

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

April 11, 2016 HIGHLIGHTS

- The FCC issued a [tentative agenda](#) for its April 28, 2016 Open Meeting, and will consider; a Tariff Investigation Order and a FNPRM on a new regulatory framework for business data services, and a NPRM on real-time text communications over IP communications networks to improve the accessibility of these networks for consumers who are deaf, hard of hearing, deaf-blind, and speech disabled. Chairman Wheeler wrote a [blog post](#), stating the business data services item proposes, among other things, that tariffing of special access services be ended in all markets for all special access products.
- The FCC [released](#) Version 2.2 of the A-CAM, and illustrative results, which incorporates the inputs and modifications adopted in the March 30, 2016 [Rate-of-Return USF Reform Order](#). Comments challenging the coverage data for competitors contained in the updated A-CAM are due April 28.
- The FCC [announced](#) the 2016 local voice service rate floor for incumbent ETCs is \$21.93, the reasonable comparability benchmark for voice services is \$41.07, and the reasonable comparability benchmarks for broadband services range from \$69.14 for 10/1 Mbps (100 GB usage allowance) through \$89.24 for 25/5 Mbps (unlimited usage).
- The [Order](#) clarifying price cap carriers' use of CAF Phase II model-based support and modifying the letter of credit requirements for recipients of Rural Broadband Experiment support [is effective](#) May 11.
- [NECA](#) and [USTelecom](#) filed comments on Endeavor's [Petition for Clarification](#) on the Part 36 separations freeze. Replies due April 22. [Public Notice](#)
- Arctic Slope Telephone Association Cooperative and GVNW [discussed](#) ASTAC's plan for infrastructure deployment after the Commission implements the proposed Alaska Infrastructure Fund plan.
- CenturyLink, Frontier, and Fairpoint [urged](#) the FCC to provide interim funding for voice services in the highest cost, remote areas where carriers have accepted CAF Phase II support but where there are remaining rural customers that are not covered by CAF Phase II support.
- The FCC [approved](#) consumer broadband labels to provide consumers of mobile and fixed broadband Internet service with easy-to-understand information about price and performance.
- Chairman Wheeler sent [letters](#) to Members of Congress on the GAO [report](#) *Additional Coordination and Performance Measurement Needed for High-Speed Internet Access Programs on Tribal Lands*.
- The House Subcommittee on Communications and Technology [will hold](#) a hearing on April 13, 2016, to examine the [CURB Lifeline Act](#), which seeks a \$1.5 billion cap on the Lifeline program.
- USTelecom filed a [letter](#) providing information on its [request](#) that ILECs no longer be subject to dominant carrier regulation in the provision of switched access voice services.

Other Key Upcoming Dates

- Apr. 18 - PRA comments [due](#) on Form 481 revisions to reflect reporting requirements for price cap carriers for CAF Phase II support, for recipients of RBE support, 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 RoR carrier high cost recipients.
- Apr. 18 - Comments [due](#) to refresh the record on petitions and applications for review of the 2010 [Declaratory Ruling](#) on Sandwich Isles' cable network lease costs. Replies due April 28.
- Apr. 22 – Replies [due](#) on Endeavor's [Petition for Clarification](#) on the separations freeze. Replies due April 22.

