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March 19, 2018 HIGHLIGHTS

- The FCC issued the [agenda](#) for its March 22, 2018 Open Meeting. The FCC will consider six items, including: a [Second Report and Order](#) that would clarify and modify the procedures for NHPA and NEPA review of wireless infrastructure deployments; a [Second FNPRM](#) to address the problem of unwanted calls to reassigned numbers; and a [Notice of Inquiry](#) examining location-based routing of wireless 911 calls to ensure calls are routed to the proper 911 call center.
- Comments [are due](#) April 12, 2018, on the [NPRM](#) proposing to update the FCC's rules on jurisdictional separations. Replies due April 27, 2018. [FR Notice](#)
- The Rural Broadband Auctions Task Force and the Wireline Competition and Wireless Telecommunications Bureaus released a [Public Notice](#) announcing the availability of an online auction application tutorial for the CAF Phase II Auction.
- The FCC [announced](#) the OMB approved, for a period of three years, the information collection requirements associated with the rules for the CAF Phase II auction. The amendment to § 54.310(e) is effective March 13, 2018.
- The WCB [denied](#) PRTC's Petition for a declaratory ruling requesting a one-year grace period for buildout for CAF Phase I incremental support; however, it granted PRTC a waiver, on its own motion, such that no support will be recovered from PRTC for locations it served within a year of its Phase I incremental support deadlines.
- The Ninth Circuit Court issued an [Order](#) consolidating 15 [petitions for review](#) of the Restoring Internet Freedom [Order](#). The Court also set deadlines for filing briefs. [NCTA](#), [CTIA](#) and [USTelecom](#) filed motions to intervene in the case.
- CenturyLink filed [comments](#) on South Dakota Network's [Petition for Expedited Declaratory Ruling](#) on questions raised in the litigation involving an agreement between SDN and AT&T under which SDN provides transport service for AT&T access traffic. Replies due March 29, 2018. [Public Notice](#)
- The FCC is [circulating](#) FairPoint's [Petition](#) seeking clarification of FCC rules aimed at preventing double recovery of USF support through both frozen CAF Phase I Support and CAF ICC transition support.
- The WCB [seeks comments](#) on Titonka Telephone and Burt Telephone's [Petition](#) for a waiver to merge their study areas and modify their 2011 revenue requirement and base period revenue. Comments are due April 2, 2018; replies are due April 17, 2018.
- The D.C. Circuit Court [granted](#) in part and denied in part Petitions for Review of the 2015 Robocall Order in which the Commission sought to clarify various aspects of the TCPA's general bar against using automated dialing devices to make uninvited calls.

Other Key Upcoming Dates

- Mar. 22 - Deadline for unsubsidized competitors to notify ACS and the Commission that they already serve the blocks identified by ACS to which it proposes to deploy using CAF Phase II support. [Public Notice](#)
- Mar. 23 - Replies due on the Lifeline [NPRM and NOI](#).

