) Office of Native Affairs and Policy staff on February 16, 2017, to discuss the [Order](#) finding SIC improperly received payments from the federal high-cost support mechanisms, and the [Notice of Apparent Liability for Forfeiture and Order](#) that proposed a fine of \$49,598,448 on SIC, its parent company Waimana Enterprises, and its former controlling owner. SIC discussed what it says is the harm caused by FCC orders to SIC and potential harm to other rural carriers.
- Frontier [met with](#) Wireline Competition Bureau staff on February 15, 2017, to provide an overview of the state of the markets in which it provides service. Frontier said they are generally very competitive with the exception of its high-cost rural territories, and provided a presentation on the state of competition in the BDS market.
- Neustar filed a [Reply](#) in support of its [Application for Review](#) of a [letter](#) sent to Neustar by the Wireline Competition and Public Safety and Homeland Security Bureaus that sought to compel resolution of Neustar's private contract negotiations with the NAPM on treatment of confidential materials during the LNP Administrator transition. Neustar asserted [Telcordia's](#) contention that the Commission's authority to oversee the LNPA transition trumps the Federal Arbitration Act is wrong. Neustar claimed only express statutory language can override the FAA, but there is no such language in the Communications Act.
- NARUC adopted a number of [final resolutions](#) at its 2017 winter meeting, including three on telecommunications. The first two reiterate its support for the Federal-State partnership envisioned in its [2013 Federalism Paper](#), and urge the FCC to act consistent with the principles of federalism as it applies to the Federal-State partnership underway in the deployment of wireless and wireline facilities. The third endorses its Task Force on Telecommunications Act Modernization recommendations as set out in the appendix, and urges Congress and/or the FCC to implement the recommended reforms.
- The Commission released an [Order](#) on February 15, 2017, announcing it has entered into a Consent Decree with Purple Communications and CSDVRS to resolve an investigation relating to relay services. The Commission announced a \$9.1 million settlement involving improper billing and failure to verify customers. In addition to the monetary penalty, both companies must repay the TRS Fund and establish a five-year compliance plan to ensure services going forward incorporate the required checks. [News release](#)

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Upcoming Filing Dates

- Feb. 24 - Comments due on Panhandle Telephone Cooperative's December 8, 2016 [Petition](#) for extraordinary retirement of its fixed wireless loop network. [Public 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](#)
- Feb. 27 - Replies due on whether to expand the A-CAM budget for rate-of-return carriers to provide additional funding with an associated increase in broadband deployment obligations, pursuant to the December 20, 2016 [FNPRM](#). [FR Notice](#)
- Feb. 27- Replies due to oppositions to Sandwich Isles Communications filed a [Petition for Reconsideration](#) of the [Order](#) that found SIC improperly received payments in the amount of \$27,270,390 from the federal high-cost support mechanisms from 2002 to June 2015. [FR](#)
- Feb. 27 - Replies due on the Department of Hawaiian Home Lands' [request](#) for guidance on whether terms of the exclusive license it provided "in perpetuity" to Waimana Enterprises, the parent company of Sandwich Isles, and a subsequent, partial assignment of that license directly to Sandwich Isles to provide telecommunications services to the Hawaiian home lands conflicts with section 253(a). [Public Notice](#)
- Mar. 2 - Comments due on TracFone Wireless' [request](#) for clarification of the Lifeline minimum service standards established in the 2016 Lifeline Modernization Order. Replies due March 9. [Public Notice](#)
- Mar. 6 - Oppositions due to [Petitions for Reconsideration](#) of the Broadband Privacy [Report and Order](#). Replies are due March 17. [FR](#)
- Mar. 6 - Comments due on the [Public Notice](#) seeking comment on whether certain docketed proceedings listed in the attachment to the Public Notice should be terminated as dormant. Replies are due March 20. [FR](#)
- Mar. 6 - Oppositions due to Adak Eagle Enterprise's [Petition for Reconsideration](#) of the FCC's decision to deny Adak Eagle a second offer of A-CAM support. Replies are due March 14. [Notice](#)
- Mar. 9 - Comments due on Neustar's request to approve its new owner, Aerial Investors LLC, formed by Golden Gate Private Equity. Replies due March 24. [Public Notice](#)
- Mar. 9 - Replies due on TracFone Wireless' [request](#) for clarification of the Lifeline minimum service standards established in the 2016 Lifeline Modernization Order. [Public Notice](#)
- Mar. 13 - PRA comments due on a new information collection on data breach reporting, as required by the October 2016 Broadband Privacy [Order](#). [Notice](#)
- Mar. 13 - Comments due on NECA's December 22, 2016 proposed [modification](#) of average schedule formulas. The revisions are proposed to become effective for a one-year period beginning on July 1, 2017. Replies due March 28. [Public Notice](#)
- Mar, 14 - Replies due to oppositions to Adak Eagle Enterprise's [Petition for Reconsideration](#) of the FCC's decision to deny Adak Eagle a second offer of A-CAM support. [Notice](#)
- Mar. 16 - Comments due on why the Commission should not initiate proceedings to revoke the Commission authorizations granted to Sandwich Isles Communications. Replies due March 31. [Public Notice](#)

- Mar. 17 - Replies due to oppositions to [Petitions for Reconsideration](#) of the Broadband Privacy [Report and Order](#). [FR](#)
- Mar. 20 - Replies due on the [Public Notice](#) seeking comment on whether certain docketed proceedings listed in the attachment to the Public Notice should be terminated as dormant. [FR](#)
- Mar. 24 - Replies due on Neustar's request to approve its new owner, Aerial Investors LLC, formed by Golden Gate Private Equity. [Public Notice](#)
- Mar. 28 - Replies due on NECA's December 22, 2016 proposed [modification](#) of average schedule formulas. The revisions are proposed to become effective for a one-year period beginning on July 1, 2017. [Public Notice](#)
- Mar. 31 - Replies due on why the Commission should not initiate proceedings to revoke the Commission authorizations granted to Sandwich Isles Communications. [Public Notice](#)
- Apr. 17 - PRA comments due on an extension of a currently approved information collection covering the conditional forbearance relief granted by the Commission from Cost Assignment Rules, Property Record Rules, ARMIS Report 43-01, and the Structural Separation Requirement for price cap LECs in the May 17, 2013. [Notice](#)
- May 4 - Comments due on the [Public Notice](#) 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. [FR](#)

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