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

USF Reform

- The Wireline Competition Bureau issued a [Public Notice](#) on April 7, 2016, announcing the release of Version 2.2 of the A-CAM, and illustrative results, which incorporates the inputs and modifications adopted in the March 30, 2016 [Rate-of-Return USF Reform Order](#). The Bureau indicated Version 2.2 of the A-CAM utilizes an input value of 9.75 percent for the cost of money, incorporates updated broadband coverage to reflect the publicly available June 2015 FCC Form 477 data, and excludes from support calculations census blocks where the incumbent provider reports at least 10/1 Mbps broadband service using either FTTP or cable technology. The Bureau noted v2.2 is not the final version of the model, and the final version will be announced in a subsequent Public Notice after the completion of the competitive overlap challenge process. The Bureau indicated competitors that made any corrections to their FCC Form 477 June 2015 data since February 19, 2016, may now file comments informing the Commission of such corrections, and competitors that have newly deployed broadband in particular census blocks since June 2015 may also file comments indicating that their certified FCC Form 477 December 2015 data reports broadband for the first time in specified census blocks. Comments to challenge the coverage data for competitors are due April 28.
- The Wireline Competition Bureau issued a [Public Notice](#) on April 5, 2016, announcing the 2016 local voice service rate floor for incumbent ETCs is \$21.93. All ILEC recipients of high-cost support must report in their annual Form 481 the number of residential service lines for which the sum of the local rate and state fees (as of June 1, 2016) is below \$21.93 by July 1, 2016. The Bureau indicated that, as the full impact of the local rate floor was waived for a four-year period, to the extent an ILEC's local rates plus state regulated fees in 2016 are less than \$18, that carrier's high-cost support will be reduced on a dollar-for-dollar basis. The Bureau also announced the reasonable comparability benchmark for voice services is \$41.07 and the reasonable comparability benchmarks for broadband services range from \$69.14 for 10/1 Mbps (100 GB usage allowance) through \$89.24 for 25/5 Mbps (unlimited usage). The Bureau also [announced the posting](#) of the fixed voice and broadband services data collected in the most recent urban rate survey and the explanatory notes regarding the data, and announced the required minimum usage allowance for 2016 for ETCs subject to broadband public interest obligations.
- The FCC published a [Notice](#) in the Federal Register on April 11, 2016, announcing May 11, 2016, is the effective date of the March 9, 2016 [Order](#) that clarified that price cap carriers can use CAF Phase II model-based support to serve locations in eligible census blocks where the price cap carrier has served or intends to serve a location or locations using CAF Phase I Round 2 incremental support. The Order also made several modifications to the letter of credit requirements for recipients of Rural Broadband Experiment support.
- Arctic Slope Telephone Association Cooperative and GVNW [met separately with](#) Commissioners O'Rielly and Rosenworcel's Legal Advisors on April 5 and 6, 2016, to discuss ASTAC's plan for infrastructure deployment after the Commission implements the proposed Alaska Infrastructure Fund plan. They also reviewed the unique circumstances that create higher than average costs for carriers such as ASTAC and the entire subset of rural carriers serving the state of Alaska.
- CenturyLink, Frontier, and Fairpoint sent [a letter](#) to Chairman Wheeler and Commissioners Clyburn, Rosenworcel, Pai, and O'Rielly on April 5, 2016, to urge the Commission to provide interim funding for voice services in the highest cost, remote areas where carriers have accepted CAF Phase II support but where there are remaining rural customers that are not covered by CAF Phase II support. They said voice access is critical to their customers in these areas for personal, professional and public safety reasons, and voice service funding should be maintained while these areas await the Commission's actions to implement a workable broadband deployment solution. They argued this loss of voice support in effect amounts to an unfunded mandate to provide voice service to extremely remote, high cost areas that are uneconomic to serve.
- Frontier filed [a letter](#) on April 4, 2016, to acknowledge its commitments to satisfying the CAF Phase II service obligations in California and Texas that it acquired when it closed its \$10.54 billion transaction with Verizon last week to acquire Verizon's wireline operations in California, Texas and Florida. It

acknowledged that failure to meet such service obligations may result in penalties and/or enforcement actions.

- The Rural Telephone Service Company filed [a Supplement](#) on April 5, 2016, to its March 11, 2016 Request for Correction of the Common Short Name used in the A-CAM, filed jointly with Golden Belt Telephone Association, which requested a correction to the identical Short Name of "RRLT" that has been assigned the two unrelated companies in Version 2.1 of the A-CAM. RTSC requested that RTSC and Golden Belt be assigned different Short Names with respect to the A-CAM, and that the FCC Form 477 data be revised to correctly reflect that RTSC and Golden Belt are two separate companies. RTSC further requested that Nex-Tech Wireless's data be separated from RTSC, and that NTW be treated as a separate, stand-alone company because RTSC holds an indirect, non-controlling interest in NTW.
- Arapahoe Telephone Company filed [a letter](#) on March 24, 2016, to notify the FCC of changes it made to its Form 477 filing on March 24, 2016, and requested these most recent changes be incorporated into forthcoming versions of the A-CAM.