USF Reform

- The Rural Broadband Auctions Task Force and the Wireline Competition and Wireless Telecommunications Bureaus released a [Public Notice](#) on March 15, 2018, announcing the availability of an online auction application tutorial for the CAF Phase II Auction (Auction 903). The tutorial provides an overview of the pre-bidding component for Auction 903, including information about the process of applying to participate, a demonstration of the Auction 903 short-form application (FCC Form 183), and the application review process. The tutorial is available under the “Education” tab on the Commission’s CAF Phase II Auction [website](#).
- The FCC published [a Notice](#) in the Federal Register on March 13, 2018, announcing OMB approval, for a period of three years, of the information collection requirements associated with the rules for the CAF Phase II auction. The amendment to § 54.310(e), published in the FR on July 9, 2014, is effective March 13, 2018.
- The Wireline Competition Bureau issued a [Declaratory Ruling and Order](#) on March 13, 2018, denying Puerto Rico Telephone Company’s Petition for a ruling that section 54.320(d)(2) applies not only to CAF Phase II support, but also to CAF Phase I incremental support, or, alternatively, to grant PRTC a waiver of section 54.312(c)(9), which requires buildout to be completed within three years. Section 54.320(d)(2) provides a one-year grace period for an ETC that has not met its final buildout milestone and establishes a framework for recovering support from ETCs that fail to complete deployment to all locations by the end of the grace period. The Bureau said in light of the devastation caused by Hurricanes Irma and Maria, it granted a limited waiver, on its own motion, such that no support will be recovered from PRTC for locations it served within a year of its Phase I incremental support deadlines.
- Windstream filed [a letter](#) on March 12, 2018, to notify the FCC that an internal audit revealed the company’s number of qualifying locations for the December 31, 2017 CAF Phase II deployment milestone in Iowa fell short of the 40% interim deployment requirement by 10 locations. It noted that because the compliance gap for Iowa is only 0.056 percent, the Commission’s noncompliance measures are not triggered.
- The Consumer and Governmental Affairs Bureau filed an [ex parte](#) on March 13, 2018, to report that Tribal leaders and Tribal representatives affiliated with the National Congress of American Indians met with Chairman Pai, Commissioners Clyburn, O’Rielly, and Carr and their staff, and staff from a number of FCC Bureaus and Offices on February 15, 2018, as part of NCAI’s Executive Council Winter Session. They discussed several USF programs, including Lifeline modernization and Rate-of-Return Reform, as well as process reforms under section 106 of the National Historic Preservation Act and access to spectrum over Tribal lands. Tribal participants urged swift Commission action on the draft order circulated on February 13, 2017, exempting carriers primarily serving Tribal lands from the effects of the operating expense limitation rule.
- Verizon [met with](#) Wireline Competition Bureau staff on March 9, 2018, to discuss the CAF Phase II performance testing methodology contemplated by section 54.313(a)(6). It encouraged the Commission to adopt the speed measurement methodology well before the start of the CAF Phase II auction, explaining potential bidders need to know how the Commission will measure speed and how the Commission will determine whether the tested service is compliant. Verizon also said the Commission should adopt speed test standards that are consistent with the real-world performance of comparable services in urban areas.
- Midwest Energy & Communications, Co-Mo Connect, Co-Mo Electric Cooperative, OzarksGo, SEMO Electric Cooperative, Arkansas Electric Cooperatives, North Arkansas Electric Cooperative, United Electric Cooperative, NRECA, and UTC [met with](#) Wireline Competition Bureau staff on March 9, 2018, to discuss the Rural Electric Cooperatives’ performance measures proposal for recipients of CAF support. They urged the Commission not to penalize providers for variations in testing, inadequate customer equipment, or factors like data overhead, which they said can give the appearance of lower speeds even on networks that are properly engineered. They claimed their proposal of requiring providers to meet 90% of the speed and latency requirement at least 95% of the time ensures that

providers are not penalized due to technical issues outside of their control, and said providers that do not meet this standard would have a graduated and predictable reduction of support. They also encouraged the Commission to require testing within the CAF recipient's network as providers cannot control or necessarily prevent congestion outside of their network, and to adopt its proposal to require speed testing during peak times.

- Sprint filed a [Petition for Limited Waiver](#) on March 16, 2018, seeking a waiver of a reporting requirement associated with the submission of coverage maps used to determine Mobility Fund Phase II support eligibility. Sprint indicated it already submitted coverage maps that properly reflect the parameters mandated by the Commission, including clutter loss. It said because of the nature the propagation model used, however, Sprint is unable to separately populate a clutter loss table, and therefore it requests a waiver of the clutter loss table reporting requirement.

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Open Internet

- The Ninth Circuit Court issued an [Order](#) on March 15, 2018, consolidating 15 [petitions for review](#) of the Restoring Internet Freedom [Order](#). The Court also directed: petitioners' and petitioner-intervenors to file their consolidated opening brief by May 29, 2018; respondents to file their consolidated answering brief by June 28, 2018; and petitioners' and petitioner-intervenors to file their consolidated optional reply brief 28 days after service of respondents' brief.
- [NCTA](#), [CTIA](#) and [USTelecom](#) filed motions for leave to intervene on March 15, 2018, in the Ninth Circuit Court case addressing [petitions for review](#) of the Restoring Internet Freedom [Order](#).

