

[USF/ICC Reform](#) [Open Internet](#) [Broadband](#) [IP Transition](#) [USF](#) [Call Completion](#) [Misc.](#) [Upcoming Events](#)

March 7, 2016 HIGHLIGHTS

- Chairman Wheeler and the FCC Commissioners testified at the Senate Committee on Commerce, Science, and Transportation [hearing](#) on FCC oversight.
- NTCA [discussed](#) USF reform and NTCA's prior proposals on capital expense limits and the need for careful and collaborative approaches to USF reform implementation.
- Cobank [said](#) the \$2 billion budget cap for high-cost USF is not adequate for the expenses service providers face in bringing robust and affordable broadband to consumers, particularly in rural areas, and suggested the Commission address contributions reform.
- NTTA and Gila River Telecommunications [asked](#) the FCC to implement a Tribal Broadband Factor to provide targeted support for broadband deployment on Tribal lands. The Alaska Telephone Association, et al. [discussed](#) the Alaska Plan.
- Providers [have until](#) April 18, 2016, to notify PRTC that they currently offer broadband in PRTC's newly identified census blocks for CAF Phase I Round 2 support.
- Verizon [discussed](#) wireline and wireless technology options for providing high-speed broadband service in rural areas and suggested the CAF provide participants with flexibility to use a variety of technologies. Windstream [urged](#) the FCC to clarify qualifying locations for CAF Phase I Round 2 to maximize the impact of CAF Phases I and II, while ensuring no locations would be double counted.
- The Senate Homeland Security and Governmental Affairs Committee [released](#) a [report](#) entitled "Regulating the Internet: How the White House Bowled Over FCC Independence." Commissioners [Pai](#) and [O'Rielly](#) released statements on the report.
- [AT&T](#), [Verizon](#), [CenturyLink](#), and [Frontier](#) filed rebuttals to oppositions to their direct cases in the FCC's [investigation](#) of their tariffed special access service pricing plans.
- Pioneer [discussed](#) its [Petition](#) for a permanent waiver of the Part 36 Frozen Category Rules.
- Commissioner O'Rielly wrote a [blog post](#), recommending the FCC include a hard budget when considering reform to the Lifeline program.
- USAC filed its [Federal Universal Service Support Mechanisms Contribution Base](#) for Second Quarter 2016.

Other Key Upcoming Dates

- Mar. 7- Replies [due](#) to refresh the record on USTelecom's 2012 [Petition for Declaratory Ruling](#) that ILECs are "no longer presumptively dominant when providing interstate mass market and enterprise switched access services."
- Mar. 8- Replies [due](#) on NECA's [2016 Modification of Average Schedules](#).

