

## NECA's Weekly Federal Regulatory Summary

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### May 13, 2019 HIGHLIGHTS

- The FCC adopted six items at its May 9, 2019 Open Meeting, including a [Public Notice](#) seeking comment on an auction to distribute certain toll free numbers in the new 833 toll free code and an Order [adopting](#) new rules to improve Video Relay Service (not yet released).
- The [Order](#) that eliminated the high-cost USF program's local service rate floor rule and eliminated the reporting obligations associated with the rate floor after July 1, 2020, [is effective](#) June 6, 2019.
- The FCC [announced](#) it is ready to authorize CAF Phase II auction support for Auction 903 winning bids. Applicants listed in the attachment to the notice must file letters of credit and legal counsel's opinion letters by May 24, 2019.
- [Reply comments were filed](#) on Petitions for Reconsideration of the December 2018 RoR USF Reform Order filed by [Pineland Telephone](#) and [Silver Star Telephone](#).
- Northeast Iowa Telephone and Western Iowa Telephone filed a [Petition for Clarification or Declaratory Ruling](#) on the definition of locations under the A-CAM for residences that also serve as businesses.
- Ketchikan Public Utilities filed a [Petition for Waiver](#) of the March 1, 2018 HUBB portal certification deadline. Blackfoot Telephone and Fremont Telcom filed a [Supplement](#) to their [Petition](#) seeking a limited waiver of the March 1, 2018 deadline for certifying 2017 broadband deployment locations in the HUBB for A-CAM support.
- NTCA [discussed](#) the importance of sufficient and predictable USF support as well as the importance of more granular mapping and challenge procedures in ensuring that funds can be accurately targeted to where they are needed
- LICT, TDS Telecom, and WTA [discussed](#) performance testing requirements for RoR ILECs, and in particular the proposals presented by WTA in a previous [letter](#). WTA, US Connect, Volcano Communications Group, et al. [discussed](#) the appropriate broadband facilities and routes to be tested and the availability, cost, and practicability of the performance testing equipment and software that is being developed. USTelecom, ITTA, et al. [discussed](#) the endpoints for speed and latency testing.
- Viasat [responded](#) to NTCA's [letter](#) opposing Viasat's Petition on the Network Testing Order.
- [Comments were filed](#) on the [Public Notice](#) seeking focused additional comment in the Business Data Services and USTelecom Forbearance Petition proceedings. Replies due May 16, 2019. [FR](#).
- The FCC released an [NPRM](#) seeking comment on the assessment and collection of regulatory fees for FY 2019. Comments are due June 7, 2019; replies are due June 24, 2019.
- The House Committee on Energy and Commerce [announced](#) it will hold a hearing on May 15, 2019, entitled "Accountability and Oversight of the Federal Communications Commission."

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### Other Key Upcoming Dates

- May 22 - Oppositions due to Petitions for Reconsideration of the [Reassigned Numbers Database Order](#).