[Back to Highlights](#)

Broadband

- The Consumer and Governmental Affairs, Wireline Competition, and Wireless Telecommunications Bureaus issued a [Public Notice](#) on April 4, 2016, approving, with modifications, the consumer broadband labels proposed by the Commission's Consumer Advisory Committee. The Bureaus said the new labels will provide consumers of mobile and fixed broadband Internet service with easy-to-understand information about price and performance, and should help consumers make informed decisions about the purchase of broadband service. The Bureaus said the labels will operate as a safe harbor format for broadband providers once the enhanced transparency requirements of the Open Internet Order take effect. [News release](#)
- Chairman Wheeler sent [letters](#) to Senators Thomas Carper (D-Del.) and Ron Johnson (R-Wis.) and Congressmen Elijah Cummings (D-Md.) and Jason Chaffetz (R-Utah) on March 31, 2016, on the GAO report entitled [Additional Coordination and Performance Measurement Needed for High-Speed Internet Access Programs on Tribal Lands](#). Chairman Wheeler said in their January 20, 2016 response to the draft report, the Chiefs of the FCC's Consumer and Governmental Affairs and Wireline Competition Bureaus agreed with the Report's four recommendations for Commission action, and indicated the Commission has executed, or is prioritizing, a broad range of initiatives to help improve and measure the availability and adoption of high-speed Internet on Tribal lands. He also noted the Commission is seeking comment on whether to increase high-cost support available on Tribal lands for carriers to deploy broadband networks there, and once the comment cycle is complete, staff will review the record and evaluate how to further promote broadband deployment on Tribal lands. He indicated he has committed to address this issue before the end of 2016.
- Commissioner Clyburn [spoke at a conference](#) at Jackson State University in Jackson, Mississippi on April 7, 2016. She discussed broadband and closing the digital divide, and said the FCC has adopted a number of measures to ensure consumers have access to the Internet by making major changes to the Universal Service Fund program. She also discussed the 2015 Open Internet Order, and said the fundamental principle behind Open Internet is that consumers should decide, not the government and not the company that provides broadband service to a particular consumer, what a consumer can access over the Internet.
- The State Government Leadership Foundation issued a [study](#) entitled *The Impact of Government-Owned Broadband Networks on Private Investment and Consumer Welfare on April 6, 2016*, authored by Dr. George Ford, Chief Economist of the Phoenix Center for Advanced Legal and Public Policy Studies. The study claimed, among other things: municipal broadband is motivated by the alleged social payoffs of the technology; the economics predict and the evidence confirms that municipal broadband is in almost all scenarios subsidized entry; the economics indicate that subsidized

municipal broadband is incapable of increasing competition, if competition is measured as the number of firms offering service in a given area; and subsidized municipal entry is prone to be predatory.

[Back to Highlights](#)