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ICC

- CenturyLink filed [comments](#) on South Dakota Network's [Petition for Expedited Declaratory Ruling](#) on March 14, 2018, which requested the Commission issue a ruling addressing questions raised in the litigation involving an agreement between SDN and AT&T under which SDN provides transport service for AT&T access traffic. CenturyLink encouraged the Commission to see this Petition as further evidence of the need for it to act expeditiously to address the issues raised in the 2017 [ICC Public Notice](#) to resolve still-open questions from the 2011 ICC Transformation FNPRM and to take strides toward placing the treatment of tandem services on a solid footing for the IP migration. CenturyLink suggested the Commission clarify that IXCs have a right to establish direct connections to end offices or their equivalent, and suggested it may be time to take specific steps to tweak the traffic stimulation rules to limit the ability of traffic stimulators to abuse the ability to generate tandem services charges. Replies due March 29, 2018.
- The Commission placed an item [on circulation](#) March 12, 2018, related to FairPoint's [Petition for Declaratory Ruling](#), which seeks clarification of FCC rules aimed at preventing double recovery of USF support through both frozen CAF Phase I Support and CAF ICC transition support.
- The Wireline Competition Bureau issued a [Public Notice](#) on March 12, 2018, seeking comment on Titonka Telephone and Burt Telephone's [Petition](#) for a waiver to merge their study areas and modify their 2011 revenue requirement and base period revenue. Comments are due April 2, 2018; replies are due April 17, 2018.
- Peerless Network filed [a letter](#) on March 15, 2018, to respond to what it claimed are misleading, inaccurate, and/or unsubstantiated assertions in T-Mobile's January 5, 2018 [letter](#). Peerless argued the Commission needs to intercede immediately because T-Mobile is "deny[ing] interconnection in order to gain an unfair competitive advantage" and is otherwise engaging in a "form of anticompetitive

conduct intended to raise rivals' costs of doing business and hence hinder competition." Peerless urged the Commission to prevent further harm to competition and the redundancy/survivability of the nation's telecommunications networks by immediately issuing an order adopting the proposed Direct Connect Requirement.

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Broadband

- Commissioner Rosenworcel [spoke](#) at the National League of Cities Congressional City Conference on March 12, 2018, discussing broadband connectivity and the Homework Gap. She said according to the Senate Joint Economic Committee, the Homework Gap affects 12 million school-aged kids across the country, and the Pew Research Center found that more than half of teachers in low-income communities say their students' lack of access to online resources at home presents a major challenge to integrating technology into their teaching. She said to address this gap, some school districts have installed Wi-Fi routers on the district school buses, which turn ride time into connected time for homework. She also said some cities and towns are making maps for school students that show where they can get free Wi-Fi and do their homework in town.
- The FCC issued a [News Release](#) on March 13, 2018, stating the FCC's proposed [Wireless Infrastructure Order](#), which will be considered at the March 22, 2018 Open Meeting, would save Americans \$1.56 billion between 2018-2026, according to a [report](#) released by the consulting firm Accenture. The FCC noted the Accenture report concludes the Order would cut \$1.56 billion in red tape and create 17,000 jobs, and finds that 29 percent of current small cell deployment costs come from NEPA/NHPA review, and federal environmental and historic reviews cost nearly \$10,000 per small cell.
- The House Subcommittee on Communications and Technology will hold a [hearing](#) on March 22, 2018, to consider four communications bills, including [H.R. 2903](#), *The Rural Reasonable and Comparable Wireless Access Act*, which would direct the FCC to promulgate rules to establish a national standard for determining whether rural areas have reasonably comparable wireless and broadband services to services provided in urban areas.
- The Coalition for Local Internet Choice [met with](#) Commissioner Clyburn and [with](#) Commissioner Rosenworcel's Legal Advisor on March 12, 2018, to discuss its concerns regarding the process and outcomes of the BDAC. CLIC discussed the composition of BDAC and what it says is BDAC's lack of meaningful inclusion of local governmental representatives in the development of model codes. CLIC also discussed its opposition to the model state code provisions related to municipal broadband networks, and claimed, as presently drafted, these provisions would create significant barriers to new municipal broadband deployment and public-private collaboration.
- Verizon [met with](#) Commissioner O'Reilly's Legal Advisor on March 9, 2018, to discuss the draft [Order](#) on wireless infrastructure. Verizon said the draft Order's provisions to streamline tribal reviews for larger wireless broadband facilities will speed broadband deployment and eliminate costs, thus freeing up resources that can be used to deploy more facilities. Verizon suggested, among other things, the FCC modify the draft Order to address situations where a pole's height must be increased to allow adequate separation between existing utility equipment and the wireless antennas at the top of the pole. Verizon also met with Legal Advisors to [Chairman Pai](#) and Commissioners [Rosenworcel](#), [Carr](#), and [Clyburn](#) on March 12 and 13, 2018, to discuss the same issues.
- Sprint [met with](#) Legal Advisors to Commissioners Carr, Rosenworcel, and O'Reilly on March 12, 2018, to express support for the draft [Order](#) on wireless infrastructure. Sprint discussed the urgent need to reform the historic and environmental review processes that it claims are hindering the deployment of small cells as carriers transition to 5G. Sprint also discussed the size limitations in the draft Order that exclude certain small cells from being an undertaking or major federal action, and noted the importance of providing a clear and simple definition that can be easily applied.