## USF Reform

- The [Report and Order](#) that eliminated the high-cost USF program's local service rate floor rule and eliminated the reporting obligations associated with the rate floor after July 1, 2020, was [published](#) in the Federal Register on May 7, 2019. The Order is effective June 6, 2019.
- The Rural Broadband Auctions Task Force, Wireline Competition Bureau, and Office of Economics and Analytics released a [Public Notice](#) on May 10, 2019, announcing they are ready to authorize CAF Phase II auction support for the Auction 903 winning bids identified in Attachment A of this Public Notice. They indicated to be authorized to receive the total 10-year support amounts listed in Attachment A, the long-form applicants identified in that attachment are required to submit acceptable irrevocable standby letter(s) of credit and Bankruptcy Code opinion letter(s) from their legal counsel for each state where they have winning bids that are ready to be authorized in accordance with the instructions provided by 6:00 p.m. ET on Friday, May 24, 2019.
- Chairman Pai sent [letters](#) to Sens. Amy Klobuchar (D Minn.) and Tina Smith (D Minn.) on April 26, 2019, in response to their [letter](#) on broadband deployment to rural communities. Pai said the FCC pursued several programs to extend broadband internet access to unserved communities, including a reverse auction of federal subsidies for broadband deployment as part of CAF Phase II. Pai noted the Commission authorized Frontier to receive CAF Phase II support for nearly 47,000 locations in Minnesota, and Frontier has reported to the FCC that it has met or exceeded each of its deployment milestones in CAF-eligible areas in Minnesota.
- Reply comments were filed on May 6, 2019, on Petitions for Reconsideration of the December 2018 RoR USF Reform Order filed by [Pineland Telephone](#) and [Silver Star Telephone](#). [WTA](#) supported both Petitions. WTA agreed with Pineland that the most effective and efficient way for the Commission to treat all RoR LECs equitably is to reconsider its decision not to extend its ACAM II offer to carriers that already receive A-CAM support. WTA also agreed with Silver Star that the Commission should stop penalizing HCLS recipients for immaterial line count decreases, noting even after elimination of the Rural Growth Factor, aggregate HCLS support would still be capped and would increase only at a rate consistent with inflation like virtually all of the other USF mechanisms. It noted it has previously proposed that aggregate HCLS be frozen at its 2018 level until 2026. [NTCA](#) agreed with Silver Star that the Commission ignored substantial evidence that the HCLS rural growth factor and cap produce unpredictability and insufficiency with respect to High Cost USF support that damages the company's, as well as similarly situated operators', ability to invest in networks capable of offering both voice and broadband services. It said Pineland's Petition correctly argues that extension of the "ACAM II" offer to ACAM I electors would increase broadband speeds for many rural consumers. [ITTA](#) supported Pineland's request for the Commission to harmonize its policies regarding A-CAM program funding for census blocks that already include fiber-to-the-premises or cable to some locations by reconsidering its decision to preclude carriers participating in the first A-CAM program from electing A-CAM II support and obligations. ITTA said the Petition observes that the various revisions the Commission has made to the original A-CAM offer since it was first tendered in August 2016 "demonstrates and affirms that the Commission may revise the terms available to carriers that have accepted previous offers when doing so would advance its goals and promote the public interest." [West Carolina Rural Telephone](#) supported the Pineland Petition and recommended the Commission align its FTTP policy by permitting A-CAM I carriers to elect the A-CAM II offer. [All replies available to date.](#)
- ACA Connects, NTCA, and NRECA sent a [letter](#) to Chairman Pai on May 9, 2019, to express support for Pai's announcement of intent to create the Rural Digital Opportunities Fund. They said the Commission can move expeditiously with the RDOF because of the extensive work that went into the CAF Phase II auction. They said by using the latest Form 477 data in conjunction with a robust challenge process, the Commission can more accurately identify unserved census blocks and target support to where it is needed.
- Northeast Iowa Telephone and Western Iowa Telephone filed a [Petition for Clarification or Declaratory Ruling](#) on May 6, 2019, on the definition of locations under the A-CAM for residences that also serve as businesses. The carriers said, in determining whether to accept the original and revised A-CAM offers, they relied on the requirements outlined in the 2016 RoR Reform Order, the 2018 RoR USF

Reform Order, the Wireline Competition Bureau's Guidance on location reporting, and section 54.308 as part of their analysis. They said, however, they reviewed staff guidance issued by USAC on location reporting, which they claim runs counter and contradicts the Orders and WCB Guidance. The carriers requested the Commission clarify or issue a Declaratory Ruling that home-based businesses that are registered with a State or other governmental entity and are located in eligible census blocks are considered locations and do not require separate subscriptions or facilities to count as such.

