

NECA's Weekly Federal Regulatory Summary

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May 6, 2019 HIGHLIGHTS

- The FCC issued the [agenda](#) for its May 9, 2019 Open Meeting, and will consider seven items, including an [Order](#) that would deny China Mobile USA's application for a section 214 authorization to provide international facilities-based and resale telecommunications services and an [NPRM](#) proposing regulatory fees for Fiscal Year 2019.
- The Wireline Competition Bureau [announced](#) the release of a revised version of A-CAM and the offers of A-CAM II support to rate-of-return carriers that are still receiving legacy support. Carriers have until June 17, 2019, to indicate whether they elect to receive model-based support. The Bureau also [announced](#) the posting of the revised mandatory deployment obligations for RoR carriers that decline the A-CAM II offer and instead remain on legacy USF support mechanisms. The deployment obligations under each method for each study area are available [here](#).
- USAC published on its [website](#) information on the FCC's budget control mechanism.
- The FCC [announced](#) the opening of WC Docket No. 19-126, "Rural Digital Opportunity Fund," which would [make available](#) up to \$20.4 billion in support via a reverse auction.
- NTCA [suggested](#) improving the granularity and accuracy of broadband mapping data.
- NCTA [responded](#) to a [letter](#) by USTelecom, ITTA, and WISPA on broadband mapping.
- NTCA [opposed](#) Viasat's Petition for Reconsideration of the process for measuring compliance with a MOS of 4 for latency for CAF supported voice service. ITTA, USTelecom, et al. [asserted](#) the AT&T latency testing data supports their request to harmonize the frequency of latency testing with the frequency of speed testing by requiring one latency test per hour, and recommended other changes to the network testing requirements.
- The Wireline Competition Bureau issued an [Order](#) setting forth the Tariff Review Plans to be used by incumbent LECs to support their interstate access service tariff revisions to be filed in 2019.
- The FCC [announced](#) a revised draft of the 2019 Broadband Deployment Report is circulating. The FCC released a [Report](#) on promoting broadband internet access service for veterans, and a [Report](#) on broadband deployment in Indian country. The USDA released a [report](#) on rural broadband.
- USAC filed [Federal Universal Service Support Mechanisms Fund Size Projections](#) for the third quarter of 2019. (Appendices are available on USAC's website.)

Other Key Upcoming Dates

- May 6 - Replies due to oppositions to Petitions for Reconsideration of the December 2018 RoR USF Reform Order filed by [Pineland Telephone](#) and [Silver Star Telephone](#). [FR](#)
- May 9 - Comments due on the [Public Notice](#) seeking focused additional comment in BDS and USTelecom Forbearance petition proceedings. Replies due May 16. [FR](#)