- T-Mobile filed a [letter](#) on March 15, 2018, to express support for the [draft Order](#) on wireless infrastructure. T-Mobile agreed the Commission should find that small wireless facilities are neither undertakings under the National Historic Preservation Act nor major federal actions under the National Environmental Policy Act, and therefore are not subject to either statute's review procedures. T-Mobile endorsed the Commission's plans to: clarify and make improvements to the Tribal consultation process; eliminate the requirement to file environmental assessments for most floodplain facilities; and adopt timeframes for the Commission to act on environmental assessments.
- CTIA [met with](#) Chairman Pai and Commissioners Carr, Clyburn, and O'Rielly and their Legal Advisors on March 13, 14, and 15, 2018, to urge the Commission to adopt the [draft Order](#) on wireless infrastructure. CTIA claimed the Order correctly recognizes the advancements in wireless infrastructure and the need for new rules for new technologies. CTIA urged the Commission to reject NCTA's [proposal](#) to modify the procedures for NHPA and NEPA review of wireless infrastructure deployments.
- Comcast [spoke with](#) Commissioner O'Rielly's Legal Advisor on March 15, 2018, on the draft Order on wireless infrastructure. Comcast said, at a minimum, it is important for the Commission to recognize that any definition of small cell facilities in the draft Order should be limited only to facilities subject to the narrow review under NHPA/NEPA.
- INCOMPAS [met with](#) Legal Advisors to Chairman Pai and Commissioners Carr, O'Rielly, and Rosenworcel on March 13 and 14, 2018, to express support for the draft [Order](#) on wireless infrastructure. INCOMPAS said the Order provides a critical step in spurring much needed broadband deployment, but suggested slight modifications to the exemption and section 106 review process, including an exemption for small cell facilities from the NHPA and NEPA reviews. INCOMPAS also said the Commission should reject NCTA's [proposal](#) to redefine facilities and wireless equipment and to specifically exclude wireline elements from the definition.
- INCOMPAS [met with](#) Commissioner Clyburn's Legal Advisor on March 8, 2018, to express support for the [draft Order](#) on wireless infrastructure streamlining. INCOMPAS claimed the draft Order provides a balanced approach to protecting and preserving cultural and historic interests of Tribal Nations, while modernizing the application of the NHPA and NEPA rules to prevent unnecessary costs and delay in the deployment of next generation networks. INCOMPAS also urged the Commission to expeditiously address certain aspects of the permitting processes of state and local governments and adopt pole attachment reforms that would allow new attachers the option of using a one-touch make-ready process, as was recommended by the Commission's BDAC.
- The Competitive Carriers Association met separately with Legal Advisors to Commissioners [Clyburn](#), [Rosenworcel](#), and [O'Rielly](#) on March 13, 2018, to express support for the draft [Order](#) on wireless infrastructure. CCA said it supports the FCC's proposal to clarify that a small wireless facility is not a federal undertaking, but said to ensure providers have sufficient flexibility as equipment and technology standards evolve, the Commission should consider tailored modifications to its proposed definition. CCA also expressed support for the FCC's proposal to streamline the review timeline from the current 60-day timeline to a 45-day process for moving forward with construction where Tribal Nations or National Historic Offices do not respond.
- CCIA [met with](#) Legal Advisors to Commissioners Carr, Clyburn, and O'Rielly on March 13, 2018, to express support for the draft [Order](#) on wireless infrastructure. CCIA said by updating the NEPA and NHPA rules and removing certain small cell deployments from these reviews, the Commission has removed important hurdles that unnecessarily delay siting and the densification of networks.
- Horry Telephone Cooperative filed a [letter](#) on March 15, 2018, to express support for the FCC's work to address barriers to mobile broadband deployment and to urge the FCC to move quickly to help bridge the digital divide in rural America. It asserted the FCC's proposed changes will spur investment and increase certainty as non-nationwide carriers work to preserve and expand service in the most challenging locales in the United States. [Nex-Tech Wireless](#) filed a similar letter.

