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### May 21, 2018 HIGHLIGHTS

- The FCC issued a [tentative agenda](#) for its June 7, 2018 Open Meeting. The FCC will consider 11 items, including: an [Order](#) granting forbearance from applying USF contribution requirements to rural carriers' broadband internet access transmission services; a [Second Report and Order](#) that will revise section 214(a) discontinuance processes, network change disclosure processes, and the Part 68 customer notification process; an [NPRM](#) proposing reforms to eliminate access arbitrage in the intercarrier compensation regime; and an [FNPRM](#) proposing to transition interstate and intrastate originating 8YY end office and tandem switching and transport charges to bill-and-keep and capping and limiting 8YY database query rates.
- Comments [are due](#) June 18, 2018, on the [NPRM](#) proposing to allow rate-of-return carriers receiving A-CAM support to voluntarily migrate their lower speed circuit-based business data service offerings to incentive regulation. Replies are due July 2, 2018.
- Sixty-three Senators sent a [letter](#) to Chairman Pai expressing support for the recent Order addressing shortfalls in the USF high-cost program and requesting more predictable and long-term solutions that allow the reformed high-cost mechanism to work as designed. Over 130 Congressmen sent a similar [letter](#) urging the FCC to address the remaining gaps in the USF high-cost program.
- The FCC released a [Public Notice](#) to announce the status of the 277 short-form applications received for the CAF Phase II Auction, Auction 903. The auction is scheduled to begin on July 24, 2018.
- The Wireline Competition Bureau [announced](#) the winning bidders and filing deadlines for the New NY Broadband Program Phase 3 auction.
- The Senate [voted](#) on passing a Congressional [Resolution](#) to reverse the Restoring Internet Freedom [Order](#). Rep. Mike Doyle (D-Penn.) [filed](#) a discharge petition to require a vote in the House on a [Congressional Resolution](#) to reverse the Restoring Internet Freedom [Order](#).
- The FCC issued an [Order on Reconsideration](#) denying Smart City Telecommunication's Petition for Reconsideration of the Commission's Order denying its request for waiver governing base period revenue amounts used to calculate Eligible Recovery for rate-of-return ILECs.
- The Wireline Competition Bureau [seeks comments](#) on CenturyLink's [Petition](#) for a Declaratory Ruling as to the applicability of end office local switching access reciprocal compensation, under section 51.913, for traffic that originates from or terminates to an end user customer of an over-the-top VoIP provider that partners with a LEC to exchange traffic to and from the PSTN. Comments are due June 18, 2018; replies are due July 3, 2018.

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### Other Key Upcoming Dates

- May 25 - Comments due on the [NPRM](#) on high-cost rate-of-return USF reform. Replies due June 25, 2018.
- June 4 - Comments due on the [Third FNPRM](#) on rural call completion. Replies are due June 19, 2018.
- June 7 - Comments due on the [FNPRM](#) on robocalls. Replies are due July 9, 2018. [FR](#)