USF Reform

- The Wireline Competition Bureau issued a [Public Notice](#) on May 2, 2019, announcing the release of a revised version of A-CAM v2.5.1 and the offers of A-CAM II support to rate-of-return carriers that are still receiving legacy support. Carriers have until June 17, 2019, to indicate, on a state-by-state basis, whether they elect to receive model-based support. The information released includes [four reports](#): Report 15.1 shows the state-level offer of A-CAM II support for each eligible carrier, including the amount of annual support provided over the 10-year term beginning January 1, 2019, and the total number of funded locations in census blocks eligible for support; Report 15.2 shows the specific broadband obligations for each individual carrier, including the number of fully funded locations and the number of capped locations. It also shows the specific number of locations where the recipient will be required to offer 25/3 Mbps and 4/1 Mbps, as well as the number of remaining locations subject to the reasonable request standard; Report 15.3 shows the ACAM II support amount, total eligible locations and fully funded and capped locations by tribal and non-tribal component; and Report 15.4 lists the eligible census blocks. The FCC also issued a [News Release](#) on the A-CAM II offer.
- The Wireline Competition Bureau issued a [Public Notice](#) on May 2, 2019, announcing the posting of the revised mandatory deployment obligations that will apply to RoR carriers that decline the A-CAM II offer and instead remain on legacy USF support mechanisms. Carriers may select one of two methods for determining their deployment obligations that must be fulfilled over a five-year period (2019-2024). The deployment obligations under each method for each study area are set forth on the spreadsheet available [here](#). The Bureau said USAC will publish instructions regarding how each carrier is to make its selection between the two methods.
- USAC published on its [website](#) on May 2, 2019, information on the FCC's budget control mechanism, as required by the [March 2016 Rate-of-Return Reform Order](#). USAC said it is required to calculate total support available for distribution to RoR carriers, and in order to remain within the annual RoR high-cost USF budget, it will apply the budget control mechanism methodology to reduce support for carriers subject to HCLS and/or CAF BLS support. USAC also stated, per the [December 2018 Rate-of-Return USF Reform Order](#), the FCC revised the methodology for application of the budget control mechanism and the new methodology is reflected starting from the 2019-2020 budget analysis file.
- The Wireline Competition Bureau, in coordination with the Rural Broadband Auctions Task Force and the Office of Economics and Analytics, issued a [Public Notice](#) on April 30, 2019, announcing the opening of WC Docket No. 19-126, "Rural Digital Opportunity Fund." On April 12, 2019, Chairman Pai [announced](#) his intention to create a Rural Digital Opportunity Fund, which would make available up to \$20.4 billion in support via a reverse auction to connect around four million rural homes and small businesses to highspeed broadband networks.
- An FCC [Notice](#) was published in the Federal Register on May 1, 2019, seeking Paperwork Reduction Act comments on a revision of a currently approved information collection associated with FCC Form 481 (High-Cost Universal Service Support). The FCC said it has received OMB approval for most of the information collections required by various Orders on high cost USF support since the November 2011 Transformation Order, and said at a later date, the Commission plans to submit additional revisions for OMB review to address other reforms adopted in Orders (*e.g.*, 54.313(a)(6)). The FCC proposes to revise this information collection, as well as Form 481 and the accompanying instructions, to reflect the adoption in the March 2018 Rate-of-Return Order of section 54.313(f)(4), which requires RoR ETCs receiving high-cost USF support to identify on their annual FCC Form 481 their cost consultants and cost consulting firm, or other third-party, used to prepare financial and operations data disclosures used to calculate high-cost support for their submissions to NECA, USAC, or the Commission. PRA comments are due May 31, 2019.
- ITTA, USTelecom, CenturyLink, Great Plains Communications, AT&T, Wisper Internet, and WISPA [met separately with](#) Advisors to Commissioners O'Rielly, Rosenworcel, and Starks to discuss the Network Testing Order. They asserted the AT&T latency testing data recently submitted in the record, as well as more granular data submitted by AT&T, support their request for the Commission to harmonize the frequency of latency testing with the frequency of speed testing by requiring one latency test per hour. They urged the Commission to provide CAF support recipients maximum flexibility as to

the endpoints of speed and latency testing. They reiterated that the Commission should more closely align Tier 1 of the Order's compliance framework for latency and speed benchmarks with Tier 1 of the broadband deployment compliance framework, and advocated for a revised testing and reporting implementation period.

- NTCA filed [a letter](#) on April 30, 2019, to make recommendations on improving the granularity and accuracy of broadband mapping data. NTCA recommended the FCC: move to shapefiles on the way to even more granular service availability data; standardize how providers can determine and report on asserted coverage; and adopt validation and challenge processes. NTCA urged the Commission to modernize and improve its Form 477 data collection process and the generation of ensuing broadband availability maps through these three steps.
- Zenda Telephone filed a [Petition for Waiver](#) on April 30, 2019, requesting an expedited waiver of the requirement that geocoded broadband location data filed in the HUBB can only be certified if the location deployment data was dated in the reporting period for the year. Zenda also seeks clarification that its late-filed locations will still count towards its broadband build-out obligation and the locations will be included in the final count when it is time to certify completion. Zenda requests the Commission allow it to certify the 37 locations filed in the HUBB that were deployed during the 2017 calendar year, or, alternatively, provide assurance that these locations will ultimately be counted in its build-out obligation when it is time to demonstrate completion.
- Copper Valley Telephone filed a [Petition for Waiver](#) on April 29, 2019, requesting a waiver of the 2018 deadline for Alaska Plan participants to file in the HUBB portal all newly served or upgraded broadband locations that they deployed in 2017. It said in preparation for the most recent HUBB filing for March 1, 2019, it discovered some data base inconsistencies that required reconciliation and adjustments to data in its initial 2018 filing. Copper Valley explained when it realized the omission of 2017 data in its 2018 certification in the HUBB, it reported and saved the 1372 locations from 2017 in the HUBB; but since Copper Valley reported the 2017 locations after the 2018 reporting deadline for reporting 2017 data, the HUBB does not list these locations as certified.
- Wisper ISP and WISPA [met with](#) Wireline Competition Bureau staff on April 29, 2019, to discuss procedures to identify and resolve location discrepancies in eligible census blocks within CAF winning bid areas. They suggested, in light of the pendency of the proceeding and the need for PRA approval, the Commission should extend the one-year deadline contemplated for CAF recipients to file evidence of discrepancies in the locations they are required to serve. They also reiterated support for allowing CAF recipients to have flexibility in the methods they use to determine "locations" for purposes of the evidentiary showing, and that "relevant stakeholders" should be required to counter any such showing with a methodology and not simply criticism of the CAF recipient's methodology.
- NRECA and MiEnergy Cooperative [met with](#) Wireline Competition Bureau staff on April 29, 2019, to discuss how the A-CAM rules have deemed the company's Harmony exchange ineligible for funding. They also discussed the upcoming potential opportunities for funding from the CAF and/or the newly proposed Rural Broadband Opportunity Fund, and NRECA expressed its commitment to working with the FCC on rules for the next reverse auction that will encourage robust participation by small entities, such as electric cooperatives, to bring broadband to unserved and underserved communities across the nation.
- NTCA filed [a letter](#) on May 2, 2019, to urge denial of Viasat's Petition for Reconsideration of the process for measuring compliance with a MOS of 4 for latency for CAF supported voice service. NTCA said Viasat was well aware of the applicable performance testing requirements when choosing to participate in the CAF Phase II auction. NTCA said Viasat was also aware of the performance requirements for the Rural Broadband Experiments auction beforehand but requested a waiver of them after participating in that process, which the Commission dismissed, stating that changing the requirements after the auction concluded would be "prejudicial to the integrity of the competitive bidding process." NTCA said to lessen or otherwise modify these requirements for one provider after the auction has concluded would undermine the auction process and would harm consumers.