- TechFreedom filed a [letter](#) on March 15, 2018, on the draft [Order](#) on wireless infrastructure. It supported the FCC's proposal to amend section 1312(e) to exclude from NHPA and NEPA review not only mobile stations but also a class of small wireless equipment. It said 5G small cell antennas, which are generally smaller than a backpack, are inherently no different from Wi-Fi hotspots, and claimed that excluding them from a category of small wireless equipment not subject to NEPA and NHPA would be arbitrary and irrational.
- Uniti Fiber filed a [letter](#) on March 14, 2018, to express support for the draft [Order](#) on wireless infrastructure. Uniti Fiber asserted tribal reviews are a major obstacle to small cell broadband deployment, and claimed the Commission's regulations that apply environmental and historic review to small cell deployments are being leveraged in a way that impose staggering costs and time delays, but provide no discernable historic preservation or environmental public benefits.
- The Communications Workers of America [met with](#) Commissioner Carr's Legal Advisor on March 12, 2018, to discuss the draft [Order](#) on wireless infrastructure. CWA expressed support for policies that accelerate investment in wireless infrastructure that create good, union jobs in the wireless industry. CWA also discussed one-touch make-ready pole attachment proposals, and said as the Commission considers any changes to the current pole attachment rules, concern for public and worker safety, continuity of service to existing attachers' customers, compliance with all legal requirements, including union contracts, and protecting good, middle-class jobs must be paramount.
- Google Fiber filed a [letter](#) on March 14, 2018, to respond to NCTA's one-touch make-ready [proposal](#). Google Fiber asserted NCTA's proposed make-ready improvements fail to address the fundamental problems with the existing make-ready rules and procedures and would add more costs and increase risk for new entrants, making expanded broadband deployment less likely.

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Universal Service

- The FCC issued a [Public Notice](#) on March 13, 2018, announcing Chairman Pai appointed Sarah Freeman, Commissioner, Indiana Utility Regulatory Commission, as a representative for state telecommunications regulators on the USAC Board of Directors. Her appointment fills a vacancy left by the Honorable Ronald A. Brise, former Commissioner of the Florida PSC.
- The FCC released an [Order](#) on March 14, 2018, announcing it appointed the Honorable Gregg C. Sayre, Commissioner, New York State Public Service Commission, to serve on the Federal-State Joint Board on Universal Service. Commissioner Sayre replaces the Honorable Ronald A. Brise, former Commissioner, Florida Public Service Commission, who vacated his position on the Universal Service Joint Board.
- The Wireline Competition Bureau released an [Order](#) on March 13, 2018, granting, in part, a [request](#) from the Oglala Sioux Tribe for a temporary waiver of Lifeline recertification rules. The Bureau said with this Order, subscribers on the Pine Ridge Reservation will be given 210 days, instead of the customary 60 days, to recertify their continued eligibility before de-enrollment from the program. The Bureau also directed USAC to provide additional reminders to subscribers on the Pine Ridge Reservation about their impending recertification deadline.
- The FCC published a [Notice](#) in the Federal Register on March 15, 2018, correcting the due date for filing replies to oppositions to Petitions for Reconsideration of the Lifeline Reform [Order](#) that were filed by [Life Wireless, iwireless and SafetyNet Wireless](#), and the [Oceti Sakowin Tribal Utility Authority](#). Oppositions to the petitions are due March 19, 2018; replies are due March 29, 2018.
- The D.C. Circuit Court issued a [judgment](#) on March 9, 2018, denying an [appeal](#) filed by Consolidated Communications of California of an FCC decision denying it a waiver of a USF filing deadline. The Court said Consolidated failed to show that special circumstances required the FCC to grant a waiver,

nor did it show the FCC's waiver denial is inconsistent with the agency's waiver grants to similarly situated parties in the past.