USF/ICC Reform

- NTCA [met with](#) Commissioner Rosenworcel's Legal Advisor on February 26, 2016, to discuss USF reform and NTCA's prior proposals on capital expense limits and the need for careful and collaborative approaches to reform implementation.
- Cobank filed [a letter](#) on February 29, 2016, to express its firm belief that a sustainable cost-recovery mechanism is imperative to support the financing of rural broadband in high cost areas. CoBank questioned the goal of a \$2 billion budget cap for the high-cost USF program, noting that the construction and operation of communications networks have become more expensive and the arbitrary \$2 billion budget cap is not adequate for the expenses service providers face in bringing robust and affordable broadband to consumers, particularly in rural areas. CoBank called on the FCC to take on the task of reforming contributions to the USF, saying there would be no need for any sort of arbitrary and inadequate budget for the high-cost program if all consumers that use the broadband network contribute to funding that network.
- The Alaska Telephone Association, Matanuska Telephone Association, Copper Valley Telecom, Arctic Slope Telephone Association Cooperative, GCI, United Utilities, and GVNW [met with](#) Wireline Competition Bureau staff on February 26, 2016, to discuss the Alaska Plan. They said ATA member companies previously submitted individual company performance obligations as part of the Alaska Plan, and they discussed ways in which deployment could be monitored.
- The Alaska Telephone Association and Arctic Slope Telephone Association Cooperative [met via telephone](#) with Wireless Telecommunications Bureau staff on March 1, 2016, to discuss the Alaska Plan and ASTAC's previously submitted performance obligations as part of the Alaska Plan. They discussed new and upgraded wireless broadband service that will be provided to the villages in ASTAC's service area in accordance with the performance obligations. [ATA, OTZ Wireless, Mid-States Consulting, and AKT](#), [ATA and Bristol Bay Cellular Partnership](#), and [ATA and Cordova Wireless](#) met with Wireless Telecommunications Bureau staff on March 1 and 3, 2016, to discuss the same issues.
- The National Tribal Telecommunications Association and Gila River Telecommunications [met with](#) Wireline Competition Bureau and Office of Native Affairs and Policy staff on February 25, 2016, and with Legal Advisors to Chairman Wheeler and Commissioners Pai, O'Rielly, and Rosenworcel on February 29, 2016, to reiterate NTTA's request for the Commission to implement a Tribal Broadband Factor to provide targeted support for broadband deployment on Tribal lands. They said because the Commission intends to seek comment on the TBF in a FNPRM and because the reforms in the pending USF reform order will result in a significant reduction in support for many NTTA member companies and other ROR carriers serving Tribal Lands, they urged the FCC to take two immediate steps in the ROR reform order: temporarily waive application of any CapEx and OpEx limits the Commission may adopt for carriers whose service area is 100 percent Tribal until there is a resolution of the FNPRM, and commit to completing action on the FNPRM no later than the effective date of the major changes to the underlying ROR high-cost rules, such as July of this year. NTTA and Gila River Telecommunications [met with](#) Commissioner Clyburn's Legal Advisor on March 1, 2016, to discuss the same issues.
- The Wireline Competition Bureau issued a [Public Notice](#) on March 4, 2016, to announce that providers have until April 18, 2016, to notify the Puerto Rico Telephone Company that they currently offer Internet service at speeds of 3 Mbps/ 768 kbps or higher in PRTC's newly identified census blocks for CAF Phase I Round 2 support. On February 19, 2016, PRTC [notified](#) the FCC that it intends to modify its CAF Phase I Round 2 incremental broadband deployment plans, and submitted a list of 323 census blocks that it had not previously identified with its initial election where it now intends to serve locations using Phase I incremental support.
- Verizon [met with](#) Chairman Wheeler's Senior Legal Advisor and the Deputy Chief of the Wireline Competition Bureau on February 26, 2016, to describe wireline and wireless technology options for providing high-speed broadband service in rural areas and to suggest the CAF provide participants

with flexibility to use a variety of technologies. It also suggested the CAF Phase II competitive bidding phase provide greater location flexibility than the 95 percent threshold adopted for the statewide offers because the area covered by a competitive bid could be smaller than the area covered by a statewide offer.

- Windstream [spoke by phone](#) with Legal Advisors to Chairman Wheeler and Commissioners Pai, Clyburn, and O’Rielly, and the Deputy Bureau Chief of the Wireline Competition Bureau on February 24 and 25, 2016, to urge the Commission to clarify qualifying locations for Round 2 of the CAF Phase I program in a manner that maximizes the impact of both CAF Phase I and CAF Phase II, while ensuring that no locations would be “double counted.”
- U.S. Cellular [met with](#) FCC staff on March 1, 2106, to discuss Mobility Fund II reform and a proposal to distribute funds using a federal-state broadband grant program. It argued CAF Phase II should be distributed in a competitively neutral manner, and the FCC should declare now, and in the next 706 proceeding, that any area lacking actual access to 10/1 speed is unserved by mobile broadband. It suggested the FCC could set up a grant program for carriers to apply for infrastructure funds anywhere in rural areas that require investment and provide a “carrot” to incentivize states to invest and create program leverage.
- Hughes Network Systems [met with](#) Wireline Competition Bureau staff on February 26, 2016, to update the FCC on the launch of Hughes’s Jupiter 2 satellite, on schedule for November 2016, which it claimed will provide broadband speeds up to 25 Mbps across the entire continental U.S. and southern Alaska. Hughes reiterated its support for a CAF Phase II auction process that places all broadband technologies on an equal footing and equitably weighs their particular relative merits, and noted its proposals for a point system or bidding credit structure that would weight the four important factors so they can be balanced against one another in the auction.
- Hughes Network Systems filed a [letter](#) on March 4, 2016, proposing a streamlined version of its CAF Phase II competitive bidding proposal with fewer tiers within each category. Hughes proposed that the Commission use a point system or bidding credits to account for the differing characteristics that different broadband network types offer to consumers.
- Atlantic Tele-Networks [met separately with](#) the Legal Advisors to each of the Commissioners and Wireless Telecommunications Bureau staff on February 25, 2016, to discuss the structure and implementation of Mobility Fund Phase II. It said the shapefile information the Commission has recently begun collecting from wireless carriers with FCC Form 477 is much more accurate than carriers’ retail coverage maps, and thus the Commission has the data it needs to move forward with Mobility Fund Phase II.
- Chazy & Westport Telephone filed [a letter](#) on March 1, 2016, to notify the FCC of changes it made to its previous two FCC Form 477s on March 1, 2016. Chazy said its previously-filed FCC Form 477s contained data as of December 31, 2014 and June 30, 2015 that incorrectly identified 165 census blocks that are not available for fiber broadband connections. Chazy requested the FCC allow these corrections to be included in the A-CAM as soon as possible to reflect accurately these facts.
- Wabash Telephone Cooperative filed [a letter](#) on March 1, 2016, to notify the FCC of changes it made to its previous two FCC Form 477s on March 1, 2016. Wabash Telephone said its previously-filed FCC Form 477s contained data as of December 31, 2014 and June 30, 2015 that incorrectly identified 17 census blocks that are actually providing broadband Internet services that were not reported. Wabash Telephone requested the FCC allow these corrections to be included in the A-CAM as soon as possible to reflect accurately these facts.
- [Ontonagon County Telephone \(letter\)](#), [Midway Telephone \(letter\)](#), [Hiawatha Telephone \(letter\)](#), and [Inter-Community Telephone](#) all filed letters on March 2, 2016, to notify the FCC of changes they made to their previously-filed FCC Form 477s containing data as of December 31, 2014 and June 30, 2015.

