

**NECA's Weekly Federal Regulatory Summary**

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

**March 11, 2019 HIGHLIGHTS**

- The FCC issued the [agenda](#) for its March 15, 2019 Open Meeting. The FCC will consider seven items, including a [Fourth Report and Order](#) to implement the Improving Rural Call Quality and Reliability Act of 2017 that will establish service quality standards for intermediate providers.
- The Wireline Competition Bureau [resolved](#) a second CAF Phase II challenge to 3,252 geocoded locations proposed by ACS to receive high-cost support as part of ACS's obligations to extend service to unserved Alaskan consumers.
- The [Report and Order](#) that established a transition framework to phase down CAF Phase I frozen support in areas where support is now awarded pursuant to the CAF Phase II auction [is effective](#) April 10, 2019, except for the addition of section 54.313(m), which requires OMB approval.
- The [Third Report and Order](#) extending the timeframe for the collection of speed test data for the Mobility Fund II challenge by 90 days [is effective](#) on March 6, 2019.
- [Comments were filed](#) on the [FNPRM](#) proposing to implement an auction for support in study areas overlapped by unsubsidized competition, on the legacy budget as carriers transition to broadband-only lines, and applying the Tribal Broadband Factor from the A-CAM II offer to legacy carriers. Replies are due April 8, 2019. [FR](#)
- WTA and some of its members [discussed](#) the performance testing requirements for RLECs and other small carriers, the status of the voice service rate floor, and the length and cost of USAC audits.
- NTCA [expressed](#) concern about the accuracy of Form 477 information that will be used for distributing USF support.
- Verizon, USTelecom, et al. [discussed](#) compliance obligations for recipients of CAF support providing broadband service to fixed locations.
- USTelecom [proposed](#) a system for batch-updating the USAC High Cost Universal Broadband portal.
- CenturyLink [responded](#) to filings by Verizon and in further support of its [Petition for a Declaratory Ruling](#) on over-the-top VoIP providers.
- AT&T [asserted](#) companies continue to game the ICC system by artificially inflating switched access charge revenues.
- NTCA [expressed](#) concerns about the draft [Order](#) on call completion and urged the Commission to make several targeted changes to the Order.

**Other Key Upcoming Dates**

- Mar. 11 - Replies [due](#) on the FNPRMs attached to the [Report and Order](#) that allowed certain RLECs that receive fixed high-cost support to transition from RoR regulation to incentive regulation for their BDS. [FR](#)
- Mar. 11 - Replies [due](#) on the 2018 Biennial Review of Telecommunications Regulations. [Public Notice](#)
- Apr. 8 - Replies [due](#) on the December 2018 RoR USF Reform [FNPRM](#).