- Ketchikan Public Utilities filed a [Petition for Waiver](#) on May 9, 2019, of the March 1, 2018 HUBB portal certification deadline. KPU said it entered all of its required data into the HUBB portal by the deadline, but experienced a series of technical difficulties with the portal that prevented it from finalizing its certification. KPU said it discussed its issue with USAC staff and was assured that an issue with the portal was the cause of the problem, not KPU, and the issue was resolved within a week and KPU's data was properly certified. KPU said, however, it was recently informed by NECA that its February 2019 support payment was deducted for failure to certify its data eleven months earlier. KPU asserted because this technical difficulty with the HUBB portal was outside of KPU's control and KPU took additional steps thereafter to ensure that its data was properly certified, KPU should not be penalized for a problem that cannot be fairly attributed to KPU's actions.
- Blackfoot Telephone and Fremont Telcom filed a [Supplement](#) on May 7, 2019, to their [Petition](#) seeking a limited waiver of the March 1, 2018 deadline for certifying 2017 broadband deployment locations in the HUBB for A-CAM support. They also filed a letter of appeal to USAC, requesting that USAC reverse its decision to reduce Blackfoot's A-CAM support related to the March 1, 2018 deadline because the basis on which USAC reduced the A-CAM support disbursements to Blackfoot was factually incorrect. They said the supplement is to notify the Commission that USAC denied the appeal, and asked the Commission to review and revise the USAC denial.
- NTCA [met with](#) Commissioner O'Rielly and his Legal Advisor on May 2, 2019, to discuss the importance of sufficient and predictable USF support as well as the importance of more granular mapping and challenge procedures in ensuring that funds can be accurately targeted to where they are needed most to make the business case for investment and ongoing use throughout rural communities.
- LICT, TDS Telecom, and WTA [met with](#) Wireline Competition Bureau staff on May 2, 2019, to discuss performance testing requirements for RoR ILECs, and in particular the proposals presented by WTA in [its letter](#) of April 17, 2019. They expressed continued concern that testing beyond the boundaries of their broadband networks, both inside customer premises using equipment selected and deployed by customers and between their networks and IXPs over middle-mile transport facilities and routes operated by one or more unrelated entities, can result in test "failures" that RLECs have no ability to control or repair, but which can result in the loss or withholding of critically needed high-cost support. WTA requested clarification that USAC will not assign testing weeks and that recipients will not have to notify USAC in advance of the weeks when they will be testing, and clarification that the requirement not to discard some of the initial test results applies only to test results during the quarterly testing weeks, but not to the results of advance, informal, or partial pre-testing during other time periods. WTA asked the Commission to clarify that a recipient does not have to turn down a location's actual broadband speed in order to test for the service speed the recipient reported to the HUBB, nor to increase the broadband speed at a location for the purposes of testing to a speed higher than that ordered by the customer. WTA also reiterated that, since RoR LECs do not have the same timing or level of build-out milestones as price cap carriers, the timeline for implementing penalties if a RoR LEC does not meet the 80/80 test specifications should be revised to fall after the effective date of the RoR LEC's build-out milestones.
- US Connect, Volcano Communications Group, Varcomm Holdings, Dickey Rural Networks, Northeast Nebraska Telephone, and WTA [met with](#) Commissioners O'Rielly and [Carr](#), their Advisors, and Advisors to [Chairman Pai](#) and Commissioner [Starks](#) on May 7, 2019, to discuss network testing requirements, focusing on the appropriate broadband facilities and routes to be tested and the availability, cost, and practicability of the performance testing equipment and software that is being developed. They expressed concern that testing beyond the boundaries of their broadband networks, both inside customer premises where a variety of equipment has been selected and deployed by customers and between their networks and IXPs over middle mile transport facilities and routes

operated by one or more unrelated entities, can result in test “failures” that they have no ability to control or repair but which can result in the loss or withholding of critically needed high-cost support.

- USTelecom, WISPA, ITTA, CenturyLink, Consolidated, and AT&T [met with](#) Wireline Competition Bureau and OEA staff on May 7, 2019, to discuss the Network Testing Order. They discussed the endpoints for speed and latency testing, reiterating the Commission should provide CAF recipients maximum flexibility as to such endpoints by permitting CAF recipients to test to or through a Commission-designated IXP if they wish or testing to the nearest Internet access point. They also reiterated that the Commission should require one latency test per hour during the testing period.
- Viasat and Viasat Carrier Services filed [a letter](#) on May 3, 2019, to respond to NTCA’s May 2, 2019 [letter opposing Viasat’s Petition on the Network Testing Order](#). Viasat said NTCA appears to have Viasat confused with Hughes Network Systems, as Viasat supports real-world testing. Viasat asserted it filed its Petition for Reconsideration because a grant of the requested clarifications would help “ensure that the Commission’s testing regime is competitively and technologically neutral, minimize unwarranted burdens and costs for supported services, and eliminate uncertainty regarding features of the testing regime.” It also argued it is absurd for NTCA to suggest that petitioning for clarification of the testing methodologies somehow undermines the integrity of the CAF II auction or raises questions about the *bona fides* of petitioning parties.
- ACS filed a [redacted letter](#) on May 6, 2019, attaching a spreadsheet that it claimed satisfies the Commission’s CAF Phase II service locations requirement. ACS said it expects to bring CAF II-qualifying service to at least 31,571 locations in the census blocks identified in the spreadsheet, but indicated delivering CAF II-qualifying service to some of these locations does not yet appear to be feasible using available technology. ACS said it reserves the right to substitute locations within eligible census blocks, so long as the locations it actually serves meet the Commission’s requirements for CAF II eligibility.