They all requested that the FCC allow these corrections to be included in the A-CAM as soon as possible to reflect accurately these facts.

- [Midway Telephone](#), [Hiawatha Telephone](#), and [Ontonagon Telephone](#) filed letters on March 3, 2016, to notify the FCC of changes they each made to their previously-filed FCC Form 477s containing data as of December 31, 2015. They each requested the FCC allow these corrections to be included in the A-CAM as soon as possible. Adams Telephone Cooperative filed [a similar letter](#) on March 4, 2016, to notify the FCC of changes it made to its previous two FCC Form 477s on March 2 and 3, 2016, and requested that these most recent changes be incorporated into the forthcoming versions of the A-CAM.
- Pembroke Telephone filed [a letter](#) on March 3, 2016, to express concern with proposals suggesting the FCC preclude companies with widespread 10/1 Mbps availability from opting into the A-CAM model and with alternate proposals suggesting the FCC divert CAF reserve funds away from model adopters who have already deployed 10/1 service. Pembroke said it has filed a revised Form 477 showing significantly lower 10/1 availability, and requested the FCC utilize the most recent Form 477 information in making key USF reform decisions, noting utilizing outdated Form 477 information could have a serious adverse impact on Pembroke Telephone, inappropriately precluding it from model participation.

[Back to Highlights](#)

Open Internet

- Sen. Ron Johnson, (R-Wis.), Chairman of the Senate Homeland Security and Governmental Affairs Committee, [released a report](#) on February 29, 2016, entitled “Regulating the Internet: How the White House Bowled Over FCC Independence.” Sen. Johnson asserted the report details how the FCC arrived at its decision to regulate the Internet like a public utility only after the President called for this regime and how, in the process, career FCC staff raised serious administrative law questions about the shift. Commissioners [Pai](#) and [O’Rielly](#) released statements on the report.

IP Transition

- Verizon filed a [letter](#) on February 29, 2016, to respond to TelePacific Communications’ [ex parte](#) on TelePacific’s [Petition for Clarification](#) of the [Report and Order](#) on copper retirement. Verizon asserted the FCC should not expand the scope of its review of the Order, as suggested by TelePacific, and said TelePacific’s ex parte goes far beyond the relief it requested in its Petition. Verizon claimed because these requests are outside the scope of TelePacific’s Petition and were made with no explanation for why they were not included in the Petition, they are time-barred. Verizon said the Commission should not undermine the fundamental purposes of the Order for the sake of avoiding the extremely unlikely chain of events that TelePacific speculates might someday occur.
- The Alliance for Telecommunications Industry Solutions Systems SMS/800 Number Administration Committee (SNAC) [spoke with](#) Wireline Competition Bureau staff on February 25, 2016, to discuss SNAC’s recommendation that the Commission permit the direct transfer between users of Toll Free numbers under certain limited circumstances, the need to accommodate geographic routing of Toll Free numbers during the PSTN transition, and issues related to the hoarding and warehousing of Toll Free resources.