## USF Reform

- The Wireline Competition Bureau issued [an Order](#) on March 5, 2019, resolving a second CAF Phase II challenge to 3,252 geocoded locations proposed by ACS to receive high-cost support as part of ACS's obligations to extend service to unserved Alaskan consumers. The Bureau found 647 of these geocoded locations will be eligible for high-cost support, and the Bureau also granted ACS's request to make eligible a limited number of additional census blocks for Phase II support that are no longer reported as served by a competitor.
- The February 15, 2019 [Report and Order](#) that established a transition framework to phase down CAF Phase I frozen support in areas where support is now awarded pursuant to the CAF Phase II auction was [published](#) in the Federal Register on March 11, 2019. The Order is effective April 10, 2019, except for the addition of section 54.313(m), which contains information collection requirements that have not been approved by OMB. The FCC will publish a document in the Federal Register announcing the effective date of the section 54.313 amendment.
- The [Third Report and Order](#) extending the timeframe for the collection of speed test data for the Mobility Fund II challenge by 90 days was published in the [Federal Register](#) on March 6, 2019. This change allows challengers' speed test data collected on or after February 27, 2018, and through the entire 240-day challenge window, to be submitted and considered with a challenge. It also extended by at least 90 days the timeframe for the collection of information to respond to a challenge. The effective date of the Order is March 6, 2019.
- Comments were filed March 8, 2019, on the [FNPRM](#) proposing to implement an auction mechanism for support in legacy areas that are overlapped by an unsubsidized competitor, measures to address budgetary impacts as carriers transition to broadband-only lines, and applying the Tribal Broadband Factor from the A-CAM II offer to legacy carriers. [NTCA](#) said it is essential the Commission evaluate purported unsubsidized competitive presence via a robust, data-driven challenge process as the FCC Form 477 data has proven to be unreliable. It suggested the Commission also require all interested bidders in any ensuing auction to make detailed, upfront showings of their technical capability, and conduct the challenge process and any ensuing auctions only once every ten years. [NTCA](#) said the Commission should adopt transitional measures that will promote continued consumer-driven adoption of standalone broadband services while minimizing any unpredictability created by imposition of budget controls, suggesting calculating support based on a maximum annual growth rate in CBOL lines of 10 percent of that RLEC's prior year voice lines. It said such a limit on annual CBOL conversions would need to affirmatively sunset in 2024. [NTCA](#) also urged the Commission to adopt a Tribal Broadband Factor for all cost-based support recipients serving Tribal Lands. [WTA](#) opposed use of the CAF Phase II mechanism or other reverse auction approaches to award high-cost support in existing RoR broadband service areas that are "entirely" or "almost entirely" overlapped. It said the Commission should abandon its CAF Phase II auction mechanism proposal; but if it does not, it is imperative for the Commission to conduct a thorough challenge process before subjecting existing broadband service areas and customers to the vagaries of the CAF Phase II or any other reverse auction process. It joined with [NTCA](#) to propose the Commission limit the increase in CBOL conversions for which a cost-based RLEC may receive the broadband-only portion of CAF-BLS to 10 percent of that carrier's voice lines as of December 31 of the prior year, with any such limit expiring through an absolute sunset at the earlier of December 31, 2024, or the date on which the contemplated five-year budget review is completed. [WTA](#) supported incorporation of a Tribal Broadband Factor into the high-cost support for cost-based RoR carriers serving Tribal lands. [Midwest Carriers](#) supported funding all broadband-only lines, provided the carriers follow NECA guidelines. It said if the Commission determines carriers are artificially converting consumers to broadband-only lines for the purpose of artificially increasing the support they receive, the Commission should consider appropriate actions to discourage carriers from doing so. They said the current cost-recovery rules are correct and carriers should continue to receive HCLS for converted lines for two years since HCLS payments, under the current rules, are based on the costs incurred two years prior. The Midwest Carriers also urged the Commission not to adjust the CAF-ICC rules for carriers whose subscribers have requested stand-alone broadband service or when carriers have migrated to CBOL consistent with the NECA guidelines, saying if the Commission determines a carrier is gaming the system, then the Commission should reduce or eliminate that carrier's CAF-ICC. The [Concerned Rural LECs](#) said

auctions should be limited to legacy study areas that are 100% overlapped by qualifying unsubsidized competitors, and the Commission must conduct a challenge process before finalizing the determination of areas that will be subject to the auction so there is a real-world check on the coverage data competitive carriers report on the Form 477. They argued the minimum geographic bidding area for the auction should be the entire study area. They said the Commission should not adopt limits on the number of converted lines for which a RoR ILEC may seek broadband-only support in a given year, and the rules for HCLS and CAF ICC support should not be modified for the conversion of lines to broadband-only. [All comments available to date](#). Replies are due April 8, 2019.