- Comments were filed on March 12, 2018, to express support for the National Lifeline Association's [Petition](#) for a declaratory ruling that Lifeline ETCs are permitted to seek reimbursement for all Lifeline-eligible subscribers served as of the first day of the month, including those subscribers that are in an applicable 15-day cure period following 30 days of non-usage. [Sprint](#) said reversing long-standing policy and refusing to pay the Lifeline subsidy for end users in the cure period will introduce significant inefficiencies into the process. Sprint said if the Commission ultimately upholds USAC's reversal and refuses to provide Lifeline support for consumers in the 15-day cure period, it should only apply this new policy prospectively. [Smith Bagley](#) said Lifeline providers must be reimbursed for service they are required to provide, and claimed USAC was unjustified in reversing its guidance on seeking reimbursement for customers who do not use their service during the "cure" period. [Q Link Wireless](#) agreed with NaLA that it is unreasonable to interpret section 54.407(c)(2) without considering the mandate to provide service during the 15-day cure period. Q Link argued USAC's new guidance interprets section 54.407(c)(2) as creating a mandate for ETCs to provide unreimbursed, and therefore uncompensated, service to Lifeline subscribers during the cure period. Replies are due March 27, 2018. [Public Notice](#). [All comments available to date](#).
- The Council of the City of NY sent a [letter](#) to Chairman Pai on March 13, 2018, to urge the Commission to reverse course on recent and proposed actions regarding the Lifeline program. They urged the Commission to: ensure Lifeline remains accessible for those who now depend on it; maintain mobile voice-only service options for all Lifeline-eligible consumers rather than just those in rural areas; not require members to pay into the program when services exceed the discount; and retain and support those free plans that are priced at the same level as the program subsidy and offer limited minutes and a free cellphone, among other things.
- Smith Bagley [met with](#) Office of Native Affairs and Policy, Consumer and Governmental Affairs, and Wireline Competition Bureau staff on March 7, 2018, to discuss the transition to the National Lifeline Verifier and ways to mitigate the potential impact on Tribal areas. SBI discussed how to maximize the number of customers in Tribal areas whose eligibility can be confirmed via the database, the critical role direct carrier contact plays in recertifying customers in remote Tribal areas, and the need to avoid excessive burdens on consumers in Tribal areas.

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Misc.

- The FCC issued the [agenda](#) on March 15, 2018, for its March 22, 2018 Open Meeting. The Commission will consider: a [Second Report and Order](#) that would clarify and modify the procedures for NHPA and NEPA review of wireless infrastructure deployments; a [Second FNPRM](#) to address the problem of unwanted calls to reassigned numbers; a [Notice of Inquiry](#) examining location-based routing of wireless 911 calls to ensure calls are routed to the proper 911 call center; a [Sixth FNPRM](#) to stimulate use of and investment in the 4.9 GHz band; an [NPRM](#) proposing to streamline the reauthorization process for TV satellite stations that are assigned or transferred in combination with a previously approved parent station; and a [Second Report and Order and Second FNPRM](#) that would remove the personal use restriction for Provider-Specific Consumer Signal Boosters and seeks comment on ways to further expand access to Consumer Signal Boosters.
- The FCC published a [Notice](#) in the Federal Register on March 13, 2018, seeking comments on its proposal to adopt recommendations from the Federal-State Joint Board on Jurisdictional Separations and to amend the Part 36 jurisdictional separations rules to conform to reforms adopted in the [Part 32 Reform Order](#). The Joint Board issued its [Recommended Decision](#) in October 2017, and the Commission proposes to adopt each of the Joint Board's recommendations using, with minor exceptions, the amendment language the Joint Board suggested. Comments are due April 12, 2018; replies due April 27, 2018.