Broadband

- CenturyLink filed its [Semi-Annual Report on Broadband Deployment](#) on March 1, 2016, for data as of December 31, 2015, pursuant to the FCC’s [Memorandum Opinion and Order](#) released March 18, 2011. CenturyLink said this report includes the percentage of living units within the legacy Qwest territory to which CenturyLink offers broadband services capable of delivering at least 1.5 Mbps, 5

Mbps, 12 Mbps and 40 Mbps downstream, and the breakdown at each level between rural and non-rural areas.

- The Rural Utilities Service issued a [Notice](#) in the Federal Register on March 1, 2016, seeking comments on the preparation of a Programmatic Environmental Assessment for the development of a more efficient and effective environmental review process for the RUS Telecommunications Program, which includes the RUS Telecommunications Infrastructure Loan Program, Farm Bill Broadband Loan Program, Community Connect Grant Program, and Distance Learning and Telemedicine Program. Comments are due March 31.

[Back to Highlights](#)

State Action

- The South Carolina PSC issued a [directive](#) on February 24, 2016, upholding its January [Order](#) requiring wireless providers to contribute to the state USF fund. CTIA asked the Commission to [reconsider](#) the Order, and argued the Commission did not properly address its arguments in its decision. The Commission said it correctly interpreted the law and correctly found that competition exists between wireless and wireline carriers, along with the resultant legal requirement that wireless carriers should contribute to the South Carolina Universal Service Fund.
- The South Dakota Federal District Court [granted](#) Sprint partial summary judgment in a dispute with Native American Telecom relating to the payment of switched access charges. The Court ruled NAT must reimburse Sprint for calls made to an improper end user, and said NAT was not entitled to bill Sprint for these calls. Sprint was directed by the court to calculate the prejudgment interest as of March 17, 2016, and to file its calculation by March 4, 2016 and NAT has until March 14 to file any objections. Sprint originally filed a [complaint](#) in 2010, alleging NAT was involved in a traffic pumping scheme and had refused to pay NAT's terminating access charges.

USF

- Commissioner O'Rielly wrote a [blog post](#) on March 3, 2016, recommending the FCC include a hard budget when considering reform to the Lifeline program. Commissioner O'Rielly asserted that, failing a major change in direction, the FCC is preparing to expand massively the size and scope of the Lifeline program without the necessary inclusion of a hard budget or financial constraints, and that such action will balloon a program plagued by waste, fraud, and abuse, and result in higher phone bills for every American. Commissioner O'Rielly also said he agreed with moving forward with contribution reform, but it should not be treated as a solution to unrestrained Lifeline spending.
- USAC filed its [Federal Universal Service Support Mechanisms Quarterly Contribution Base](#) for Second Quarter 2016 on March 1, 2016. The total projected collected interstate and international end-user revenue base to be used in determining the contribution factor for the USF Support Mechanism for 2Q 2016 is \$14,737,051,873, down from \$14,928,528,139 from the previous quarter.
- The Wireline Competition Bureau released a [Public Notice](#) on February 29, 2016, granting, denying, and dismissing various petitions related to actions taken by USAC on E-rate, contributions, and rural healthcare. Petitions for reconsideration or applications for review of these decisions must be filed within 30 days of the Public Notice.
- The Wireline Competition Bureau released a [Public Notice](#) on February 29, 2016, seeking comment on Interstate Telecom and CenturyLink's [Petition](#) seeking a study area waiver to permit CenturyLink to remove a portion of its Flandreau Exchange, which Petitioners said has no current active subscriber lines, one requesting subscriber line, and no non-active subscriber locations, from its South Dakota Study Area and for ITC to add the Transfer Area to its study area. Comments are due March 30; replies due April 14.