- WTA and about thirty members of WTA's Public Policy Committee [met with](#) Commissioner Rosenworcel's Advisor on March 5, 2019, to discuss the performance testing requirements for RLECs and other small carriers, the current status of the voice service rate floor, and the length and cost of USAC audits. They noted WTA's Application for Review has requested a substantial deferral of the scheduled Third Quarter 2019 commencement of performance testing by RLECs and an opportunity by RLEC representatives to work with the Commission during the deferral period to develop more reasonable and practicable testing procedures for RLEC high-cost support recipients. They also discussed a significant number of practical performance testing concerns. WTA members said ideally they would prefer elimination of the local service rate floor, but emphasized that the critical need at present is for a Commission ruling on the issue much earlier than May 1. Several WTA members also discussed the fact that USAC audits appear to be becoming increasingly lengthy and expensive.
- NTCA [spoke with](#) a legal advisor in the Wireline Competition Bureau on February 28, 2019, to express concern about the accuracy of Form 477 information that will be used for distributing USF support. NTCA encouraged the FCC to ensure that "false positives" generated by reliance on such information will neither deter nor preclude potential elections of, and migration to, model-based support, nor reduce or eliminate essential support for those providers continuing to depend on cost-based USF mechanisms.
- Verizon, Frontier, CenturyLink, AT&T, WISPA, ITTA, and USTelecom [met with](#) Wireline Competition Bureau and Office of Economics and Analytics staff on February 28, 2019, to discuss compliance obligations for recipients of CAF support providing broadband service to fixed locations. They discussed issues consistent with the [Petition for Reconsideration and Clarification](#) filed by USTelecom, ITTA and WISPA, and discussed the Commission's current market-based approach to on-net testing for ETCs that requires them to test to an access point located in various FCC-designated metropolitan areas. They expressed concern that the designated market-based approach is too rigid to reflect the reality of the rapid changing marketplace, and said a criteria-based definition of an appropriate access point would better accommodate different sizes and types of ETCs as well as market evolution.
- USTelecom filed a [letter](#) on March 6, 2019, to propose a system for batch-updating the USAC High Cost Universal Broadband portal. USTelecom proposed USAC establish a specific process for periodic bulk modifications that would be available to carriers with 100 or more locations to update. USTelecom proposed to limit the frequency of such filings and suggested the bulk update process be available to providers once a quarter with submission dates specified by the Commission and/or USAC. USTelecom recommended March 1 be the first quarter filing deadline, which aligns with the HUBB filing deadline and is when many providers will have the most up to date information.
- ACS filed a [letter](#) on February 28, 2019, containing a list of locations to which it deployed broadband services meeting the CAF Phase II requirements as of December 31, 2018. ACS indicated it will complete its 30 percent filing on March 1, 2019, in the HUBB, but it has come to its attention that a number of locations previously filed are inaccurate. It said by this filing, it seeks to provide the Commission and USAC with a current, accurate list of its CAF II locations.
- The Rural Wireless Association filed a [letter](#) on March 7, 2019, to respond to T-Mobile's February 26, 2019 [letter](#) on the Mobility Fund II challenge process. RWA asserted T-Mobile provided no basis for refuting RWA's documented evidence of T-Mobile overstating its MF II wireless coverage and seeks to discount the Vermont DPS' report regarding T-Mobile's MF II wireless coverage. RWA also said maps provided by T-Mobile are irrelevant to the test results provided by both RWA and the Vermont DPS, all of which were based on mapping data submitted to the FCC by T-Mobile.

- GCI filed [a letter](#) on March 1, 2019, to explain that it and its subsidiaries, United Utilities and Yukon Telephone, are submitting confidential network information in an effort to comply as fully as possible with the network mapping requirements of the Alaska Plan. GCI said it cannot certify that all buried and aerial fiber information is locationally accurate to the specified standard, and so it is unable to submit its filing via USAC's HUBB. It indicated it is therefore submitting CDs with its network location information and requested confidentiality for the information on the CDs.

[Back to Highlights](#)

## ICC

- CenturyLink filed [a letter](#) on March 4, 2019, to respond to recent filings by Verizon and in further support of CenturyLink's [Petition for a Declaratory Ruling](#) that over-the-top VoIP providers and their LEC partners perform the functional equivalent of end office switching, and, accordingly, may tariff and collect end office local switching access reciprocal compensation under the Commission's rules. CenturyLink said Verizon's bright-line rule is not the law and would harm the development of innovative services. It asserted the Transformation Order does not support Verizon's interpretation of the VoIP symmetry rule.
- AT&T filed [a letter](#) on March 9, 2019, claiming companies continue to game the intercarrier compensation system by artificially inflating switched access charge revenues. AT&T said the most effective way to eliminate the incentive to engage in intercarrier compensation arbitrage is to complete the move of the switched access regime to default bill-and-keep. It argued the Commission should adopt the NPRM's 'prong one' to place the cost where it should reside in a properly functioning marketplace – with the access stimulator who should look to its subscribers to recover network costs. It also suggested the Commission declare that routing high-volume switched access traffic to remote areas to then re-route that traffic via IP networks to the state in which the traffic is actually destined is also a violation of Commission rules, and should revoke the carrier authorizations to provide interstate service from all who engage in this activity.
- USTelecom, AT&T, CenturyLink, Consolidated, Frontier, Verizon, and Windstream [met with](#) Wireline Competition Bureau and Office of Economics and Analytics staff on March 5, 2019, to discuss ending intercarrier compensation arbitrage. They asked the Commission to move quickly in establishing further rules that will effectively end the incentives for continued access arbitrage.
- WideVoice [met with](#) staff from the Wireline Competition Bureau and Office of Economics and Analytics on March 7, 2019, to discuss access stimulation. WideVoice indicated carrier self-help refusal to pay properly tariffed rates is the single biggest problem it faces. It asserted absent a price advantage or arbitrage opportunity, sharing revenue provides for an efficient market and banning or penalizing revenue sharing creates an artificial price floor and an inefficient market. It suggested the Commission adopt its January 14, 2019 proposal, cap mileage, end the vilification of access stimulation, and penalize carriers who practice self-help non-payment.
- WideVoice [met separately with](#) Advisors to Chairman Pai and Commissioners O'Rielly, Starks, Carr, and Rosenworcel on March 5 and 6, 2019, to discuss access stimulation. WideVoice said carrier "self help" refusal to pay properly tariffed rates is the single biggest problem faced by WideVoice. It asserted absent a price advantage or "arbitrage opportunity," sharing revenue provides for an efficient market, and banning or penalizing revenue sharing creates an artificial price floor and an inefficient market. WideVoice recommended capping mileage, end the vilification of access stimulation, and penalizing carriers who practice self-help non-payment.
- No comments were filed on Northeast Nebraska Telephone's request for waiver of sections 51.909(a), 51.917(b)(1), and 51.917(b)(7) in order to merge two commonly-owned study areas and modify revenue requirements. Replies are due March 14, 2019. [Public Notice](#)