IP Transition

- CenturyLink filed a [letter](#) on April 7, 2016, responding to Windstream's [ex parte filing](#) on Windstream's [Petition](#) that requested the FCC confirm that an ILEC's obligation to provide DS1 and DS3 capacity loops on an unbundled basis is not changed or eliminated by replacement of copper with fiber or by the conversion from TDM to IP format. CenturyLink claimed Windstream neglects to note the very small proportion of the overall marketplace attributable to these facilities, noting that by next year, DS1 and Dedicated Internet Access services combined will account for only three percent of the broadband marketplace for small and medium businesses. CenturyLink also asserted even if Windstream's arguments were correct on the merits (and claimed they are not), the Commission could not act on them because it has not provided adequate notice under the Administrative Procedure Act that this proceeding might expand carriers' Section 251 resale obligations.
- Windstream [spoke with](#) Pamela Arluk of the Wireline Competition Bureau on April 5, 2016, to urged the Commission to make clear that ILEC DS1 and DS3 special access sales to wholesale telecommunications carrier purchasers are subject to section 251(c)(4).
- Granite Telecommunications [met with](#) General Counsel and Wireline Competition Bureau staff on April 1, 2016, to discuss Granite's unsuccessful attempt to amend its Local Wholesale Complete agreement with AT&T to include IP voice services. Granite asserted it would be inappropriate and harmful to competition in the provision of voice and data services to multi-location business customers if the Commission were to allow the regulatory backstop for wholesale platform services adopted in the *Technology Transitions Order* to expire at the conclusion of the pending special access proceeding. Granite urged the FCC to tie the expiration of the regulatory backstop for wholesale platform services to the conclusion of an examination of the relevant market for such services. Granite attached the correspondence between it and AT&T.
- Access Point, Birch Communications, BullsEye Telecom, Metropolitan Telecommunications, et al. filed a [letter](#) on April 6, 2016, to urge the Commission to modify the sunset of the regulatory backstop adopted in the *Technology Transitions Order* applicable to wholesale platform services. They supported the recommendation filed by [Granite Telecommunications](#) urging the FCC to tie the expiration of the regulatory backstop for wholesale platform services to the conclusion of an examination of the relevant market for wholesale platform services, rather than the special access market.
- The Technology Access Program at Gallaudet University filed a [letter](#) on April 7, 2016, on the [results of a 2015 study](#), funded by AT&T, on the accessibility benefits of providing wideband audio telecommunications to people with hearing loss. Gallaudet University said the results suggest that wideband audio improves the overall quality of experience for both hearing individuals and individuals with hearing loss compared to narrowband audio, especially when network impairments due to packet loss are low. It said at the highest level of network impairment, however, individuals with hearing loss experienced appreciably greater declines across all dependent measures than their hearing counterparts, suggesting a limit to any wideband audio advantage for this group.

[Back to Highlights](#)

USF

- The House Subcommittee on Communications and Technology [will hold](#) a legislative hearing on April 13, 2016, to examine several bills, including [HR 4884](#), the "CURB Lifeline Act," authored by Rep. Austin Scott (R-GA), which seeks to reform the FCC's Lifeline subsidy program by capping the

program at \$1.5 billion. It also seeks to prohibit the use of the subsidy for devices and the phasing out of the subsidy for voice-only mobile service.

- Nine Members of Congress sent [a letter](#) to Chairman Wheeler on March 31, 2016, to express concern that the Commission was considering establishing a hard cap on the Lifeline program, and urged the Commission to reject a cap when it votes at the Open Meeting on March 31, 2106. The FCC indicated that under section 1.1203(a)(4) of the Commission's rules, presentations made by a Member of Congress or his or her staff are explicitly exempt from the Sunshine period prohibition on ex parte presentations, and if the presentation is of substantial significance and clearly intended to affect the ultimate decision, and is made in a permit-but-disclose proceeding, the presentation must be placed in the record.
- Seventeen Senators sent [a letter](#) to Chairman Wheeler on March 28, 2016, requesting that the Commission ensure that any proposal to decrease support for mobile "voice only" options currently covered by Lifeline undergo careful review, and that consideration be taken regarding the ongoing affordability of the service, including for those consumers that currently receive the service at no cost. They said diminishing support for voice-only offerings may have unintended consequences for vulnerable communities who still rely on such services. The FCC indicated that under section 1.1203(a)(4), presentations made by a Member of Congress or his or her staff are explicitly exempt from the Sunshine period prohibition on ex parte presentations, and if the presentation is of substantial significance and clearly intended to affect the ultimate decision, and is made in a permit-but-disclose proceeding, the presentation must be placed in the record.
- The FCC's Telecommunications Access Policy Division issued an [Order](#) on April 8, 2016, dismissing as moot petitions filed by Osirus Communications and Huron Mountain Communications, which sought waivers of the Commission's rules to participate in NECA pools and tariffs and to obtain accelerated USF support. The TAPD said in 2015, the Michigan PSC revoked the ETC status for both companies, finding Osirus had neither constructed facilities nor provided service in its designated service area, and Huron Mountain had no customers and had never offered service to any customer.
- USAC refiled its 2015 [Annual Report](#) on April 8, 2016, correcting information regarding the High Cost program.
- The FCC [announced](#) on April 7, 2016, it issued a [Notice of Apparent Liability for Forfeiture and Order](#), which proposed to fine Total Call Mobile \$51 million for apparently enrolling tens of thousands of duplicate and ineligible consumers into the Lifeline program since 2014.