- The D.C. Circuit Court issued [a Decision](#) on March 16, 2018, granting in part and denying in part Petitions for Review of the 2015 Robocall Order in which the Commission sought to clarify various aspects of the TCPA's general bar against using automated dialing devices to make uninvited calls. The Court upheld the Commission's approach to revocation of consent, under which a party may revoke her consent through any reasonable means clearly expressing a desire to receive no further messages from the caller, and sustained the scope of the agency's exemption for time-sensitive healthcare calls. The Court, however, set aside the Commission's effort to clarify the types of calling equipment that fall within the TCPA's restrictions, and vacated the FCC's approach to calls made to a phone number previously assigned to a person who had given consent but since reassigned to another (nonconsenting) person. The Court ruled the FCC's one-call safe harbor, at least as defended in the Order, is arbitrary and capricious. [Chairman Pai](#) and Commissioners [O'Rielly](#), [Rosenworcel](#), and [Carr](#) issued statements.
- Comcast filed [a letter](#) on March 12, 2018, to express support for the proposal in the Draft Second FNPRM to establish a centralized, Commission-designated database of reassigned telephone numbers and to encourage use of this resource by adopting a safe harbor from liability under the Telephone Consumer Protection Act for businesses that rely on the database. Comcast said such a safe harbor would benefit legitimate businesses and consumers alike; as more callers make use of the resource due to the existence of the safe harbor, and as fewer calls are mistakenly directed to reassigned telephone numbers, consumers would receive more of the communications they desire as they change from one number to another.
- The FCC issued a [Public Notice](#) on March 14, 2018, announcing Chairman Pai has appointed members to serve on the North American Numbering Council's Numbering Administration Oversight Working Group, including its subcommittee, the FCC Contract Oversight Subcommittee. The chairs and members of this working group and its subcommittee are listed in Appendix A.
- The North American Portability Management and iconectiv filed a [letter](#) on March 12, 2018, to provide information about contingency rollback plans for the LNP Administrator transition. They said the chance that a contingency rollback will be necessary is small, and claimed even if rollback becomes necessary, the potential burdens on carriers to resubmit failed porting transactions would be very small because the cutover will occur on Sunday, when most carriers do not submit porting transactions, and the need for contingency rollback should be apparent within the first few hours, and no later than 24 hours, after cutover. They also said the carriers that face the biggest potential burden because they submit the highest volumes of porting transactions on Sundays – AT&T Wireless, Sprint, T-Mobile and Verizon Wireless – all support maintaining the current transition schedule with industry-led contingency rollback.
- CenturyLink filed a [letter](#) on March 9, 2018, to reiterate the importance of completing the LNPA transition without delay. CenturyLink said the industry has been testing for months and is moving forward with timely implementation. CenturyLink indicated it successfully completed its certification testing, and its connectivity testing is underway and remains on track to enable timely and successful implementation of the plan. CenturyLink said it is confident in the transition plan's roll-back solution if there is any major failure after the upcoming cut-over in administration from Neustar to iconectiv.
- Sprint filed a [letter](#) on March 13, 2018, to state that the LNPA transition should proceed according to schedule and without delay. Sprint said its testing to date has been successful, and it believes there is a very low likelihood of a catastrophic failure that would necessitate a manual, roll-back. Sprint also noted the LNP transition was designed to limit exposure should any issues arise during the cutover, and the Southeast NPAC region is scheduled for cutover from Neustar to iconectiv on a Sunday, when port volumes are lowest.
- T-Mobile filed a [letter](#) on March 14, 2018, expressing support for the current schedule for the LNPA transition, without delay. T-Mobile said it has conducted multiple test cases and has participated in industry testing with other service providers, and said the results of the testing have been positive with no outstanding test cases in a failed state. T-Mobile agreed with other carriers that there is a low

likelihood of a catastrophic failure that would necessitate the need for a contingency roll-back to the Neustar NPAC.

- Neustar filed a [letter](#) on March 15, 2018, to respond to NAPM's March 12, 2018 letter and to other parties that support the planned cutover on April 8, 2018. Neustar claimed if the FCC allows the NAPM to cutover the Southeast Region to iconectiv on April 8, 2018, there will be no contingency rollback to Neustar's database and services because the contractual and operational requirements necessary for such service would not exist. Neustar claimed that reaching the cutover deadline without the capability for a contingency rollback was entirely foreseeable and is the result of poor decisionmaking and planning on the part of the NAPM.
- The Wireline Competition Bureau issued a [Public Notice](#) on March 13, 2018, seeking comments on HD Carrier's application for authorization to obtain North American Numbering Plan telephone numbers directly from the Numbering Administrators for its iVoIP service. Comments are due March 28, 2018.
- The Commission released a [Declaratory Ruling](#) on March 15, 2018, to respond to eight questions posed by the Eastern District Court of Michigan related to a case, *Manasher et al. v. NECC Telecom*, on a telecommunications carrier's bill descriptions and whether they violate the Commission's Truth-in-Billing rules and section 201(b) of the Communications Act. The Commission found that vague charge descriptions on a bill may violate the rules and the Act, but emphasized that a final determination will require the court to apply the FCC's ruling to the facts at issue in the case.
- The FCC published [a Notice](#) in the Federal Register on March 15, 2018, announcing April 16, 2018, is the effective date for the February 22, 2018 [Report and Order](#) that made changes to the payphone compensation rules. The Order: eliminated all payphone call tracking system audit and associated reporting requirements; revised the rules to permit a company official other than the CFO to certify that a Completing Carrier's quarterly compensation payments to PSPs are accurate and complete; and eliminated expired interim and intermediate per payphone compensation rules that no longer apply to any entity. The rule changes are effective April 16, 2018, except for the amendment to 64.1310(a)(3), which contains information collection requirements that have not been approved by OMB. The FCC published [a second Notice](#) in the Federal Register on March 15, 2018, seeking PRA comments on the revisions to the currently approved information collection pertaining to the payphone compensation rules. PRA comments are due May 14, 2018.