## Call Completion

- NTCA [met separately with](#) Advisors to Chairman Pai and Commissioner Rosenworcel on February 28, 2019, to express concerns about the draft Order on call completion. NTCA urged the Commission to make several targeted changes to the draft Order: require intermediate providers to maintain records of how they are complying with the draft Order's requirements; retain the record keeping requirement for covered providers until such time as there is an affirmative determination that the rules are effective and records are no longer necessary; and make clear the Commission will impose penalties for both single infractions and patterns of non-compliance or misconduct in connection with call completion failures. NTCA also [met separately with](#) Advisors to Commissioners O'Rielly, Stark, and Carr on March 6 and 7, 2019, to discuss the same issues.
- LLGS, on behalf of several clients who are U.S. long-distance service providers that hand-off 100 percent of the voice calls that they handle to foreign carriers for termination to destinations outside the United States, [met with](#) Wireline Competition Bureau staff on March 4, 2019, to request the Commission add language to the forthcoming Rural Call Completion Order to clarify that the Commission will not require the final intermediate provider in the United States to ensure that any additional, non-U.S. intermediate providers are registered. LLGS asserted the Rural Call Completion Act and the Commission's rural call completion rules were never intended to apply to calls destined for termination outside the United States and compliance with such a rule would be almost impossible because foreign carriers with no operations in the United States will be unwilling to register with the Commission. LLGS also [spoke separately with](#) Advisors to Chairman Pai and Commissioners O'Rielly, Rosenworcel, Carr, and Starks on March 5, 6, and 7, 2019, to discuss the same issues.
- CTIA filed a [letter](#) on March 6, 2019, on the FCC's draft [Order](#) on rural call completion, which will be considered at the FCC's March 15, 2019 Open Meeting. CTIA supported elimination of the remaining rural call completion recording and retention rules. CTIA asserted it is appropriate to sunset the rules and eliminate the burdens on covered providers given the other tools that are now at the Commission's disposal to ensure that calls are completed.

## Broadband

- The FCC issued a [Public Notice](#) on March 7, 2019, soliciting nominations for membership on a new Increasing Broadband Investment in Low-Income Communities Working Group of the Broadband Deployment Advisory Committee. The FCC said this new working group will assist the BDAC in providing advice and recommendations to the Commission on new ways to encourage the deployment of high-speed broadband infrastructure and services to low-income communities. Nominations for membership are due March 19, 2019.
- Sen. John Thune (R-S.D.), chairman of the Subcommittee on Communications, Technology, Innovation, and the Internet, [announced](#) on March 5, 2019, there will be a hearing entitled "The Impact of Broadband Investments in Rural America" on March 12, 2019. The hearing will focus on the FCC's Order to improve the quality and expand availability of rural broadband. The Subcommittee will also discuss opportunities and investments to support carriers in rural America, efforts to prevent overbuilding among federal broadband programs, and the next steps to close the digital divide. Witnesses include: Justin Forde, Midcontinent Communications; Dr. Mark Jamison, American Enterprise Institute; Denny Law, Golden West Telecommunications; and Carol Matthey, Matthey Consulting.
- USTelecom, AT&T, Consolidated, Frontier, USTelecom, Verizon, and Windstream [met with](#) members of the Rural Broadband Auctions Task Force and Office of Economics and Analytics on March 6, 2019, to discuss USTelecom's proposed reforms to the FCC Form 477 process. USTelecom said this proposal would provide a much more granular view into not only the areas that have broadband service but also a precise view of those locations that lack broadband service. USTelecom claimed its proposal allows auction participants to bid with the full knowledge of exactly how many locations in a census block require service and, importantly, exactly where those locations are.