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## ICC

- CenturyLink [met with](#) staff from the Wireline Competition Bureau on May 7, 2019, and Office of Economics and Analytics on April 30, 2019, to discuss CenturyLink’s April 30, 2019 [submission](#) on access arbitrage. It also discussed CenturyLink’s analysis of the legal authority under which the Commission could adopt the reforms CenturyLink has recommended.
- AT&T filed a [Petition](#) on May 6, 2019, asking the FCC to reject or suspend and investigate the revised tariff filed by Aureon Network Services on April 29, 2019. AT&T claimed rather than comply with the directive in the [Memorandum Opinion and Order](#) and correct the problems with its prior rate filing, Aureon instead submitted an entirely new tariff filing based on a new 2019 test year, along with what purports to be new 2019 financial data and a new 2019 traffic forecast. AT&T asserted by making a new tariff filing, Aureon proposes to raise its CEA rate to \$0.00363/min, more than doubling the rate that Aureon could have legitimately tarified as of March 2018.
- To date, no comments were filed 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](#)
- The Fifth Circuit Court of Appeals issued an [Order](#) on May 3, 2019, granting Windstream’s [motion](#) to lift the stay in the [case](#) addressing allegations that certain LECs improperly billed Verizon and Sprint for switched access charges for intraMTA wireless calls. Windstream said its bankruptcy cases are pending before the United States Bankruptcy Court in New York and on April 22, 2019, the Bankruptcy Court permitted the debtors in the case to prosecute certain pending multi-district litigation.

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## Broadband

- Chairman Pai sent [letters](#) to Sen. Joe Manchin (D. W.Va.) and ten other Senators on April 26, 2019, to respond to their [letter](#) on broadband mapping. Pai said the FCC initiated reforms to the collection of broadband data, including a new data collection for mobile broadband coverage as part of the Mobility Fund Phase II, and a review of the Form 477 process. Pai also said a continuous public feedback mechanism could improve the Commission's broadband coverage maps and its Form 477 data, and noted the Commission's Speed Test App is one way consumers can currently participate in collecting data about broadband deployment.
- Comments were filed May 9, 2019, on the [Public Notice](#) seeking focused additional comment in the Business Data Services and USTelecom Forbearance Petition proceedings. [CenturyLink](#) said the Commission's findings with respect to DS1 and DS3 services in the BDS proceeding are directly relevant, and potentially determinative, in the USTelecom Forbearance Petition proceeding. It noted the Commission has supplemented the record in the BDS proceeding with the April Data Tables, which it claimed show about 78 percent of verified ILEC wire centers are a half mile or closer to competitive fiber and/or buildings with a competitive connection, and the majority are even closer to competition. CenturyLink argued given this data on ILEC transport, the Commission should adopt its proposal in the BDS proceeding to continue to exempt price cap carriers' TDM transport BDS from ex ante pricing regulation on a nationwide basis, and further argued in the USTelecom Forbearance Petition proceeding, the Commission should forbear on a nationwide basis from the rules requiring price cap carriers to provide DS1 and DS3 transport at TELRIC rates. It also argued the considerations that led the Commission to eliminate price cap regulation of DS1 and DS3 end user channel terminations in these counties require the Commission to forbear from price cap carriers' obligation to sell functionally-equivalent unbundled DS1 and DS3 loops at even lower TELRIC rates. [AT&T](#) filed redacted comments saying two important datasets became available after USTelecom submitted its Petition for Forbearance, the Form 477 data released December 2018 and the April Data Tables from the BDS data collection. AT&T claimed these datasets, standing alone and in combination with the information already in the record, overwhelmingly support granting forbearance from all remaining Section 251 and 252 UNE and avoided-cost resale requirements. [INCOMPAS](#) said preliminary work shows the April Data Tables largely confirm that markets for interoffice transport are far from competitive on a nationwide basis, and in many areas served by ILEC wire centers there is little to no prospect of facilities-based competition entering the transport market. INCOMPAS argued the April Data Tables do not support either nationwide forbearance or a more granular competition test for interoffice transport. It said USTelecom's last-minute change in the requested relief and the confusion and burdens created by the late inclusion of the Highly Confidential Data underscore the importance of the Commission's forbearance procedures, including the complete-as-filed rule. The [California PUC](#) said the Highly Confidential and Confidential BDS Data Collection should not be used as a basis of support for USTelecom's Forbearance Petition because this would violate the "complete-as-filed" rule in 47 C.F.R. § 1.54(b). It said, at minimum, the Commission, or the Bureau on delegated authority, must prohibit the Highly Confidential and Confidential BDS Collection from being used in support of USTelecom's Petition. Replies due May 16, 2019. [FR All comments available to date.](#)
- USTelecom filed a [letter](#) on May 6, 2019, to provide data and information requested by the FCC to further support its Petition for Forbearance and to respond to arguments made by some opponents to USTelecom's Petition. USTelecom asserted there is no legally justifiable reason to require the continued provisioning of UNEs and ILEC-specific resale mandates in any areas presently subject to demonstrable competition for voice and broadband service. USTelecom claimed its data finds: cable operators are providing broadband service in areas that cover nearly 90 percent of households and 90 percent of the population in the United States at minimum speeds of 25/3 Mbps, and typically much higher; and about 78 percent of ILEC wire centers are within a half mile of competitive fiber and/or buildings with a competitive connection. USTelecom filed a separate [letter](#) with data underlying the analysis of cable broadband deployment by census block described in the declaration that was attached to USTelecom's May 6, 2019 [letter](#).
- INCOMPAS and Allstream [met with](#) Commissioner O'Rielly on May 2, 2019, to express opposition to USTelecom's Petition for Forbearance, and to discuss how the networks being built using unbundled network elements as a bridge to fiber support 5G in addition to gigabit-speed broadband service to