## USF Reform

- Sixty-three Senators, led by Deb Fischer (R-Neb.) and Amy Klobuchar (D-Minn.), sent a [letter](#) to Chairman Pai on May 15, 2018, expressing support for the recent Order addressing shortfalls in the USF high-cost program and requesting more predictable and long-term solutions that allow the reformed high-cost mechanism to work as designed. Over 130 Congressmen sent a similar [letter](#) to Pai on May 16, 2018, urging the FCC to address the remaining gaps in the USF high-cost program. [press release](#) | [press release](#)
- The Rural Broadband Auctions Task Force and the Wireless Telecommunications and Wireline Competition Bureaus released a [Public Notice](#) on May 14, 2018, to announce the status of the 277 short-form applications received for the CAF Phase II Auction, Auction 903. The auction, which is scheduled to begin on Tuesday, July 24, 2018, will award up to \$1.98 billion over 10 years to service providers that commit to offer voice and broadband services to fixed locations in unserved high-cost areas. The Public Notice provides information on completed and incomplete applications, and on the modification and resubmission of short-form applications.
- The Wireline Competition Bureau issued a [Public Notice](#) on May 18, 2018, announcing the winning bidders and filing deadlines for the New NY Broadband Program Phase 3 auction. Winning bidders must submit long-form applications to the FCC by June 4, 2018. No later than November 4, 2018, any applicant currently not yet designated as an ETC in the areas in which it seeks CAF Phase II support must submit to the Commission the relevant ETC designation order, along with a letter from an officer of the applicant certifying that the applicant has been designated as an ETC in the areas in which it is seeking CAF Phase II support. Also, by November 4, 2018, any applicant that did not provide three years of audited financial statements to New York must submit to the Commission financial statements from the prior fiscal year that are audited by a certified public accountant.
- The FCC published a [Notice](#) in the Federal Register on May 21, 2018, announcing the amendments to section 54.309(a)(2)(iii) & (iv)(CAF Phase II public interest obligations) are effective June 20, 2018. The rule was amended in the Commission's March 2017 [Report and Order and Order on Reconsideration](#), but was inadvertently [left out](#) of the Order's Appendix.
- Chairman Pai sent a [letter](#) to Sen. Claire McCaskill (D-Mo.) on May 10, 2018, to respond to her [letter](#) regarding the CAF Phase II auction. Pai said the Commission decided to require applicants to establish baseline financial and technical capabilities to bid and to preclude applicants from bidding for support at speed tiers and latencies that are inconsistent with their underlying technologies. He also said they have structured the CAF II mechanism to promote competition and efficiency.
- The Rural Broadband Auctions Task Force issued a [Public Notice](#) on May 16, 2018, announcing a May 22, 2018, free presentation on the process for challenging the identification of areas initially deemed ineligible for USF funding through the Mobility Fund Phase II reverse auction. It indicated the presentation will focus on the process by which interested parties can challenge the initial map of ineligible areas, and will be held in Concord, NH.
- Clarity Telecom, dba Vast Broadband, filed a [Petition for Reconsideration](#) on May 10, 2018, seeking reconsideration of the decision in the March 23, 2018 [Order](#) to provide additional support to fund model-based broadband deployment. Clarity requested the FCC make a minor increase in the amount of additional A-CAM support to fund the locations that were precluded from receiving support due to an inadvertent clerical error. It suggested, at the very least, the Commission should seek comment on including these "abandoned locations" in the USF NPRM as it considers additional A-CAM funding opportunities.
- Mescalero Apache Telecom and Alexicon [met with](#) Chairman Pai's Advisor on May 11, 2018, to express concern over the condition limiting relief from the OpEx limitation rule to those carriers who have not deployed broadband service to 90 percent or more of housing units served, claiming it unnecessarily harms MATI and its customers. MATI asserted the condition was adopted without

sufficient explanation as to why such a condition is necessary, without record support for such a condition, and with no notice that the Commission was contemplating such an action. MATI claimed it does not actually serve 90 percent of customers with 10/1 Mbps broadband service, and therefore MATI should be eligible for the relief.

- Adak Eagle Enterprises [spoke to](#) Chairman Pai's Advisor on May 14, 2018, regarding its Petition for Reconsideration of the FCC decision to deny AEE the second offer of A-CAM support. It also discussed the March 2018 [RoR USF Reform Order](#) and the further support offer therein.
- USTelecom [met with](#) Chairman Pai's Advisor and Wireline Competition Bureau staff on May 15, 2018, to state that as the Commission moves forward with the CAF Phase II Auction, it will need to address the treatment of obligations and support for voice services in high cost areas that are not funded as part of the CAF II program. USTelecom emphasized the need for support in these costly areas which are not otherwise economically viable.
- Allband Communications, Public Law Resource Center, and JSI [met with](#) Commissioner Carr's Advisor on May 14, 2018, to discuss Allband's Application for Review of the Bureau's 2018 Allband Waiver Order that granted in part and denied in part Allband's Petition for Waiver of the per line cap on USF support.
- Senator Joe Manchin III (D-WV) filed a [Petition for Waiver](#) on May 15, 2018, to participate in the Mobility Fund II challenge process. Sen. Manchin claimed he has a bona fide interest in the challenge process and has the plausible ability to submit a valid challenge because he has authority to provide mobile broadband service to members of his staff who require frequent travel throughout West Virginia.