- The National Rural Electric Cooperative Association [met with](#) Wireline Competition Bureau staff on March 6, 2019, to express concern with potentially significant overstatement of fixed broadband deployment as a result of the current Form 477 guidelines. NRECA asserted the issue of reporting of served locations within census blocks, particularly rural census blocks, is conflated unnecessarily with the challenges of identifying locations in rural census blocks. NRECA suggested additional collaboration among industry groups and the Commission may be necessary to develop a methodology to better identify locations within large, rural census blocks.
- Free Press filed [letter](#) on March 5, 2019, on the [forthcoming](#) 2019 Broadband Deployment Report. Free Press claimed the 2019 Report relied on erroneous Form 477 data and includes over-reporting by BarrierFree, resulting in a massive over-statement of the change in broadband deployment at the national level during 2017. Free Press urged the FCC to withhold release of the 2019 Report until this matter is resolved. Free Press claimed fixed broadband deployment improvements have been consistent in recent years and asserted that other than a portion of the rural deployments under the CAF and those required by an older merger condition, it is questionable whether Commission policy during Chairman Pai's tenure has had any impact on broadband deployment.
- INCOMPAS, IdeaTek, Gorge Networks, Granite Telecommunications, Mammoth Networks, First Communications, and Socket Telecom [met with](#) Chairman Pai's Advisors on February 28, 2019, to suggest the FCC deny USTelecom's [Petition for Forbearance](#) from certain regulatory obligations imposed on ILECs. They discussed the importance of continued access to unbundled network elements and resale under the provisions of the Communications Act to the expansion of their networks and provision of innovative services to their customers.
- WorldNet Telecommunications filed a [letter](#) on March 1, 2019, to respond to PRTC's November 9, 2018 [ex parte](#) that expressed support for USTelecom's [Petition for Forbearance](#) from certain regulatory obligations imposed on ILECs. WorldNet asserted statements by PRTC in the Uniendo a Puerto Rico Fund docket show PRTC wants money available from the Commission to rebuild and enhance the network in Puerto Rico, while also seeking relief from any obligation to lease such network to any other carrier on the island, including relief from arrangements used and in place for years. WorldNet claimed forbearance in Puerto Rico would hand additional market power to an already-dominant market provider, and said forbearance in Puerto Rico is not justified nor substantiated by the facts.
- Timothy Strachan, Director, Office of Legislative Affairs, sent a [letter](#) to Reps. Frank Pallone, Jr. (D-NJ) and Mike Doyle (D-Pa.) on February 19, 2019, in response to their [letter](#) to Chairman Pai, which requested information about what communications, if any, took place between the FCC and FCC licensees relating to legal challenges of the September 2018 [Declaratory Ruling and Third Report and Order](#) on wireless infrastructure deployment. Strachan said Chairman Pai informed him that neither he nor his staff urged any FCC licensee to challenge the Order, nor did they make any threats, implied or otherwise, against any licensee regarding such challenges. Strachan said he enclosed correspondence between FCC employees and FCC licensees with respect to the legal challenges to the Order.
- No replies were filed to oppositions to the City of New Orleans, et al.'s [Petition for Reconsideration](#) of the September 2018 [Declaratory Ruling and Third Report and Order](#) on wireless infrastructure deployment. [FR](#)
- The House Committee on Small Business held a [hearing](#) entitled *Rebuilding America: Small Business Perspective* on March 6, 2019, that focused on current infrastructure needs and how small businesses can stand to benefit from a comprehensive plan that includes surface, broadband, and water, among others. Testimony given by: [Tim Donovan, CCA](#); [Terri L. Williams, UTSA](#); [Roseline Bougher, ACEC](#); and [Hon. Kris Knochelmann, Kenton County, Kentucky Executive Judge](#).

[Back to Highlights](#)

## Open Internet

- The House Committee on Energy and Commerce [will hold](#) a hearing on March 12, 2019, entitled "Legislating to Safeguard the Free and Open Internet."

- Democratic leaders of the House and Senate [introduced](#) a [bill](#) on March 6, 2019, entitled *Save the Internet Act*, which seeks to reverse the FCC's repeal of net neutrality rules. The bill includes three principles; no blocking, no throttling, and no paid prioritization, and empowers the FCC to prohibit unjust, unreasonable and discriminatory practices and ensures consumers can make informed decisions when shopping for internet plans. The bill would also restore the FCC's authority to fund broadband access and deployment, particularly for rural communities and struggling Americans. [Chairman Pai](#) and Commissioners [Rosenworcel](#) and [Starks](#) released statements on the bill.