- Viasat [spoke with](#) Wireline Competition Bureau staff on April 26, 2019, regarding testing methodologies to ensure the delivery of voice service that meets the Commission's quality standards for supported services and systems to be implemented in the future by Viasat and other support recipients under the Commission's high-cost support programs. Viasat indicated it reiterated points made in its [April 3](#) and [April 11](#), 2019 submissions, and urged the Commission to grant the requested clarifications of the Network Testing Order set forth in those filings.
- Hughes Network Systems filed [a letter](#) on April 29, 2019, discussing prospective improvements to the Commission's rules for verifying that high-latency bidders in future support auctions provide high-quality voice service. Hughes noted in an April 5, 2019, meeting with Wireline Competition Bureau staff, it proposed a framework for calibrated subjective testing paired with objective monitoring, and noted Viasat has proposed a framework whereby high-latency support recipients would perform subjective MOS testing outside of a controlled laboratory setting with a requirement to meet a score of 4.0 at least 80 percent of the time. Hughes said it has no objection to the Commission adopting a testing framework in which both approaches would be incorporated into the Commission's rules and high-latency support recipients could select either approach to demonstrate their compliance.

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- The Pricing Policy Division of the Wireline Competition Bureau issued an [Order](#) on May 1, 2019, setting forth the Tariff Review Plans to be used by incumbent LECs to support their interstate access service tariff revisions to be filed in 2019. The PPD also clarified the calculation of Eligible Recovery for price cap ILECs, and waived and extended by one day the effective date of incentive regulation for certain business data service offerings by rate-of-return LECs electing incentive regulation for this year's annual filing. The PPD also said because the 2019 TRPs include implementation of non-rate-level reforms associated with various Commission Orders, it waived the provision of the Commission's rules that limits annual access tariff filings to rate-level changes.
- CenturyLink [met with](#) Commissioner Rosenworcel's Legal Advisor on April 29, 2019, to discuss its Petition for a Declaratory Ruling that "over the top" VoIP providers and their LEC partners perform the functional equivalent of end office switching and may collect end office local switching access reciprocal compensation under the Commission's rules. CenturyLink asserted the Commission intended in the 2011 Transformation Order for its new VoIP-PSTN framework to encompass both fixed and nomadic VoIP. It claimed the rule Verizon would have the Commission adopt is untenable, and the precedent AT&T and Verizon rely on in support of their proposed rule in fact supports CenturyLink's position. CenturyLink also said a straightforward reading of ILEC tariffs confirms that such tariffs apply to over-the-top VoIP traffic.
- CenturyLink filed [a letter](#) on April 30, 2019, to provide data in support of its recommendation that the Commission's proposal to require access stimulating LECs to choose either to bear the financial responsibility for the delivery of terminating traffic to their end office, or functional equivalent, or accept direct connections from either the IXC or an intermediate access provider of the IXC's choice should apply to all providers. CenturyLink also recommended the Commission supplement that rule with a rule requiring access-stimulating LECs to always offer to bear the financial responsibility for delivery of terminating traffic from the tandem, including any tandem switching charges. It claimed the data quantify the inefficiencies in the Commission's current framework for terminating access traffic.
- Peerless Network filed [a letter](#) on May 1, 2019, supporting CenturyLink's proposed Direct Connect rule. It asserted there is tremendous industry support for adoption of this rule because doing so will: eliminate arbitrage schemes associated with terminating all or certain types of traffic to a terminating carrier's end users; promote efficient direct connects and routing of terminating traffic; promote network redundancy necessary to decrease risk to public safety and exposure to network outages; enhance competition and market efficiency; and increase incentives for and remove barriers to facilities investment and the IP transition. Peerless recapped its experience with T-Mobile's disconnection of Peerless' direct connections, claiming this one example shows the economic benefit to the competitive

industry is at least a 525% decrease in per-MOU terminating rates for those carriers that use an intermediate carrier to terminate traffic to T-Mobile.