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Upcoming Filing Dates

- Mar. 19 - PRA comments due on the information collection requirements relating to disclosure requirements in the Restoring Internet Freedom [Order](#) requiring ISP to publicly disclose their network management practices, performance, and commercial terms of service for broadband internet access services. [Notice](#)
- Mar. 19 - PRA comments due on an extension of a currently approved information collection relating to the accounting rules that require carriers to account for adverse federal antitrust judgments and post-judgment special charges. [Notice](#)
- Mar. 19 - Oppositions due on Petitions for Reconsideration of the Lifeline Reform [Order](#) filed by [Life Wireless, i-wireless and SafetyNet Wireless](#) and the [Oceti Sakowin Tribal Utility Authority](#). Replies are due March 27, 2018. [FR](#)
- Mar. 21 - Comments due on Advanced Telecom Solutions' application for authorization to obtain North American Numbering Plan telephone numbers directly from the Numbering Administrators for its iVoIP service. [Public Notice](#)

- Mar. 22 - Deadline for providers that qualify as an unsubsidized competitor to notify ACS and the Commission that they already serve the blocks identified by ACS to which it proposes to deploy using CAF Phase II support. [Public Notice](#)
- Mar. 23 - Replies due on the Lifeline [NPRM and NOI](#). [Order](#)
- Mar. 26 - Comments due on Grand River Mutual Telephone Corporation and South Central Communications' [Petition](#) for a study area waiver in Iowa. Replies are due April 10, 2018. [Public Notice](#)
- Mar. 27 - Replies due on the National Lifeline Association's [Petition](#) requesting a declaratory ruling that Lifeline ETCs are permitted to seek reimbursement for all Lifeline-eligible subscribers served as of the first day of the month pursuant to sections 54.407(a) and 54.405(e)(3), including those subscribers that are in an applicable 15-day cure period following 30 days of non-usage. [Public Notice](#)
- Mar. 28 - Comments due on HD Carrier's application for authorization to obtain North American Numbering Plan telephone numbers directly from the Numbering Administrators for its iVoIP service. [Public Notice](#)
- Mar. 29 - Replies due to oppositions to Petitions for Reconsideration of the Lifeline Reform [Order](#) filed by [Life Wireless, i-wireless and SafetyNet Wireless](#) and the [Oceti Sakowin Tribal Utility Authority](#). [FR](#)
- Mar. 29 - Replies due on South Dakota Network's [Petition for Expedited Declaratory Ruling](#), which requests the Commission issue a declaratory ruling addressing questions raised in the litigation involving an agreement between SDN and AT&T under which SDN provides transport service for AT&T access traffic. [Public Notice](#)
- Apr. 2 - Comments due on Titonka Telephone and Burt Telephone's [Petition](#) for a waiver to merge their study areas and modify their 2011 revenue requirement and base period revenue. Replies are due April 17, 2018. [Public Notice](#)
- Apr. 10 - Replies due on Grand River Mutual Telephone Corporation and South Central Communications' [Petition](#) for a study area waiver in Iowa. [Public Notice](#)
- Apr. 12 - PRA comments due on a revision of a currently approved information collection associated with: pole attachment complaint procedures; implementing LECs' obligations to provide their competitors with dialing parity and non-discriminatory access to certain services and functionalities; ILECs' duty to make network information disclosures; and numbering administration. [Notice](#)
- Apr. 12 - Comments due on the [NPRM](#) proposing to update the FCC's rules on jurisdictional separations. Replies due April 27, 2018. [FR Notice](#)
- Apr. 17 - Replies due on Titonka Telephone and Burt Telephone's [Petition](#) for a waiver to merge their study areas and modify their 2011 revenue requirement and base period revenue. [Public Notice](#)
- Apr. 27 - Replies due on the [NPRM](#) proposing to update the FCC's rules on jurisdictional separations. [FR Notice](#)
- May 7 - PRA comments due on removing business data services from the interstate tariffs of price cap ILECs that are no longer subject to price cap regulation and of CLECs within 36 months of the effective date of the April 28, 2017 Business Data Services Order, i.e., by August 1, 2020. [Notice](#)
- May 7 - PRA comments due on a new information collection pertaining to the recordkeeping requirements when carriers provide CPN of the calling party to law enforcement in connection with a threatening call and, as directed by law enforcement, to security personnel for the called party for the purpose of identifying the party responsible for the threatening call. [Notice](#)

- May 11 - PRA comments due on an extension of a currently approved information collection associated with streamlined tariff filing requirements for LECs. [Notice](#)
- May 14 - PRA comments due on the revisions to the currently approved information collection pertaining to the payphone compensation rules. [Notice](#)

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