## Universal Service

- Commissioner O'Rielly sent a [letter](#) to USAC on March 7, 2019, seeking information on E-rate consortia overbuilds. He asked, among other things, if USAC understands the E-rate rules to permit funding for special construction projects, whether self-provisioned networks or networks owned by a commercial provider, that would duplicate, in whole or in part, fiber networks that have been built using federal funds. He also asked: how many applicants have requested E-Rate funding since the 2014 E-rate orders for special construction of consortium-wide WANs, and how much funding was requested by these applicants; how many requests for consortium-wide WAN projects have received funding commitments; and the total amount of funding committed for such requests. He asked USAC to respond by April 1, 2019.
- The Wireline Competition Bureau issued a [Public Notice](#) on March 8, 2019, announcing the National Lifeline Eligibility Verifier will soft launch on March 12, 2019, in Indiana, Kentucky, and Michigan.
- The Wireline Competition Bureau released an [Order](#) on March 8, 2019, addressing USTelecom, CTIA and ITTA's [Petition](#) which sought a one-time waiver of the biennial audit requirement for ETCs that are also subject to a forensic audit by USAC. The Bureau concluded the two audit requirements are not wholly duplicative, and granted in part a waiver of the biennial audit requirement for certain Lifeline providers.
- The Wireline Competition Bureau issued a [Public Notice](#) on March 8, 2019, to announce the E-rate and Rural Health Care Programs' inflation-based caps for funding year 2019. The E-rate program funding cap for funding year 2019 is \$4.1 billion, which represents a 2.2 percent inflation-adjusted increase from funding year 2018. The Rural Health Care funding cap for funding year 2019 is \$594 million, which represents a 2.2 percent inflation-adjusted increase from funding year 2018.
- Comments were filed on March 6, 2019, on petitions filed by [Redwire](#) and [ViaSat Carrier Services](#) seeking ETC designation as winning bidders of CAF Phase II auction support. [Hughes Network Systems](#) opposed ViaSat's petition, asserting ViaSat has not demonstrated that it is capable of meeting the CAF-II service standards for high-latency bidders. The [Public Utility Division of the Oklahoma PUC](#) claimed Redwire has not met its burden of proof regarding jurisdiction and is unable to clearly identify the specific location of the service area being requested for designation and how that service area comports with the boundaries of the Tribal lands at issue. Replies are due March 13, 2019. [Public Notice](#)
- Gibson Connect filed a [supplement](#) on March 7, 2019, to its [Petition](#) seeking ETC designation in Tennessee in all areas in which its parent company, Gibson Electric Membership Corporation, through its participating in the Rural Electric Cooperative Consortium, has been allocated CAF Phase II support as a winner of Auction 903. Gibson Connect said the supplement provides additional information and makes additional certifications concerning the provision of Lifeline-only service by Gibson Connect.
- TruConnect [met with](#) Commissioner O'Rielly and his Legal Advisor and Advisors to Chairman Pai and Commissioner Carr on February 28, 2019, to discuss Lifeline issues. TruConnect asserted the National Lifeline Verifier's roll-out has many challenges, which if not corrected, will be expensive for USAC. It suggested the system should implement application programming interfaces to improve the enrollment process from that originally proposed. TruConnect also expressed support for re-establishing a port freeze, asserting a port freeze requirement of 60 days would help the FCC achieve some of their stated objectives, including advancing telemedicine.

- Free Press and New America's Open Technology Institute [met with](#) Commissioner Rosenworcel and her Advisors on March 1, 2019, to discuss the Commission's current rulemaking proposals for the Lifeline program, and implementation of the National Verifier program and other eligibility tests for Lifeline recipients. They also discussed Chairman Pai's [press release](#) previewing the forthcoming 2019 Broadband Deployment Report and asserted the draft report relies on erroneous data. Lastly, they discussed their opposition to the T-Mobile/Sprint merger and offered analysis of the Nexstar/Tribune merger.
- Broadband VI [met with](#) Wireline Competition Bureau and Office of Economics and Analytics staff and Legal Advisors to Commissioners Starks and Rosenworcel on March 5, 2019, to discuss its proposal for a two-step process for awarding support to restore service in the U.S. Virgin Islands. BBVI asserted using comparative network criteria is the most appropriate and most expeditious approach available because of the relatively small number of applicants expected to seek stage 2 funding and the need to vet resiliency and restoration criteria before the Commission selects an entity to which it will provide support.
- PRTC [met with](#) Commissioner Starks' Advisor on March 4, 2019, to discuss stage 2 of the Uniendo a Puerto Rico Fund and the Connect USVI Fund. PRTC discussed progress it has made rebuilding its network and restoring service. It also discussed its recommendation that the Commission increase the stage 2 budget for fixed providers, the benefits of offering the right of first refusal to PRTC, and how the Commission might structure an alternative competitive request for proposal process, if necessary.
- Huawei Technologies filed a [complaint](#) on March 6, 2019, in U.S. District Court for the Eastern District of Texas seeking a declaration that pertinent provisions of section 889 of the [2019 National Defense Authorization Act](#) that define certain equipment and services produced or provided by Huawei and its subsidiaries and affiliates as covered telecommunications equipment or services, and consequently restrict the procurement and use of such equipment by executive agencies, federal government contractors, and federal loan and grant recipients, are unconstitutional.