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## Open Internet

- The Senate [voted](#) on May 16, 2018, passing a Congressional [Resolution](#) to reverse the Restoring Internet Freedom [Order](#). Statements were issued by [Sens. Greg Walden \(R-Ore.\) and Marsha Blackburn \(R-Tenn.\)](#), Chairman [Pai](#), and Commissioners [Rosenworcel](#) and [Carr](#).
- Rep. Mike Doyle (D-Penn.) [announced](#) on May 17, 2018, he has filed a discharge petition to require a vote in the House on a [Congressional Resolution](#) to reverse the Restoring Internet Freedom [Order](#). The Petition is not yet available.

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## ICC

- The Wireline Competition Bureau issued a [Public Notice](#) on May 17, 2018, announcing it has opened WC Docket No. 18-155, which is captioned "Updating the Intercarrier Compensation Regime to Eliminate Access Arbitrage."
- The Wireline Competition Bureau issued a [Public Notice](#) on May 17, 2018, announcing it has opened WC Docket No. 18-156, which is captioned "8YY Access Charge Reform."
- The FCC issued an [Order on Reconsideration](#) on May 18, 2018, denying Smart City Telecommunication's Petition for Reconsideration of the Commission's Order denying its request for waiver governing base period revenue amounts used to calculate Eligible Recovery for rate-of-return ILECs. Smart City sought reconsideration of its waiver request to include in its Fiscal Year 2011 BPR amounts received after the March 31, 2012 cutoff from a settlement of unpaid switched access charges. The FCC found Smart City failed to present any arguments warranting reconsideration.

- The Wireline Competition Bureau issued a [Public Notice](#) on May 18, 2018, seeking comment on CenturyLink's [Petition](#) for a Declaratory Ruling as to the applicability of end office local switching access reciprocal compensation, under section 51.913, for traffic that originates from or terminates to an end user customer of an over-the-top VoIP provider that partners with a LEC to exchange traffic to and from the PSTN. Comments are due June 18, 2018; replies are due July 3, 2018.
- CenturyLink filed a [Petition for Declaratory Ruling](#) on May 11, 2018, seeking a ruling as to the applicability of end office local switching access reciprocal compensation, under section 51.913, for traffic that originates from or terminates to an end user customer of an "over the top" VoIP provider that partners with a LEC to exchange traffic to and from the PSTN. It noted this issue was the subject of a declaratory ruling issued by the Commission in 2015, and that decision was subsequently vacated and remanded by the D.C. Court of Appeals. It also claimed that decision did not decide the proper interpretation of the access reciprocal compensation rules as applied to toll traffic to or from end users of "over the top" VoIP. CenturyLink asserted the proper interpretation of the rule as applied to VoIP traffic exchanged with the PSTN is that it permits a LEC partnered with a VoIP provider to collect end office local switching access reciprocal compensation when the LEC and/or its VoIP partner perform certain critical call initiation or termination processes, irrespective of whether the VoIP provider also controls last-mile facilities used to reach the VoIP provider's end user customer.
- Rebuttals were filed on May 17, 2018, to oppositions to Aureon's [Direct Case](#) in the proceeding [investigating](#) the lawfulness of its tariff revisions, filed on February 22, 2018. [Aureon](#) said the FCC should find that Aureon's current tariff rate of \$0.00576 is just and reasonable and should permit Aureon to charge a CEA rate equal to or less than its default transitional rate of \$0.00819. Aureon said this would obviate the need for Aureon to conduct cost studies, relieve the FCC from the burden of reviewing Aureon's tariff filings, and conducting tariff investigation proceedings. [South Dakota Network](#) asserted the arguments of AT&T and Sprint should be rejected and claimed AT&T and Sprint appear focused on the transport services offered by Aureon and do not separately address Aureon's CEA switching service. SDN also asserted AT&T and Sprint do not argue or show that CenturyLink's tandem switching service is the same as CEA switching service and, in fact, it is not.
- The Wireline Competition Bureau issued a [Public Notice](#) on May 15, 2018, seeking comment on SDN's [Petition for Waiver](#) and Minnesota Independent Equal Access Corporation's [Petition for Expedited Temporary Waiver](#) of section 69.3(f)(1), which requires them to submit their biennial access tariff filings with an effective date of July 1, 2018. SDN seeks permission to submit its biennial access tariff on September 17, 2018, with an effective date of October 2, 2018, and MIEAC seeks a waiver until October 2, 2018. Both Petitioners cite the FCC's pending [investigation](#) of Aureon's tariff as the reason for the waivers. Comments are due May 25, 2018.
- AT&T [met with](#) Wireline Competition Bureau staff on May 14, 2018, to discuss the issues raised by Aureon's [Direct Case](#) and [AT&T's \(attachment\)](#) Opposition to the Direct Case, in the case [investigating](#) the lawfulness of Aureon's tariff revisions. AT&T explained the basis for its conclusions that Aureon's proposed tariff rate is not just and reasonable and was not properly calculated and supported under the requirements of section 61.38. AT&T addressed the deficiencies in Aureon's lease calculation, the misallocation of CWF costs, and Aureon's traffic demand forecast.
- The Wireline Competition Bureau issued [an Order](#) on May 15, 2018, granting South Dakota Network's [Motion](#) to withdraw its Petition for Expedited Declaratory Ruling regarding a contract between SDN and an IXC for the purpose of terminating large volumes of traffic bound to a CLEC engaged in access stimulation. The Bureau noted SDN had informed the Commission that it and other parties to a related South Dakota state court proceeding "satisfactorily resolved their disputes."