small businesses and residential users. They claimed the economic study INCOMPAS submitted in the record shows carriers using unbundled network elements as a bridge to fiber are building more fiber in the areas they operate than either the incumbent or cable.

- The House of Representatives passed H.R. 1328, the [ACCESS BROADBAND Act](#) on May 8, 2019, which would establish the Office of Internet Connectivity and Growth within NTIA. This office would promote broadband access for small businesses and local communities by holding regional workshops to share best practices and effective strategies for promoting broadband access and adoption. The office would also consult with any agency offering federal broadband support to streamline the application process and, to the greatest extent practicable, create one application that can be universal across the government. This office would also be charged with coordinating broadband support provided by all the federal agencies. [Press release](#)
- Reps. Bob Latta (R-Ohio) and Peter Welch (D-Vt.) introduced the [Broadband Mapping After Scrutiny Act](#) on May 9, 2019, which would require the FCC to establish a challenge process to verify fixed and mobile broadband service coverage data. [Press release](#)
- ALLvanza [met with](#) Commissioner Starks' Legal Advisor on May 7, 2019, to discuss broadband mapping and net neutrality. ALLvanza expressed the need for accurate broadband mapping for informational purposes to ensure that federal subsidies, such as the FCC's CAF or the USDA ReConnect program, are targeted to the areas of greatest need. ALLvanza asserted although none of the proposals are perfect, NCTA's proposal will be most effective in solving the mapping issue. ALLvanza also said it is essential that internet service providers are not discouraged from providing broadband by having to cover excessive and duplicative fees and taxes on the services they provide.