- The Native American Telecom Companies filed [a letter](#) on May 3, 2019, claiming that over the years, the IXCs have sold their rural exchanges, stopped actively marketing and serving rural areas, relinquished their universal service obligations, and refused to pay lawful interconnection charges, all with the single goal of reducing their costs of serving rural America and focusing on their profitable urban and business markets. They urged the Commission to refocus the intercarrier compensation inquiry on the interests of rural America. They said the facts versus fiction in this proceeding highlight the need for a better factual record, and urged the Commission to adopt an FNPRM to develop a more complete and accurate factual record or to initiate a formal investigation into intercarrier compensation with a fact-finding discovery process.
- AT&T filed [a letter](#) on May 1, 2019, to respond to HD Tandem's April 17, 2019, ex parte regarding a confidential Master Services Agreement between AT&T and HD Tandem. AT&T said HD Tandem did not obtain AT&T's consent to disclose the Agreement to the FCC and asked the FCC to grant HD Tandem's request to limit public access to the document to the redacted version. AT&T said it entered into the agreement with HD Tandem as part of its attempts to address the impact of access arbitrage. AT&T said, however, the proposals the FCC is considering in the current Access Stimulation proceeding provide the best and most effective remedy.
- Iowa Network Access Division (d/b/a Aureon) filed a [letter](#) on April 29, 2019, requesting confidential treatment of its circuit inventory data and DS-3 circuit data filed with Tariff Transmittal No. 40, which was filed in compliance with the FCC's February 2019 [Order](#) concluding the investigation into the lawfulness of its interstate switched transport rate contained in Transmittal No. 38. Aureon said a public version of its Description and Justification is being filed via the FCC's ETFS.

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Broadband

- The FCC [announced](#) on May 1, 2019, the Wireline Competition Bureau provided it with a revised draft of the 2019 Broadband Deployment Report, saying the revisions reflect a thorough review of the initial draft triggered by the discovery that a company submitted drastically overstated deployment data to the FCC. The FCC said after appropriate revisions to the Report, it continues to support the conclusion that significant progress has been made in closing the digital divide in America. It said the revised Report shows since last year's report, the number of Americans lacking access to a fixed terrestrial broadband connection meeting the FCC's advanced telecommunications capability benchmark speed of 25 Mbps/3 Mbps has dropped by over 18 percent, from 26.1 million Americans at the end of 2016 to 21.3 million at the end of 2017.
- The Wireline Competition Bureau released a [Report](#) on May 1, 2019, on promoting broadband internet access service for veterans. The Report found, among other things, while many veterans have access to both fixed and mobile broadband options, a significant number still lack access to fixed broadband, mobile broadband, or both. The Report was submitted to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce.
- The Consumer & Governmental Affairs Bureau, Wireless Telecommunications Bureau, and Wireline Competition Bureau released a [Report](#) on May 1, 2019, on broadband deployment in Indian country. The Report found, among other things, while deployment to Tribal lands has increased in recent years, additional work remains to increase deployment to certain Tribal areas and reach the goal of closing the digital divide for all Americans. The Report said Tribal lands experience lower rates of both fixed and mobile broadband deployment as compared to non-Tribal areas of the United States, particularly in rural areas. The Report was submitted to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce.
- The USDA released a [report](#) entitled "A Case for Rural Broadband: Insights on Rural Broadband Infrastructure and Next Generation Precision Agriculture Technologies" on April 30, 2019. The USDA

said the report finds that deployment of both broadband e-connectivity and next generation precision agriculture technology on farms and ranches throughout the U.S. could result in at least \$47 billion in national economic benefits every year. The USDA also said the report finds that if broadband infrastructure and digital technologies at scale were available at a level that meets estimated producer demand, the U.S. economy could realize benefits equivalent to nearly 18 percent of total agriculture production. The USDA noted that 18 percent, more than one-third is dependent on broadband e-connectivity, equivalent to at least \$18 billion in annual economic benefits that only high-speed, reliable internet can provide. [Press release](#)