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## Broadband

- Chairman Pai sent [letters](#) to 16 Senators on May 9, 2018, in response to their [letter](#) on the copper retirements portion of the wireline broadband infrastructure [Order](#). Pai said, should a carrier seek to

stop offering traditional telephone service or reduce that service through a de facto copper retirement, the Commission's rules still require that carrier to provide advance notification to affected customers and to seek Commission permission through the section 214 discontinuance of service process. Pai also said FCC rules still ensure that replacement services are compliant with 911 obligations and accessible to individuals with disabilities. Pai sent a similar [letter](#) to Sen. Joe Manchin (D- W.Va.) in response to his [letter](#) on copper retirements.

- The FCC issued a [Public Notice](#) on May 18, 2018, announcing Chairman Pai has appointed members to serve on the Harmonization working group of the Broadband Deployment Advisory Committee. A list of all appointees is attached to the Public Notice.
- INCOMPAS filed a [Motion](#) on May 11, 2018, for an extension of time to file comments on USTelecom's [Petition for Forbearance](#) from certain regulatory obligations placed on ILECs. INCOMPAS seeks an extension for an additional 60 days, until August 6, 2018, and an extension of the time for reply comments for 30 days thereafter. INCOMPAS claimed USTelecom's Petition is complex and warrants a longer comment cycle. [The Midwest Association of Competitive Communications](#) filed in support of INCOMPAS's request. [CALTEL](#) filed a similar motion to extend the comment cycle, and requested the Commission issue a protective order in this proceeding.
- NARUC filed a [Motion](#) on May 16, 2018, to request an expansion of time of the comment cycle on USTelecom's [Petition for Forbearance](#) from certain regulatory obligations imposed on ILECs. It noted the Petition has already drawn three requests for an extension of the comment cycle, and said the issues raised are complex and will, without question, impact both competition and State regulatory authority and options. NARUC requested a minimum extension of 60 days for the comments, through and including August 6, 2018, with reply comments due 30 days later, on September 5, 2018.
- CALTEL filed a revised [Motion](#) on May 15, 2018, for an extension of time to file comments on USTelecom's [Petition for Forbearance](#) from certain regulatory obligations placed on ILECs. It requested an additional 60 days, until August 6, 2018, with replies due September 5, 2018. CALTEL also requested the Commission issue a protective order in this proceeding. CALTEL asserted the issues raised in USTelecom's petition are complex and will have a broad impact on competition and competitive choice in California, and compilation and analysis of relevant data will require significant time and resources to complete.
- The Public Utilities Commission of Ohio filed a [Motion](#) on May 18, 2018, to request an extension of time to file comments on USTelecom's [Petition for Forbearance](#) from certain regulatory obligations imposed on ILECs. The PUC requested an extension of 60 days for the comments, through and including August 6, 2018, with reply comments due 30 days later, on September 5, 2018.
- NASUCA filed a [letter](#) on May 18, 2018, expressing support for the motions by INCOMPAS, CALTEL, and the Midwest Association of Competitive Communications for an extension of time to file comments on USTelecom's [Petition for Forbearance](#) from certain regulatory obligations imposed on ILECs.
- Granite Telecommunications filed a [letter](#) on May 15, 2018, in support of INCOMPAS's Motion to Dismiss USTelecom's [Petition for Forbearance](#) from certain ILEC regulatory obligations and its Motion for Extension of Time to file comments on the Petition. Granite claimed the Commission's own rules and the Administrative Procedure Act require that the Commission grant one of the INCOMPAS' motions.