- AT&T [met with](#) General Counsel, Office of Managing Director, and Wireline Competition Bureau staff on February 26, 2016, to discuss the legal support for replacement or modification of the current ETC designation process for Lifeline providers. AT&T recommended the FCC establish uniform, nationwide standards and requirements for participation by service providers in Lifeline, make participation voluntary by ETCs in any expanded Lifeline program that allows eligible customers to purchase broadband services at a discount, and open up participation in any such expanded Lifeline program on a voluntary basis to non-ETCs to the extent they meet the same uniform, nationwide standards and requirements.
- AT&T, CenturyLink, et al. filed a [letter](#) on March 1, 2016, recommending that Lifeline eligibility and recertification functions be handed over to a third-party verifier/administrator. They suggested the Commission encourage broad provider participation in the new broadband Lifeline program, and centralize and streamline the process of authorizing providers to offer Lifeline-supported broadband Internet access service.
- Sprint [spoke with](#) Wireline Competition Bureau staff on February 29, 2016, to discuss the need to maintain a voice-only Lifeline service option. It described what it said would be the significant impact an end-user co-pay would have on participation rates by the most vulnerable consumers, and expressed support for inclusion of broadband in the program. It asserted a broadband-centric Lifeline program that includes overly ambitious performance standards would almost certainly involve out-of-pocket payments by Lifeline subscribers.
- The National Tribal Telecommunications Association and Gila River [met with](#) Commissioner Clyburn's Legal Advisor on March 1, 2016, to discuss the recent [GAO Report](#) that found the high cost of infrastructure build-out on tribal lands creates a barrier to high-speed Internet expansion on tribal lands. They reiterated their position that economic circumstance should remain the sole criteria used to determine eligibility for enhanced Lifeline, and that population density should not be a factor in determining eligibility for participation. They also expressed support for the inclusion of broadband in the Lifeline program.
- TracFone [met with](#) Wireless Telecommunications Bureau, Wireline Competition Bureau, and Media Relations staff on March 2, 2016, to discuss its commitment to advancing the FCC's efforts to modernize the Lifeline program to support broadband service. TracFone also presented a proposal which would enable qualified Lifeline consumers to be provided with, at no charge, a smartphone capable of accessing the Internet with a choice of either a certain number of voice minutes or data per month, at no charge, and the option to purchase more data.
- GCI [met with](#) Chairman Wheeler's Legal Advisors and Wireline Competition Bureau and Media Bureau staff on February 26, 2016, to discuss the Commission's consideration of minimum standards for Lifeline services. They asserted if the Commission adopted a 3G or 4G LTE requirement that became effective in the next several years, it would render portions of rural Alaska ineligible for Lifeline service. GCI urged the Commission to continue to define "tribal lands" in Alaska by reference to the Bureau of Indian Affairs' definition of "reservation." GCI also [met with](#) Legal Advisors to Commissioners Pai and Rosenworcel on March 3, 2016, to discuss the same issues.
- Veterans organizations and supporters filed a [letter](#) on March 2, 2016, to urge the inclusion of broadband in the Lifeline program and inclusion of veteran's programs in Lifeline eligibility criteria, including the Veterans Pension program and Veterans Health Care (Priority Groups 1-6).
- New America's Open Technology Institute and Free Press [met with](#) Wireline Competition Bureau and General Counsel staff on February 24, 2016, to discuss Lifeline modernization. They asserted the Commission can successfully modernize the Lifeline program to support broadband service while maintaining the existing ETC framework, suggesting this would require modification of some existing requirements for carrier eligibility. They also said states should maintain their traditional, congressionally-mandated role in ETC designation decisions for common carriers under their

jurisdiction, and reiterated support for continuing to subsidize standalone voice service, even as Lifeline expands to include broadband.