- Chairman Pai [spoke](#) at the Prague 5G Security Conference in Prague, Czech Republic on May 2, 2019. Pai said the FCC is implementing its 5G FAST plan, which consists of three parts: freeing up spectrum; making it easier to install small cells and other wireless infrastructure; and modernizing rules to encourage the deployment of optical fiber for backhaul.
- NCTA filed a [letter](#) on May 3, 2019, in response to the April 12, 2019 [letter](#) by USTelecom, ITTA, and WISPA on broadband mapping. NCTA claimed USTelecom, et al. attempt to create confusion regarding NCTA's proposal to reform the Form 477 broadband reporting regime and ignore the significant problems with their own proposal. NCTA said it focused on reforms to the Form 477 process so that the Commission can gather and publish more accurate data before it begins distributing the next round of broadband funding (e.g., the \$20 billion Rural Development Opportunity Fund), suggesting given the timing challenges the Commission will face in implementing any new reporting requirements, any delay in adopting new reporting requirements could delay the delivery of broadband to areas that do not have it today. NCTA said, in contrast, USTelecom et al. are encouraging the Commission to spend at least two years and at least \$10 million developing a database of every home and business in America, and only then would it consider how to reform the Form 477 process.
- An FCC [Notice](#) was published in the Federal Register on May 2, 2019, announcing the charter of the Technological Advisory Council has been renewed pursuant to the Federal Advisory Committee Act. The Committee provides recommendations to the Commission on issues affecting the deployment of new broadband technologies and services seeking to spur opportunities for innovation, greater efficiencies, and job creation.
- USTelecom filed a [letter](#) and [data](#) on April 26, 2019, at the request of the Wireline Competition Bureau, in the proceeding addressing its [Petition for Forbearance](#). USTelecom said the data identifies ILEC Tier 1 and Tier 2 Wire Centers for AT&T, CenturyLink, Consolidated Communications, Frontier Communications, Verizon, and Windstream.
- Cincinnati Bell filed [a letter](#) on May 1, 2019, in the USTelecom Forbearance Petition proceeding to provide a list of wire centers for its Cincinnati Bell Telephone ILEC that meet the criteria for Tier 1 and Tier 2 wire centers as defined in section 51.319(d)(3). It said Hawaii Telcom has no wire centers that meet these criteria.
- Puerto Rico Telephone Company, Inc., d/b/a Claro, filed [a letter](#) on May 2, 2019, in the USTelecom Forbearance Petition proceeding to confirm all of its wire centers in Puerto Rico are Tier 3 wire centers for purposes of section 51.319(d).

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Universal Service

- USAC filed [Federal Universal Service Support Mechanisms Fund Size Projections](#) for the third quarter of 2019 on May 2, 2019. The funding requirement for 3Q 2019 is \$2.22869 billion, up \$307 million from 2nd Quarter. USAC indicated the total high-cost support mechanism funding requirements are projected to be \$1.399 billion. (Appendices are available on USAC's website.)
- The Wireline Competition Bureau released an [Order](#) on April 30, 2019, designating four providers as ETCs in eligible high-cost areas in New York, conditioned upon and limited to petitioners' authorization to receive CAF Phase II support awarded in coordination with New York's New NY Broadband

Program. The Bureau said it will release separate public notices regarding Auction 903 funding authorizations.

- The Wireline Competition Bureau released a [Public Notice](#) on April 30, 2019, granting, denying, and dismissing various petitions related to actions taken by USAC on the E-rate program. Petitions for reconsideration or applications for review of these decisions must be filed within 30 days of this public notice.
- AT&T [met with](#) Wireline Competition and Wireless Telecommunications Bureau staff on April 29, 2019, to discuss the Uniendo a Puerto Rico Fund and the Connect USVI Fund. AT&T said subscriber mobile data use in these jurisdictions has more than doubled since the 2017 hurricane season and current per subscriber data usage in these jurisdictions is more than double the average subscriber data usage across the entire AT&T U.S. network. AT&T said it continues to allocate resources to restore and upgrade the network beyond its pre-hurricane capacity, and recommended the Commission permit Stage 2 mobile recipients to use this support for network restoration efforts and implementation of standard industry hardening practices where feasible. AT&T also discussed its proposal to require fund recipients to certify that their network performance drive tests comply with specifications defined by the Commission.
- Liberty Cablevision of Puerto Rico [met with](#) Advisors to Chairman Pai and Commissioners Carr and Starks and Wireline Competition Bureau staff on April 25, 2019, to discuss its April 2, 2019 [ex parte](#), which focused on Liberty's proposal for a new methodology to distribute Uniendo a Puerto Rico funding. It said the proposal would require the applicants to bear the primary burden of gathering location data as well as bear the associated risk of building out broadband infrastructure within the relevant geographic area.
- Telscape Communications and TruConnect [met separately](#) on April 25 and 26, 2019, with Commissioner O'Rielly and his Senior Counsel to discuss Lifeline issues. They asserted more work is needed before the rollout of the National Lifeline Verifier, and discussed challenges with the National Verifier, which they say if not corrected, will be expensive for USAC and may very likely contribute to, not decrease, increased waste, fraud and abuse. They also said the system should implement API connectivity to reduce program costs, avoid fraud and abuse, and improve the enrollment process.
- Viya filed a [letter](#) on April 26, 2019, asking the Commission to again seek clarification from Broadband VI regarding its [request for waiver](#) of the Lifeline minimum standards. Viya asserted Broadband VI's [reply comments](#) provided new information about Broadband VI's broadband offering in the U.S. Virgin Islands that appears to be inconsistent with information previously submitted to the Commission and Virgin Islands PSC. Viya asked the Commission to seek clarification from Broadband VI regarding whether it is currently capable of providing 10/1 Mbps throughout the territory to any requesting Lifeline-eligible customers, and if so, the Commission should request Broadband VI to explain why it continues not to advertise 10/1 Mbps service in the Territory despite the Lifeline publicity requirements.
- TracFone filed [reply comments](#) on April 29, 2019, on its [amended Petition](#) seeking to expand its ETC designation to include Tribal lands in Alabama, Connecticut, Massachusetts, New York, North Carolina, and Virginia. TracFone said grant of its Petition would benefit the public interest by allowing it to provide enhanced benefits to Tribal land households and expand the availability of mobile broadband service to Tribal land residents. [Public Notice](#)
- The FCC placed an item on [circulation](#) on May 3, 2019, entitled Rural Health Care Support Mechanism.
- Alaska Communications filed a [letter](#) on May 2, 2019, to urge the Commission to revisit the Rural Health Care budget caps, including the \$150 million sub-cap on upfront costs and multi-year funding commitments in the Healthcare Connect Fund. ACS said in the eleventh month of the funding year, USAC has yet to issue decisions on any meaningful number of applications involving upfront costs or multi-year commitments that are subject to the cap, and it urged the Commission, in its upcoming Order, either to exempt the Telecom Program from the RHC budget altogether or to increase the RHC budget to accommodate the impact of these additional drivers of demand.