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## Universal Service

- The Wireline Competition Bureau released an [Order](#) on May 6, 2019, designating four providers, Bloosurf, Hankins Information Technology, Wind River Internet, and Tombigbee Communications, as eligible telecommunications carriers, conditioned upon and limited to petitioners' authorization to receive support awarded through the CAF Phase II auction. The Bureau said Wind River is designated as an ETC only for Lifeline support. The Bureau also waived the requirement that petitioners submit proof of their ETC designation on or before February 25, 2019.
- The Wireline Competition Bureau issued a [Public Notice](#) on May 10, 2019, to announce the launch of the National Lifeline Eligibility Verifier for all new enrollments in Indiana, Kentucky, and Michigan. Beginning June 11, 2019, ETCs in these states will be required to use the National Verifier to make eligibility determinations for all consumers applying for Lifeline service and must cease using legacy eligibility processes for prospective Lifeline subscribers.
- TruConnect [met separately with](#) Commissioner O'Rielly and his Legal Advisor, Commissioner Carr, and FCC Deputy General Counsel on May 7, 2019, to express support for the Commission's work to improve the Lifeline eligibility National Verifier implementation and recommended that the hard launch state roll-outs of the National Verifier be frozen immediately to allow critical technological and data improvements to be completed. It also said implementation of a 60-day port freeze will help make eligibility confirmations more accurate and reliable. It also discussed data requirements for Lifeline, recommending they continue to be increased.
- No comments were filed on i-wireless' amended [Petition](#) seeking to expand its designation as an ETC to certain tribal lands in Alabama, Connecticut, New York, North Carolina, and Virginia. Replies are due May 13, 2019. [Public Notice](#)
- USAC sent a [letter](#) to Wireline Competition Bureau staff on May 3, 2019, to provide a non-confidential analysis of Funding Year 2018 multi-year and upfront requests for Rural Health Care Program support, as requested by Bureau staff. USAC said as of March 31, 2019, demand for all RHC Program funding requests was \$648.1 million, and of that, \$237.1 million are requests for multiyear or upfront costs in

the HCF Program. USAC also said the amount of requested funding for single year requests in both the HCF and Telecom Programs totals \$411 million, and said it has begun issuing commitments fully funding qualified single year requests, but seeks guidance from the FCC on how to proceed with issuing commitments for multi-year and upfront requests.

- Huawei filed an [ex parte](#) on May 10, 2019, on supply chain issues. It claimed it submitted evidence to the FCC demonstrating its independence from the Chinese Government and clarifying misconceptions regarding Chinese law as to the obligations it imposes on corporations, including the expert report of Dr. Hanhua Zhou, a research scientist at the Institute of Law, Chinese Academy of Social Sciences, which examines Huawei's legal obligations under Chinese laws.
- The New England Telehealth Consortium and Connections Telehealth Consortium [met with](#) Advisors to Chairman Pai and Commissioner Starks on May 3, 2019, to discuss a [letter](#) it sent to USAC and Chairman Pai concerning continuing problems with administration and oversight of the Rural Health Care programs, with a focus on compounding effects on consortia in the Healthcare Connect Fund caused by continuing failure to release 2018 funding commitments. They urged the Commission to conclude reforms in both the Telecommunications Program and HCF that will be sufficient to avoid a repeat of this experience in funding year 2019.
- Geisinger Health System sent a [letter](#) to Chairman Pai and Radha Sekar, CEO of USAC, on May 7, 2019, to express concern regarding the delay in the Healthcare Connect Fund funding commitment decisions. It said the funding delays have caused significant impact on their rural under-served communities, and it asked that every effort be made to expediate the review and awarding of all pending applications by May 30, 2019.

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### Misc.

- The FCC adopted the following items at its May 9, 2019 Open Meeting: an [Order](#) denying China Mobile USA's application for a section 214 authorization to provide international facilities-based and resale telecommunications services; an [NPRM](#) proposing to reallocate spectrum in the 1675-1680 MHz band for shared use between incumbent federal users and new, non-federal flexible-use wireless operations (not yet released); a [Report and Order](#) that streamlines and improves the FM translator interference complaint and resolution process ([news release](#)); a [Public Notice](#) seeking comment on how to structure an auction to distribute certain toll free numbers in the new 833 toll free code; an [Order](#) approving Theia Holdings A's application to construct, launch, and operate a satellite constellation that will be used to provide high-resolution earth-imaging data in the United States and globally; and an Order [adopting](#) new rules to improve Video Relay Service (not yet released).
- The House Committee on Energy and Commerce [announced](#) it will hold a hearing on May 15, 2019, entitled "Accountability and Oversight of the Federal Communications Commission."
- An [FCC Notice](#) was published in the Federal Register on May 7, 2019, announcing oppositions to Petitions for Reconsideration of the December 13, 2018 [Reassigned Numbers Database Order](#) filed by the [Professional Association for Customer Engagement](#) and jointly by the [Competitive Carriers Association, CTIA, and USTelecom](#) are due May 22, 2019. Replies are due June 3, 2019. CCA et al. requested the Commission reconsider its decision to merge the administration of the reassigned numbers database with the already consolidated NANP Administrator and Pooling Administrator functions under a single contract and a single administrator. PACE requested the Commission modify the Order to eliminate the requirement that business landline and toll-free numbers be included in the reassigned numbers database and modify the regulation's safe harbor language concerning "dates" to more accurately reflect the Commission's intentions reflected in the explicit language of the Order creating the RND.
- In addition to reply comments reported in a previous edition of *REGScan*, replies were filed on 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. [INCOMPAS](#) urged the Commission to ensure the implementing requirements for Section 503 of the RAY BAUM'S Act are carefully calibrated to address illicit conduct