[Back to Highlights](#)

### Misc.

- The FCC issued the [agenda](#) on March 8, 2019, for its March 15, 2019 Open Meeting. The FCC will consider a [Fourth Report and Order](#) to implement the Improving Rural Call Quality and Reliability Act of 2017 that will establish service quality standards for intermediate providers. The FCC will also consider: a [First Report and Order](#) to make available 21.2 GHz of spectrum above 95 GHz for unlicensed operations and create a new class of experimental licenses for the 95 GHz to 3 THz spectrum range; an [NPRM](#) proposing to reconfigure the 900 MHz band to create a broadband segment to facilitate technologies and services for a wide variety of businesses, including critical infrastructure; a [Fourth FNPRM](#) proposing a vertical, or z-axis, location accuracy metric in connection with wireless E911 calls; a [Report and Order](#) that implements Congress's directive in the Reimbursement Expansion Act for the Commission to reimburse certain low power television, television translator, and FM broadcast stations for broadcast television spectrum incentive auction costs; a [Report and Order](#) that streamlines the reauthorization process for television satellite stations when they are assigned or transferred; and a [NPRM](#) on how potential changes to the partitioning, disaggregation, and leasing rules might better close the digital divide and increase spectrum access by small and rural carriers.
- To date no comments were filed on NECA's December 20, 2018 [proposed revisions](#) to formulas used for average schedule interstate settlement disbursements. The revisions are proposed to become effective for a one-year period beginning July 1, 2019. Replies are due March 25, 2019. [Public Notice](#)
- CenturyLink filed a [letter](#) on March 1, 2019, submitting a redacted copy of a report published by Atlantic-ACM, referenced in its February 8, 2019 [comments](#) on the FNPRMs that sought comment on applying incentive regulation to BDS transport services. CenturyLink asserted the report confirms ILECs face intense demand for BDS, including for TDM transport, as wholesale and resale purchasers shift toward higher capacity Ethernet, Wavelength, and other IP-based services available from a variety of suppliers.



- The Wireline Competition Bureau issued a [Public Notice](#) on March 5, 2019, to announce the [NPRM](#) proposing to amend its Truth in Caller ID rules to implement the anti-spoofing provisions of the RAY BAUM'S Act was published in the [Federal Register](#) on March 4, 2019. Comments are due April 3, 2019; reply comments are due May 3, 2019.
- Colorado Attorney General Phil Weiser [met with](#) Chairman Pai and his Advisor and the FCC's Chief Economist on March 5, 2019, to discuss the substantial harm and inconvenience that unlawful robocalls have caused Colorado citizens. Mr. Weiser said the Colorado Department of Law is in full agreement with the principles set forth in the [reply comments](#) of 35 State Attorneys General filed on October 9, 2018, and noted Coloradans received an estimated 120 million robocalls last year. He said the possible implementation of STIR/SHAKEN protocols represent progress on addressing these challenges. He also was encouraged by the FCC's letter to voice service providers sent on November 5, 2018, calling on them to move forward on Caller ID authentication and the [Declaratory Ruling](#) further authorizing wireless providers to stop unwanted text messages.
- The FCC issued a [Public Notice](#) on March 5, 2019, announcing the North American Numbering Council will hold a meeting on March 28, 2019, and will discuss status reports from the Numbering Administration Oversight Working Group, the Interoperable Video Calling Working Group and the Nationwide Number Portability Issues Working Group. The meeting is open to the public.
- To date, no replies were filed on EATELCORP and Reserve Communications and Computer Corporation's 214 application requesting consent for the transfer of control of EATEL to Reserve. [Public Notice](#)
- To date, no comments were filed on Bright Packet's application for authorization to obtain NANP telephone numbers directly from the Numbering Administrators for its iVoIP service. [Public Notice](#)