[Back to Highlights](#)

Misc.

- The FCC issued a [tentative agenda](#) on April 7, 2016, for its April 28, 2016 Open Meeting. The FCC will consider; a Tariff Investigation Order and a FNPRM on a new regulatory framework for business data services, and a NPRM on proposals to support real-time text communications over IP communications networks to improve the accessibility of these networks for consumers who are deaf, hard of hearing, deaf-blind, and speech disabled. Chairman Wheeler wrote a [blog post](#) on April 8, 2016, announcing the business data services item proposes, among other things, that tariffing of special access services be ended in all markets for all special access products. He said his intent is that the Commission will adopt a final order in 2016.
- NECA filed [comments](#) on April 7, 2016, on Endeavor's [Petition for Clarification](#) that rate-of-return carriers who elected to freeze their category relationships in 2001 are permitted to directly assign costs to new categories of investment introduced subsequent to the inception of the freeze if that category is ordinarily directly assigned in accordance with the Part 36 rules. NECA said it has no objection to a company "unfreezing" its categorization factors provided a waiver is obtained and the changes are coordinated with adjustments to tariff rates, where necessary. Replies due April 22. [Public Notice](#)

- USTelecom filed [comments](#) on April 7, 2016, on Endeavor's [Petition for Clarification](#). USTelecom agreed the Commission should clarify for carriers the assignment of these costs. Replies due April 22. [Public Notice](#)
- USTelecom filed a [letter](#) on April 1, 2016, providing information on its [request](#) that ILECs no longer be subject to dominant carrier regulation in the provision of switched access voice services. USTelecom asserted that given the highly competitive state of the switched access voice services market in which ILECs collectively serve a mere 18 percent of residential customers, ILECs do not have the ability to control prices for these services nationwide. USTelecom said its Petition requests relief from dominant carrier regulation for traditional ILECs, and said it offers no opinion on whether other providers of switched access voice services that are, or lawfully could be, subject to dominant carrier regulation, such as centralized equal access providers, should get the same relief.
- The Wireline Competition Bureau issued a [Public Notice](#) on April 6, 2016, announcing its decision to allow participants in the special access data collection proceeding to publicly disclose certain information derived from the confidential business data services data. Participants may publicly disclose numerical, statistical, and graphical descriptions of data from the business data services data collection aggregated at a national or regional (multi-state) level, and national and regional level data also may be disaggregated and reported by type of provider, specifically, ILECs, traditional CLECs, and cable, and by type of census block, specifically, urban, suburban, and rural. The Bureau also said participants may publicly disclose numerical, statistical, and graphical descriptions of data aggregated at the MSA level and the state level provided that the MSA or state is not identified.
- USTelecom [met with](#) Chairman Wheeler's Legal Advisor, and Wireline Competition Bureau and General Counsel staff on March 30, 2016, to discuss the guidance on the confidentiality of analyses performed on confidential special access data as described in a January 2016 [Public Notice](#). USTelecom asserted this action led to significant and unnecessary redaction of crucial information. USTelecom also discussed the list it [submitted](#), with INCOMPAS, of categories of aggregated data that parties should be permitted to include in their public comments and other filings, and discussed the importance of permitting transparency while not disclosing the specific data submitted by any particular provider. USTelecom also [met with](#) Commissioner O'Rielly's Legal Advisor on April 5, 2016, to discuss similar issues.
- USTelecom [met with](#) Commissioner Rosenworcel's Senior Legal Advisor on March 30, 2016, to discuss the Commission's guidance regarding the confidentiality of analyses performed on confidential special access data, and what USTelecom says is the FCC's inconsistency with transparency requirements and the FCC's own precedent. USTelecom also discussed the importance of providing adequate time for public review of the FCC's White Paper examining the state of the special access services marketplace before the Commission makes a final decision on the rulemaking.
- INCOMPAS [spoke with](#) General Counsel staff on April 4, 2016, to discuss special access data disclosure. INCOMPAS asserted USTelecom's suggestion to protect from public disclosure information that includes special access data from fewer than three providers where one provider has an overwhelming market share is unnecessary in circumstances where possible inferences would only concern information that is already available to the public. INCOMPAS asserted it is a well-known fact that the ILECs have connections to virtually every location in their respective territories, so revealing the percentage of connections to commercial buildings at which the incumbent is the only provider or has the only connection does not reveal confidential information about the ILEC.
- Verizon and INCOMPAS filed a [letter](#) on April 7, 2016, urging the FCC to adopt a new approach to special access service regulation. They said they have reached common ground on a number of principles that could guide the FCC in adopting this framework, including adoption of a permanent framework for regulating all dedicated services in a technology neutral manner and making clear that all providers offering dedicated services are subject to Title II. Verizon and INCOMPAS [also met with](#) General Counsel and Wireline Competition Bureau staff on April 5, 2016, to discuss similar issues.
- USTelecom filed a [letter](#) on April 7, 2016, attaching a report entitled, *Assessing the Consequences of Additional FCC Regulation of Business Broadband: An Empirical Analysis*, by Dr. Hal Singer of