- AT&T filed a [letter](#) on May 15, 2018, on reforms to the service discontinuance process and copper retirement rules. AT&T said the FCC's proposal to streamline the approval process for applications seeking to grandfather data services should not be limited to data services with speeds of less than 25/3 Mbps. AT&T also said the Commission should adopt a presumption that interconnected VoIP and wireless voice services that satisfy the Commission's applicable 911 and accessibility regulations are adequate alternatives for legacy voice service. AT&T suggested the Commission should grant forbearance from applying the section 214(a)'s discontinuance requirement when a service has had no customers or reasonable requests for service during the 30-day period immediately preceding

discontinuance under certain scenarios, and asserted CPE notice requirements embodied in rules 68.110(b) and 51.325(a)(3) are outdated and should be eliminated.

- The FCC issued a [Public Notice](#) on May 14, 2018, announcing the Technological Advisory Council will hold a meeting on June 12, 2018, to discuss progress on work initiatives discussed at the previous meeting.
- NCTA, Comcast, Charter Communications, and Cox [met with](#) Wireline Competition Bureau and Media Bureau staff on May 15, 2018, to discuss access to public rights-of-way that were raised in the wireline infrastructure proceeding. They claimed in some places cable operators are being asked to pay duplicative franchise fees or obtain unnecessary additional authorizations and some cable operators are being deprived of their ability to deploy facilities in utility easements. They asked the Commission to streamline the regulatory burdens that arise under Title VI cable franchises and clarify the full scope of cable operator rights under those franchises.
- Sprint [met with](#) Commission Carr and his Legal Advisor on May 15, 2018, to discuss wireless infrastructure deployment. Sprint encouraged the FCC to streamline state and local siting procedures by establishing shot clocks with a deemed granted remedy for small cell deployments in the public rights-of-way; limiting permissible local fees to direct and actual costs incurred by a locality; and clarifying provisions within Sections 332 and 253 of the Communications Act to mandate access for wireless carriers to public rights of way.
- AT&T [met with](#) Commissioner Carr and his Legal Advisor on May 16, 2018, to reiterate the FCC has authority under section 253 and 332 to set clear guidelines for state, localities and municipalities on fees and timelines associated with small cell deployments. AT&T also said it continues to stress that fees should be cost based and that local jurisdictions cannot discriminate against a wireless facility in the right of way.
- Crown Castle [met with](#) Commissioner Carr and his Legal Advisor on May 16, 2018, to discuss issues relating to ensuring timely access to the right-of-way for broadband facilities and addressing legal issues such as the proper standard for prohibition and how to implement deemed granted procedures.
- The Competitive Carriers Association [met with](#) Commissioner Carr and his Legal Advisor on May 15, 2018, to encourage the FCC to expeditiously address state and local siting procedures by shortening shot clocks for collocations and other deployments. CCA also suggested: limiting permissible local fees to nondiscriminatory, publicly-disclosed actual costs; creating a mechanism for batched application review; and clarifying provisions within sections 332 and 253.
- Altice [met with](#) Legal Advisors to Chairman Pai and Commissioners O’Rielly, Carr, and Rosenworcel on May 16, 2018, to discuss the processes it has encountered for obtaining permits to site FTTH facilities and the positions of certain municipalities with respect to authorizations for wireless equipment.