[Back to Highlights](#)

### Upcoming Filing Dates

- Mar. 11 - Replies due on the Second FNPRM and FNPRM that accompanied the [Report and Order](#) that allows certain RLECs that receive fixed high-cost support to transition from RoR regulation to incentive regulation for their business data services. [PN](#) | [FR](#)
- Mar. 11 - Replies due on the 2018 Biennial Review of Telecommunications Regulations. [PN](#) | [PN](#)
- Mar. 12 - Comments due on Tombigbee Communication's [Petition for ETC designation](#) for a service area containing 100 census blocks in Alabama as a winning bidder in the CAF Phase II Auction. Replies are due March 19, 2019. [Public Notice](#)
- Mar. 13 - Replies due on petitions filed by [Redwire](#) and [ViaSat Carrier Services](#) seeking ETC designation as winning bidders of CAF Phase II auction support. seeks ETC designation in Alabama, California, Florida, and West Virginia. [Public Notice](#)
- Mar. 14 - Comments due on Broadband VI's [Petition](#) for a waiver of the Lifeline minimum service standards for its fixed broadband service. Replies are due March 21, 2019. [Public Notice](#)
- Mar. 14 - Replies due on Northeast Nebraska Telephone's request for waiver of sections 51.909(a), 51.917(b)(1), and 51.917(b)(7) in order to merge two commonly-owned study areas and modify revenue requirements. [Public Notice](#)
- Mar. 18 - Comments due on the [NPRM](#) on whether the amortization suspension has encouraged the deployment of high-speed, low-cost connections, and the effect of the amortization suspension on applicants and on USF expenditures. Replies are due April 1, 2019. [FR](#)

- Mar. 19 - Replies due on Tombigbee Communication's [Petition for ETC designation](#) for a service area containing 100 census blocks in Alabama as a winning bidder in the CAF Phase II Auction. [Public Notice](#)
- Mar. 21 - Replies due on Broadband VI's [Petition](#) for a waiver of the Lifeline minimum service standards for its fixed broadband service. [Public Notice](#)
- Mar. 25 - Replies due on NECA's December 20, 2018 [proposed revisions](#) to formulas used for average schedule interstate settlement disbursements. The revisions are proposed to become effective for a one-year period beginning July 1, 2019. [Public Notice](#)
- Mar. 25 - Comments due on two applications for transfers of control: NTS Communications, NTS Telephone, PRIDE Network, and XFone seek approval for transfer of control to Clarity Telecom, d/b/a Vast Broadband; and Clarity Holdings seeks approval for transfer from PC III Holdings to Python Intermediate II. Reply comments are due April 9, 2019. [Public Notice](#)
- Apr. 1 - Replies due on the [NPRM](#) on whether the amortization suspension has encouraged the deployment of high-speed, low-cost connections, and the effect of the amortization suspension on applicants and on USF expenditures. [FR](#)
- Apr. 3 - Comments due on the [NPRM](#) proposing to amend its Truth in Caller ID rules to implement the anti-spoofing provisions of the RAY BAUM'S Act. Reply comments are due May 3, 2019. [FR](#)
- Apr. 8 - Replies due on the [FNPRM](#) on implementing an auction mechanism for support in legacy areas that are overlapped by an unsubsidized competitor, addressing budgetary impacts as carriers transition to broadband-only lines, and applying the Tribal Broadband Factor from the A-CAM II offer to legacy carriers. [FR](#)
- Apr. 8 - PRA comments due on an extension of a currently approved information collection pursuant to section 69.605, Reporting and Distribution of Pool Access Revenues, Part 69-Access Charges. [FR](#)
- Apr. 9 - Replies due on two applications for transfers of control: NTS Communications, NTS Telephone, PRIDE Network, and XFone seek approval for transfer of control to Clarity Telecom, d/b/a Vast Broadband; and Clarity Holdings seeks approval for transfer from PC III Holdings to Python Intermediate II. [Public Notice](#)
- Apr. 12 - PRA comments due on a request for extension of an information collection associated with Mobility Fund I support. [FR](#)
- Apr. 22 - PRA comments due on a revision to an existing information collection in FCC Form 481. [FR](#)
- May 3 - Replies due on the [NPRM](#) proposing to amend its Truth in Caller ID rules to implement the anti-spoofing provisions of the RAY BAUM'S Act. [FR](#)

[Back to Highlights](#)

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