Economists Incorporated. The paper seeks to model the likely impact of the FCC's recent effort to preserve and extend its special access rules on broadband deployment, as telcos transition from TDM-based copper networks to IP-based fiber networks to serve business broadband customers.

- CenturyLink filed a [letter](#) on April 7, 2016, asserting the June 2015 Cost Quest [study](#) on the economics of last-mile fiber deployment to non-residential customers, submitted by Windstream, is fundamentally flawed. CenturyLink asserted to the extent the study could be fixed, it does nothing to demonstrate ILECs have market power or face economics that are any different from CLECs. CenturyLink also said the study cannot support the proposition that special access rates are too high and need to be reduced or subjected to further regulation because doing so would only reduce competitive network investment.
- AT&T [met with](#) Office of General Counsel staff on March 30, 2016, to discuss the extent to which the Commission should account for competition from cable companies and nearby CLEC fiber facilities, as well as the special access tariff investigation and how AT&T's portability pricing plans, which are under investigation, work. AT&T also discussed the argument by INCOMPAS and other CLECs that the Commission's 2007 grant of forbearance for AT&T's packet-switched broadband telecommunications services and optical transmission services was limited to the specific set of services AT&T offered at the time AT&T's forbearance petition was granted.
- AT&T filed a [letter](#) on April 7, 2016, submitting revised public versions of several previously-filed documents, pursuant to the special access protective orders and the April 6, 2016 [Public Notice](#) on the treatment of data that is derived from Highly Confidential data in the data collection. AT&T refiled its January 27, 2016 comments, February 19, 2016 reply comments, and a supplemental reply declaration filed on March 24, 2016.
- Compass Lexecon filed a [letter](#) on April 7, 2016, submitting a revised public version of the competitive analysis of the FCC's special access data collection, originally filed on January 27, 2016, pursuant to the special access protective orders and the April 6, 2016 [Public Notice](#) on the treatment of data that is derived from Highly Confidential data in the data collection.
- BT filed a [letter](#) on April 8, 2016, responding to AT&T's March 29, 2016 [letter](#) that disputed results of a study BT commissioned from WIK showing U.S. Ethernet prices are higher and uptake is lower compared to countries that regulate Ethernet services. BT provided additional information it asserted shows that Ethernet service is more expensive in the U.S. than in other countries.
- TDS Metrocom [met with](#) Wireline Competition Bureau staff on March 31, 2016, to clarify that it does not suggest the Commission set prices for retail Ethernet service, but that wholesale prices should be set by reference to the retail prices that RBOCs establish. TDS Metrocom asserted the Commission should confirm that the wholesale Ethernet rate RBOCs offer to CLECs must be priced below their retail rate for the same or similar service by the amount of the avoided cost discount for business services applicable in the relevant state.
- The Consumer Federation of America [released](#) a [study](#) on April 5, 2016, entitled "The Special Problem of Special Access: Consumer Overcharges and Telephone Company Excess Profits." The study claimed large incumbent telephone companies have engaged in abusive pricing practices for high-speed broadband "special access" services, and asserted overcharges totaled about \$75 billion over just the past five years. CFA asserted that as a result, the indirect macroeconomic loss to American consumers doubles that damage to a total in excess of \$150 billion since 2010. The Consumer Federation of America filed the [report](#) with the FCC on April 7, 2016.
- The Communications Workers of America filed a [letter](#) on March 31, 2016, urging the FCC to be guided by the following considerations in the special access proceeding: the FCC data collection conclusively demonstrates that the special access market is highly competitive; cable companies must be included in the competitive analysis; Commission action must incent job-creating investment in new networks; and should promote a level playing field and good, family-supporting jobs.