while simultaneously protecting innovation and competition in the market. It recommended the Commission's definition of "voice services" should exclude one-way calling features, claiming these services do not satisfy the definitional requirements for being "voice services." Forty-two [State Attorneys General](#) encouraged the Commission to adopt the proposed rules, saying they would broaden the authority of the Commission to hold spoofing criminals accountable for the significant harm they inflict on U.S. consumers. They also encouraged the Commission to adopt new rules authorizing voice service providers, who can accurately identify illegally spoofed calls, to block illegally spoofed calls beyond what is authorized in the 2017 Call Blocking Order, and encouraged all voice providers to work together in tracing illegal calls that originate or pass through their networks so the malicious actors can be more easily identified and effectively prosecuted and/or shut down. Comments were also filed by the [Coalition of Higher Education Assistance Organizations](#). [All replies available to date.](#)

- The FCC [deleted](#) from the May 9, 2019 Open Meeting [agenda](#) the [NPRM](#) on proposed regulatory fees for Fiscal Year 2019. The FCC said the item had already been adopted.
- The FCC released an [NPRM](#) on May 8, 2019, seeking comment on the assessment and collection of regulatory fees for FY 2019, including the proposal to collect \$339,000,000 in regulatory fees for FY 2019. It also seeks comment on modifications to the Commission's regulatory fee authority under the RAY BAUM'S Act of 2018. The RAY BAUM'S Act directed the Commission to establish a new schedule of regulatory fees and to provide annual updates thereafter. Comments are due June 7, 2019; replies are due June 24, 2019.
- The Senate Subcommittee on Financial Services and General Government held a [hearing](#) on May 7, 2019, on the Fiscal Year 2020 budget requests for the FCC and Federal Trade Commission. [Chairman Pai](#) testified and discussed the FCC's priorities for 2020, including securing the nation's leadership in 5G, closing the digital divide, and public safety. [FTC Chairman Joseph J. Simons](#) also testified.
- The FCC issued a [Public Notice](#) on May 9, 2019, to announce an upcoming workshop for Tribal governments, Tribal employees, and Tribal members to provide information that will help Tribal Nations identify and evaluate opportunities to develop more robust broadband, telecommunications, and broadcast infrastructure and services in Tribal communities and provide information about the FCC and how it conducts its regulatory responsibilities. The workshop will be held on June 12 and 13, 2019, at the Chickasaw Nation in Norman, Oklahoma.
- The Consumer and Governmental Affairs Bureau issued [two Orders](#) on May 6, 2019, granting complaints alleging Silv Communications changed complainants' telecommunications service providers without obtaining authorization and verification from complainants in violation of the Commission's rules. The Bureau said Silv must remove all charges incurred for service provided to complainants for the first 30 days after the alleged unauthorized change. The Bureau issued a similar [Order](#) against Telplex Communications.
- The Consumer and Governmental Affairs Bureau issued an [Order](#) on May 3, 2019, denying five complaints alleging Telplex Communications changed a complainants' telecommunications service provider without obtaining authorization and verification from complainants in violation of the Commission's rules. The Bureau found Telplex's actions did not result in an unauthorized change in complainant's telecommunications service provider and denied the complaints.
- The Consumer and Governmental Affairs Bureau issued an [Order](#) on May 9, 2019, resolving two complaints filed against Clear Rate Communications that alleged it changed complainants' telecommunications services without obtaining authorization and verification. The Bureau concluded Clear Rate responded fully to the Complainants' complaints and took action to resolve the complaints.

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## Upcoming Filing Dates

- 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. [PN](#)
- 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 7 - Comments due on the [NPRM](#) on May 8, 2019, seeking comment on the assessment and collection of regulatory fees for FY 2019. Replies are due June 24, 2019.
- 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 24 - Replies due on the [NPRM](#) on May 8, 2019, seeking comment on the assessment and collection of regulatory fees for FY 2019.

- 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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