- Connected Nation and the Telecommunications Regulatory Board of Puerto Rico [met with](#) Chairman Wheeler, his Counselor and Legal Advisor, and Wireline Competition Bureau staff on February 25, 2016, to discuss Lifeline modernization. They stressed that the Commission's effort to modernize Lifeline will not succeed if it does not succeed in Puerto Rico, and said it is important for the Commission to have a complete record on the potential size and impact that Lifeline support for broadband could have in Puerto Rico. They also [met with](#) Wireline Competition Bureau staff to discuss the same issues.
- The Lifeline Connects Coalition [met with](#) Wireline Competition Bureau staff on February 25, 2016, to discuss its proposal for a national Lifeline eligibility verification framework. The Coalition asserted that a hybrid approach that leverages a variety of trusted third-party verification solutions can effectively address real and perceived waste, fraud and abuse, while keeping program administration costs low and accuracy of payments high. The Coalition also said initially, where a state eligibility database is available, an additional third-party verifier is unnecessary.
- The Benton Foundation filed a [letter](#) on March 4, 2016, asserting the FCC should expand the Lifeline program to include broadband Internet access, and reduce the burdens of the ETC designation process. Benton also said the 1996 Act gives the FCC broad authority with respect to how it administers Lifeline and how to implement these changes.
- Boomerang Wireless [spoke with](#) Chairman Wheeler's Legal Advisor on March 2, 2016, to explain its view that, in the event the Commission adopts Lifeline reforms, the Wireline Competition Bureau will retain authority to consider and resolve pending ETC Petitions, including Boomerang's. Boomerang also said that it and other ETC petitioners will be obligated to comply with all applicable rules, regardless of whether those rules were in place at the time that their ETC Petitions were filed.
- U.S. Satellite filed a [voluntary withdrawal](#) on February 29, 2016, of its 2011 [Petition](#), which sought clarification that its self-provider revenues should be excluded from the revenue base used to calculate payments to the USF. USSC said due to the passage of time, it finds it is no longer prudent to pursue the Petition.

[Back to Highlights](#)

Misc.

- Chairman Wheeler and the FCC Commissioners testified at the Senate Committee on Commerce, Science, and Transportation [hearing](#) on March 2, 2016, entitled, "Oversight of the Federal Communications Commission." [Chairman Wheeler](#) said he recently circulated a bipartisan Order setting forth a package of USF reforms to address rate-of-return issues, such as the need to modernize the program to provide support for standalone broadband service, improve incentives for broadband investment to connect unserved rural Americans, and strengthen the rate-of-return system to provide certainty and stability for years to come. [Commissioner Clyburn](#) also discussed the proposed Order, saying it stops penalizing carriers whose customers migrate to broadband-only lines, and said there are no flash cuts, but a gradual transition so providers have time to adjust to the changes. [Commissioner O'Rielly](#) suggested payments made to the USF in a given quarter as a result of enforcement actions should be used to offset overall program spending in the next quarter, thereby reducing the amount that consumers need to pay on their phone bills that next quarter. He also said there have been no updates on FCC reform, asserting the "same failures of transparency and fairness continue to impact the quality of both public input and Commission decisions." [Commissioner Pai](#) discussed public safety issues, such as direct dial 911 and contraband cellphones, the 5 GHz Band, and spectrum above 24 GHz. [Commissioner Rosenworcel](#) also discussed spectrum issues.
- Pioneer Telephone Cooperative [met with](#) Chairman Wheeler's Senior Legal Advisor on February 25, 2016, to discuss Pioneer's [Petition](#) for a permanent waiver of the Part 36 Frozen Category Rules.

Pioneer renewed its request for the Commission to act promptly on the Petition, and noted NECA would soon begin preparing its 2016 annual tariff filings and the information provided by Pioneer would be materially different if its request is granted.