- The Communications Workers of America [met with](#) Commissioner Rosenworcel's Legal Advisors on April 4, 2016, to discuss special access issues. CWA asserted the FCC's data collection demonstrates the special access market is highly competitive, and argued cable companies must be included in the Commission's assessment.
- Windstream [spoke with](#) General Counsel staff and Chairman Wheeler's Legal Advisor on April 1, 2016, regarding the Commission's ongoing review of competitive conditions in special access markets. Windstream asserted that preserving access to unbundled DS1 and DS3 capacity loops is an important part of special access remedies, and that it will not alter investment incentives. Windstream also said this will preserve customer solution choices and CLEC incentives for new fiber deployment.
- Level 3 [spoke with](#) Deena Shetler of the Wireline Competition Bureau on April 6, 2016, to suggest the FCC request large price cap ILECs file with the FCC the prices they charge for Ethernet special access services to their five largest Ethernet customers and, to the extent possible, the contracts governing those prices.
- The Wireline Competition Bureau issued a [Public Notice](#) on April 7, 2016, announcing LNP Administrator outreach and education events to be held by PriceWaterhouseCoopers, the LNP Transition Oversight Manager, on April 11 or 12, 2016. The Bureau indicated the TOM will also host a webcast on April 20, 2016, and said the objectives for the webcast are to provide transparent communications regarding the LNPA Transition, to serve as an open forum to gather and understand needs and concerns, and to incorporate feedback to improve future communications.

[Back to Highlights](#)

Upcoming Filing Dates

- 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. 18 - Comments due to refresh the record on Sandwich Isles' [Petition for Reconsideration](#) of the [2010 Declaratory Ruling](#) on Sandwich Isles' cable network lease costs, AT&T's [Application for Review](#) of the Declaratory Ruling, and NECA's [Petition for Clarification and/or Declaratory Ruling](#) of the provisions of the 2010 [Declaratory Ruling](#). Replies due April 28. [Public Notice](#)
- Apr. 22 - Replies due on Endeavor's [Petition for Clarification](#) that rate-of-return carriers who elected to freeze their category relationships in 2001 are permitted to directly assign costs to new categories of investment introduced subsequent to the inception of the freeze if that category is ordinarily directly assigned in accordance with the Part 36 rules. [Public 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](#)
- Apr. 28 - Replies due to refresh the record on Sandwich Isles' [Petition for Reconsideration](#) of the [2010 Declaratory Ruling](#) on Sandwich Isles' cable network lease costs, AT&T's [Application for Review](#) of the Declaratory Ruling, and NECA's [Petition for Clarification and/or Declaratory Ruling](#) of the provisions of the 2010 [Declaratory Ruling](#). [Public Notice](#)

- Apr. 28 - Comments due challenging the coverage data for competitors contained in the updated A-CAM. [Public 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](#)
- May 27 - Comments due on the [NPRM](#) on establishing privacy regulations for broadband ISPs to implement section 222 of the Communications Act. Replies due June 27. [News Release](#)
- June 16 - ILEC tariffs due, for those filing on 15 days' notice. Petitions to suspend or reject tariff filings due June 23; replies due June 27. [Order](#)
- June 27 - Replies due on the [NPRM](#) on establishing privacy regulations for broadband ISPs to implement section 222 of the Communications Act. [News Release](#)

[Back to Highlights](#)

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