- To date, no comments were filed on Tata Communications' [Petition](#) for a waiver of section 54.706 on USF contributions or, alternatively, a waiver of the twelve percent threshold of the Limited International Revenue Exemption. Replies are due May 20, 2019. [Public Notice](#)

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Misc.

- The FCC issued the [agenda](#) on May 2, 2019, for its May 9, 2019 Open Meeting. The FCC will consider: a [Memorandum Opinion and Order](#) that would deny China Mobile USA's application for a section 214 authorization to provide international facilities-based and resale telecommunications services between the United States and foreign points; an [NPRM](#) to seek comment on proposed regulatory fees for Fiscal Year 2019; a [Report and Order and FNPRM](#) that would adopt measures, and seek comment on others, to improve Video Relay Service, expand access to direct video communications, and protect the VRS program against waste, fraud, and abuse; an [NPRM](#) that would seek comment on reallocating the 1675-1680 MHz band for shared use between incumbent federal operations and non-federal fixed or mobile (except aeronautical mobile) operations on a co-primary basis; a [Memorandum Opinion Order and Authorization](#) that would grant Theia's request to deploy and operate a proposed non-geostationary satellite constellation to provide earth imaging services around the world; a [Report and Order](#) that would adopt streamlined rules relating to interference caused by FM translators and expedite the translator interference complaint resolution process; and a [Public Notice](#) seeking comment on proposed procedures for conducting and participating in an auction of toll free numbers in the 833 code.
- The Wireline Competition Bureau issued a [Public Notice](#) on May 1, 2019, to announce additional parties seek access to confidential and highly confidential information and data submitted in the Commission's data collection in the price cap business data services proceedings. The Bureau said interested parties have until May 8, 2019, to object to disclosure of their data to the parties seeking access listed in the attachment to the Notice.
- The Wireline Competition Bureau issued a [Public Notice](#) on May 3, 2019, to announce parties in the USTelecom Forbearance Petition proceeding seek access to confidential and highly confidential information and data submitted in the Commission's data collection in the price cap business data services proceedings. The Bureau said parties that submitted that data in the 2015 Data Collection and third-party interest holders have until May 10, 2019, to object to disclosure of their data to the individual or individuals listed in the attachment to the Notice.
- Reply comments were filed May 3, 2019, on the [NPRM](#) proposing to amend the Truth in Caller ID rules to implement the anti-spoofing provisions of the RAY BAUM'S Act. [Yaana Technologies](#) said the Commission must include as part of this proceeding comprehensive recognition and a plan of engagement for the global legal, institutional, technical, and operational ecosystems and trust mechanisms associated with caller identification information. It noted the legal, technical, and operational challenges are longstanding and global, and will necessarily require global solutions working with the 192 other nations involved. Yaana said the Commission, pursuant to Ray Baum's Act, must re-engage in ITU-T work, as well as other global international venues like 3GPP, to mitigate spoofed calling. EZ Texting, also known as [Callfire](#), urged the Commission to issue regulations that mirror the narrow changes the RAY BAUM'S Act made to the Truth in Caller ID Act, saying the Commission correctly proposes to issue regulations that are consistent with Congress' unambiguous intent to focus only on harmful spoofing done with the "intent to defraud, cause harm, or wrongfully obtain anything of value," while allowing legitimate caller ID alterations to remain lawful. It also encouraged the Commission to adopt definitions of statutory terms that track the RAY BAUM'S Act text.
- The FCC released a [Public Notice](#) on April 29, 2019, announcing petitions for reconsideration of the December 12, 2018 [Robocalls Order](#) have been filed by the [Professional Association for Customer Engagement](#) and jointly by the [Competitive Carriers Association, CTIA, and USTelecom](#). The Notice