- AT&T, Verizon, CenturyLink, and Frontier filed rebuttals on February 26, 2016, to oppositions to their direct cases in the FCC's [investigation](#) of their tariffed special access service pricing plans. [AT&T](#) asserted the CLECs do not dispute any of the facts that decisively refute their "lock-in" theory. It also said the four AT&T pricing plans at issue account for less than 10 percent of all available special access demand in AT&T's regions, and thus the vast majority of special access demand in those regions is outside these tariffs and available to rivals. [Verizon](#) claimed those complaining about the marketplace effects of the voluntary discount plans ignore the undisputable fact that cable operators are a significant and continually growing competitive force in the business broadband marketplace. [CenturyLink](#) asserted oppositions filed provide no basis on which to invalidate any of the terms and conditions under investigation, and fail to demonstrate any market power in the provision of high-capacity dedicated services. [Frontier](#) said the investigation into standard terms and conditions is now especially odd given the results of the Bureau's extensive data collection, which shows persuasive deployment by non-ILEC providers and confirms that competition in the product markets in play here is robust. [Order](#)
- Verizon [met with](#) Wireline Competition Bureau staff on February 26, 2016, to discuss competition in the marketplace for business broadband services. Verizon asserted that where there is concentrated demand for business broadband services, there is competition, and cable is a major competitive presence, which has grown in strength and size since the Commission collected 2013 data. Verizon also said there is no basis on which to increase regulation of ILEC business broadband services, including legacy special access and Ethernet, and there is no basis to single out ILECs for special regulatory burdens that other providers do not face.
- BT Americas filed a [letter](#) on February 29, 2016, responding to USTelecom's [white paper](#) that urged federal regulators to develop policies that encourage continued expansion of business broadband investment, rather than tailoring a solution for a single set of competitors. BT asserted its special access advocacy in the US is consistent with its advocacy in the UK, and said the ILECs' special access advocacy before the FCC is inconsistent with their advocacy abroad. BT also said, contrary to the ILECs' claims, regulatory intervention in the UK has not dis-incentivized investment.
- BT [met with](#) Commissioner O'Rielly and his Chief of Staff on February 25, 2016, to discuss why special access services are key to the provision of managed network services to multinational customers and why a level playing is essential for the availability of choice and innovation to US consumers. BT also discussed highlights of a study it filed with its special access reply comments. BT [also met with](#) Commissioner Rosenworcel and her Legal Advisor to discuss the same issues.
- Public Knowledge filed a [Petition](#) on March 2, 2016, asking the FCC to enforce conditions [the FCC imposed](#) on Comcast as part of its merger with NBC-Universal. Public Knowledge asserted Comcast's decision to exempt its online video service from its own data caps is the type of behavior contemplated and barred by the Commission in the Merger Order, and said it is inconsistent with the intent of the 2015 Open Internet rules.
- The Wireline Competition Bureau issued a [Public Notice](#) on February 29, 2016, seeking comment on Vonage Holdings' [application](#) to obtain telephone numbers directly from the North American Numbering Plan Administrator and the Pooling Administrator. The Bureau said unless otherwise notified by the Commission, Vonage may provide the states in which it intends to request numbers the required 30-day notice on the 31st day after the date of this notice. Comments are due March 15.
- The North American Portability Management filed a [letter](#) on February 29, 2016, providing a status update on the LNP Administrator transition. NAPM said the Transition Oversight Manager hosted LNPA Transition outreach webcasts on December 9, 2015 and January 27, 2016, and said the TOM conducts weekly meetings with the NAPM Transition Team, iconectiv, and Neustar to coordinate activities and communication among the parties and address ad hoc issues as they arise.

- Neustar filed a [copy of a letter](#) it sent to PricewaterhouseCoopers, the LNP Administrator Transition Oversight Manager, on March 3, 2016, on the LNPA transition. Neustar said following the transition from Neustar to iconectiv in the first of the seven NPAC regions, Neustar will no longer be able to provide the Ancillary NPAC Services (Enhanced Law Enforcement Platform Services, Intermodal Ported Telephone Number List Services, and NPAC IVR) in regions where Neustar is not the NPAC administrator because it will no longer be in a position to verify the integrity of the data upon which these services rely. Neustar claimed the responsibility for providing these services must reside with iconectiv because it will be accountable for the integrity of the data following transition.
- The Open Technology Institute at New America and the LNP Alliance [met with](#) Commissioner Clyburn's Legal Advisor on February 29, 2016, to express concerns with the LNP Administrator transition. They claimed smaller, competitive carriers have no voice in the LNPA Transition, and suggested the Commission establish a significantly more open and transparent LNPA Transition process. They also said the Commission should ensure that the TOM actively participates in the various working groups that are implementing IP Transition porting and routing.
- The FCC issued a [Notice](#) in the Federal Register on March 4, 2016, seeking Paperwork Reduction Act comments on an extension of a currently-approved collection associated with section 64.1903, which requires ILECs' international, interexchange affiliates to maintain books of account separate from such ILECs' local exchange and other activities. The FCC said in May of 2013, it granted, in part, a petition for forbearance from the separate affiliate requirement, and there has therefore been a change to the recordkeeping requirement and the Commission's previous burden estimates. PRA comments are due May 3.
- The FCC issued a [Notice](#) in the Federal Register on March 4, 2016, seeking Paperwork Reduction Act comments on an extension of a currently-approved collection associated with the May 2000 CALLS [Report and Order](#). The Commission required price cap LECs who choose not to follow the voluntary portions of the CALLS Proposal to submit cost support information, which the Commission would use to set their access rate levels. The FCC indicated there is no change in the reporting, recordkeeping, and/or third party disclosure requirements. PRA comments are due May 3.
- The FCC released a [Report and Order](#) on March 3, 2016, providing limited compensation rate relief for VRS providers with 500,000 or fewer monthly minutes, on a retrospective and going-forward basis, from certain Tier I compensation rate adjustments adopted in the [VRS Reform Order](#). The FCC directed the TRS Administrator to pay compensation to these providers at a rate of \$5.29 a minute for the period beginning July 1, 2015 - October 31, 2016, and from November 1, 2016 - April 30, 2017, compensation will be paid at a rate of \$5.06 per minute, and from May 1 - June 30, 2017, \$4.82 per minute.
- Rep. Anna G. Eshoo, (D-Calif.), [introduced legislation](#) entitled *Help Americans Never Get Unwanted Phone calls (HANGUP) Act* on March 4, 2016, to protect anyone with a federal loan, including student loans, mortgages, veterans loans, and farming loans, from unwanted robocalls and texts, specifically to their mobile phones. The bill rescinds a recently enacted provision in the Budget Act of 2015 exempting debt collectors from longstanding law that has prohibited them from robocalling without consent the mobile phones of those who have a debt owed or guaranteed by the federal government.

[Back to Highlights](#)

Upcoming Filing Dates

- Mar. 7 - PRA comments due on an extension of a currently approved information collection associated with pole attachment complaint procedures. [Notice](#)

- Mar. 7 - Replies due on refreshing the record on USTelecom's December 19, 2012 [Petition for Declaratory Ruling](#) that ILECs are "no longer presumptively dominant when providing interstate mass market and enterprise switched access services." [Public Notice](#)
- Mar. 8 - Replies due on NECA's [2016 Modification of Average Schedules](#) that contains proposed revisions to formulas used for average schedule interstate settlement disbursements. [Public Notice](#)
- Mar. 8 – Replies due on Horry Telephone Cooperative, PBT Telecom, Palmetto Rural Telephone Cooperative, and Piedmont Rural Telephone Cooperative's [Petition for Limited Waiver](#) of 51.917(b)(7)(ii) to include amounts owed by Halo Wireless in their Fiscal Year 2011 Base Period ICC Revenues. [Public Notice](#)
- Mar. 9 - Replies due on the FCC's Seventh Annual [Report to Congress](#) on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges. [Public Notice](#)
- Mar. 15 - Comments due on Vonage Holdings' [application](#) to obtain telephone numbers directly from the North American Numbering Plan Administrator and the Pooling Administrator. [Public Notice](#)
- Mar. 21 - PRA comments due on FCC Form 690, the Annual Report for Mobility Fund Phase I Support, and the record retention requirements, which were revised in the May 14, 2012 Third Order on Reconsideration of the USF/ICC Transformation Order. [Notice](#)
- Mar. 30 - Comments due on Interstate Telecom and CenturyLink's [Petition](#) seeking a study area waiver to permit CenturyLink to remove a portion of its Flandreau Exchange. Replies due April 14. [Public Notice](#)
- Mar. 31 - Comments due on the preparation of a Programmatic Environmental Assessment for the development of a more efficient and effective environmental review process for the RUS Telecommunications Program. [Notice](#)
- Apr. 14 - Replies due on Interstate Telecom and CenturyLink's [Petition](#) seeking a study area waiver to permit CenturyLink to remove a portion of its Flandreau Exchange. [Public Notice](#)
- Apr. 18 - PRA comments due on revisions to Form 481 and its instructions to reflect reporting and certification requirements for price cap carriers that elect to receive CAF Phase II model-based support, for recipients of Rural Broadband Experiment, a reasonably comparable rate certification for broadband for high-cost support recipients, and an E-rate bidding certification for Phase II model-based support and rate-of-return carrier high cost recipients. [Notice](#)
- Apr. 22 - PRA comments due on an extension to a currently approved information collection associated with annual the ARMIS Operating Data Report (43-08). [Notice](#)
- Apr. 26 - PRA comments due on an extension of a currently approved information collection associated with section 69.605, Reporting and Distribution of NECA Pool Access Revenues. [Notice](#)
- May 3 - PRA comments due on an extension of a currently-approved collection associated with section 64.1903, which requires ILEC's international, interexchange affiliate to maintain books of account separate from such ILEC's local exchange and other activities. [Notice](#)
- May 3 - PRA comments due on an extension of a currently-approved collection associated with the May 2000 CALLS [Report and Order](#). [Notice](#)

[Back to Highlights](#)

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