said oppositions to the Petitions will be due 15 days after this Public Notice is published in the Federal Register, and replies to oppositions will be due 10 days after the time for filing oppositions has expired.

- The House Subcommittee on Communications and Technology held a hearing on April 30, 2019, entitled “Legislating to Stop the Onslaught of Annoying Robocalls.” Witnesses included: [Dave Summitt](#), Chief Information Security Officer of the H. Lee Moffitt Cancer Center & Research Institute; [Margot Saunders](#), Senior Counsel for the National Consumer Law Center; and [Patrick Halley](#), Senior Vice President at USTelecom.
- AT&T [met with](#) FCC staff on April 25, 2019, to provide an update on steps AT&T is taking to combat illegal robocalls. AT&T said it continues to participate in, and encourage upstream service providers to participate in, the USTelcom Traceback Group, which continues to reduce cycle time between identifying and taking action to mitigate the bad robocalls. AT&T said the SHAKEN/STIR Governance Authority is on track to announce the Policy Administrator in May and AT&T has started implementing Shaken/Stir. AT&T also said it continues to enhance the tools offered to consumers.
- First Orion [met separately with](#) Chairman Pai and his Advisor, Commissioner O’Rielly and his Advisor, [Advisors](#) to Commissioners Carr and Starks, and staff from the Consumer and Governmental Affairs Bureau on April 29, 2019, to discuss robocalls. It suggested the Commission encourage carriers to make reasonable efforts to use data analytics in addition to caller authentication to protect their subscribers from fraudulent robocalls, and suggested the Commission not penalize carriers if they have made such efforts to differentiate between lawful and unlawful robocalls, but nonetheless have a minimal number of false positives. It stressed the importance of the Commission not adopting overly prescriptive rules regarding carrier blocking, saying it prefers call labeling, such as the *Scam Likely* service it has deployed with T-Mobile. It indicated it has worked with the call originator industry to develop a registry, www.calltransparency.com, through which legitimate call originators can register their numbers to help prevent false positives.
- Endeavor filed [a letter](#) on May 1, 2019, withdrawing its [Petition for Clarification](#) on the direct assignment of costs to new categories by RoR carriers subject to the Part 36 separations freeze. It said due to the FCC’s adoption of a rule that goes into effect July 1, 2019, allowing carriers subject to the separations freeze to opt out of the freeze, Endeavor no longer needs the clarification.
- The Wireline Competition Bureau issued a [Public Notice](#) on April 29, 2019, granting the 214 application for transfer of control of Price County Telephone Company to Chequamegon Communications Cooperative, d/b/a Norvado. It said should no petition for reconsideration, application for review, or petition for judicial review be timely filed, the proceeding listed in this Public Notice shall be terminated, and the docket will be closed. The effective date for the grant is April 29, 2019.
- The Consumer and Governmental Affairs Bureau issued Orders on April 29, 2019, granting multiple complaints alleging [South American Telecom](#), [Multiline Long Distance](#), [Clear Choice Communications](#), [America Net](#), and [Twin City Capital](#) changed complainants’ telecommunications service providers without obtaining authorization and verification from complainants in violation of the Commission’s rules. The Bureau said these providers must remove all charges incurred for service provided to complainants for the first 30 days after the alleged unauthorized change.
- The Consumer and Governmental Affairs Bureau issued Orders on May 1, 2019, granting complaints alleging [CenturyLink](#), [AT&T](#), and [Cytel](#) changed complainants’ telecommunications service providers without obtaining authorization and verification from complainants in violation of the Commission’s rules. The Bureau said these providers must remove all charges incurred for service provided to complainants for the first 30 days after the alleged unauthorized change.
- The Consumer and Governmental Affairs Bureau issued Orders on May 3, 2019, granting complaints alleging [Clear Rate](#), [TeleDias Communications](#), [TeleUno](#), and [OneLink Communications](#) changed complainants’ telecommunications service providers without obtaining authorization and verification from complainants in violation of the Commission’s rules. The Bureau said these providers must

remove all charges incurred for service provided to complainants for the first 30 days after the alleged unauthorized change.

- The Consumer and Governmental Affairs Bureau issued an [Order](#) on May 2, 2019, denying 12 complaints alleging Birch Communications changed a complainants' telecommunications service provider without obtaining authorization and verification from complainants in violation of the Commission's rules. The Bureau found Birch's actions did not result in an unauthorized change in complainants' telecommunications service provider and denied the complaints. The Bureau also issued similar an [Order](#) on May 2, 2019, and another [Order](#) on May 1, 2019, denying similar complaints against Birch Communications.
- The Consumer and Governmental Affairs Bureau issued an [Order](#) on May 3, 2019, denying a complaint alleging Clear Rate Communications changed a complainants' telecommunications service provider without obtaining authorization and verification from complainants in violation of the Commission's rules. The Bureau found Clear Rate's actions did not result in an unauthorized change in complainant's telecommunications service provider and denied the complaint.

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Upcoming Filing Dates

- May 6 - Replies due to oppositions to Petitions for Reconsideration of the December 2018 RoR USF Reform Order filed by [Pineland Telephone](#) and [Silver Star Telephone FR](#)
- May 6 - Comments due on i-wireless' amended [Petition](#) seeking to expand its designation as an eligible telecommunications carrier to certain tribal lands in Alabama, Connecticut, New York, North Carolina, and Virginia. Replies are due May 13, 2019. [Public Notice](#)
- May 8 - Comments due on South Dakota Network's [refund plan](#), filed on April 18, 2019, pursuant to the FCC's [Memorandum Opinion and Order](#) that concluded the investigation into the lawfulness of tariff revisions South Dakota Network filed on September 17, 2018. [Public Notice](#)
- May 9 - Comments due on the [Public Notice](#) seeking focused additional comment in Business Data Services and USTelecom Forbearance petition proceedings. Replies due May 16 [FR](#)
- May 13 - PRA comments due on a revision of a currently approved information collection associated with Rural Health Care Program Forms 460, 461, 462, 463, 465, 466, and 467. [FR](#)
- May 13 - Comments due on Lakeland Communications' [Petition for Waiver](#) of sections 51.909(a), 51.917(b)(1), and 51.917(b)(7) to modify access rate bands and 2011 Base Period Revenues to implement the merger of two commonly-owned study areas. Replies are due May 23, 2019. [Public Notice](#)
- May 13 - Replies due on i-wireless' amended [Petition](#) seeking to expand its designation as an eligible telecommunications carrier to certain tribal lands in Alabama, Connecticut, New York, North Carolina, and Virginia. [Public Notice](#)
- May 16 – Replies due on the [Public Notice](#) seeking focused additional comment in Business Data Services and USTelecom Forbearance petition proceedings.
- May 20 - PRA comments due on an extension of a currently approved information collection associated with direct access to numbering resources. [Notice](#)
- May 20 - Replies due on Tata Communications' [Petition](#) for a waiver of section 54.706 on USF contributions or, alternatively, a waiver of the twelve percent threshold of the Limited International Revenue Exemption. [Public Notice](#)

- May 20 - PRA comments on an extension of a currently approved information collection pertaining to annual reporting and record retention requirements for Mobility Fund Phase I and Tribal Mobility Fund Phase I support recipients (FCC Form 690). [FR](#)
- May 23 - Replies due on Lakeland Communications' [Petition for Waiver](#) of sections 51.909(a), 51.917(b)(1), and 51.917(b)(7) to modify access rate bands and 2011 Base Period Revenues to implement the merger of two commonly-owned study areas. [Public Notice](#)
- May 24 - Comments due on Reservation Telephone and CenturyLink study area waiver petition in North Dakota. Replies due June 24 [Public Notice](#)
- May 28 - PRA comments are due on an extension of a currently approved information collection associated with study area boundary data reporting in Esri shapefile format. [FR](#)
- May 31 - PRA comments due on a revision of a currently approved information collection associated with FCC Form 481. The FCC proposes to revise this information collection, as well as Form 481 and the accompanying instructions, to reflect the adoption in the March 2018 Rate-of-Return Order of section 54.313(f)(4). [Notice](#)
- June 21 - PRA comments due on an extension of a currently approved information collection associated with Form 502, Numbering Resource Optimization. [Notice](#)
- June 24 - Replies due on Reservation Telephone and CenturyLink study area waiver petition in North Dakota. [Notice](#)
- June 24 - PRA comments due revision of a currently approved information collection for high-cost USF support. The FCC indicated in the December 13, 2018 Rate-of-Return USF Reform. [Order FR](#)
- June 25 - PRA comments due on an extension of a currently approved information collection on the survey of urban rates for fixed voice and broadband residential services. [Notice](#)

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