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## Universal Service

- The Wireline Competition Bureau issued a [Public Notice](#) on May 19, 2018, announcing the opening of WC Docket No. 18-143, The Uniendo a Puerto Rico Fund and the Connect USVI Fund.
- Chairman Pai sent [letters](#) to Sen. John Tester (D-Mont.) and Gov. Steve Bullock on May 10, 2018, to respond to their [letter](#) that expressed concern with FCC regulations that he said is causing delays on certain school broadband projects in rural areas. Pai said there have been serious flaws in the administration of the E-Rate program, which is why he has asked USAC to improve administration of E-Rate so that schools and libraries in need do not get trapped by unnecessary technicalities.

- A group of 30 U.S. Senators sent a [letter](#) to Chairman Pai on May 14, 2018, to urge the FCC to increase the current Rural Health Care funding cap to account for the current demand and future growth of program recipients. They said in 2016, for the first time ever, the demand for RHC funding exceeded the cap and funding to recipients was reduced by 7.5 percent. They asserted that unless the spending cap is raised appropriately to account for current needs and future growth, health care providers in rural areas will encounter severe rate increases for their broadband services. [press release](#)
- WTA [met with](#) Chairman Pai's Special Counsel on May 15, 2018, to discuss the [NPRM](#) proposing ways to ensure that USF support is not used to purchase equipment or services from companies posing a national security threat to the integrity of communications networks or the communications supply chain. WTA noted the initial concerns of a few of its members who may be impacted by a potential ban on certain vendors. WTA stressed that any future decision would need to come with certainty that rural providers can rely on when deploying broadband.
- USTelecom [met with](#) Wireline Competition Bureau staff on May 15, 2018, to discuss the [NPRM](#) proposing ways to ensure USF support is not used to purchase equipment or services from companies posing a national security threat to the integrity of communications networks or the communications supply chain. USTelecom asserted communications supply chain risk discussions very closely related to the issues set forth in the NPRM are currently taking place at the Department of Homeland Security, the Department of Commerce, and in Congress, and urged the FCC to closely coordinate with its federal government counterparts as it develops and considers the record in this proceeding.
- The House Subcommittee on Communications and Technology held a [hearing](#) on May 16, 2018, entitled "Telecommunications, Global Competitiveness, and National Security." Witnesses included: [Dr. Charles Clancy](#), Director and Professor, Hume Center for National Security and Technology, Virginia Tech; [Ms. Samm Sacks](#), Senior Fellow, Technology Policy Program, Center for Strategic and International Studies; and [Mr. Clete Johnson](#), Partner, Wilkinson Barker Knauer, LLP.
- The Wireline Competition Bureau released a [Public Notice](#) on May 17, 2018, granting, denying, and dismissing various petitions related to actions taken by USAC on E-rate. Petitions for reconsideration or applications for review of these decisions must be filed within 30 days of the Public Notice.
- The FCC published a [Notice](#) in the Federal Register on May 17, 2018, seeking PRA comments on an extension of a currently approved information collection associated with the selection of USAC Board of Directors and ensuring that requests for review are filed properly with the Commission. PRA comments are due July 16, 2018.

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## Misc.

- The FCC issued a [tentative agenda](#) for its June 7, 2018 Open Meeting. The FCC will consider: an [Order](#) granting forbearance from applying USF contribution requirements to rural carriers' broadband internet access transmission services; a [Second Report and Order](#) that will revise section 214(a) discontinuance processes, network change disclosure processes, and the Part 68 customer notification process; an [NPRM](#) proposing reforms to eliminate access arbitrage in the intercarrier compensation regime; an [FNPRM](#) proposing to transition interstate and intrastate originating 8YY end office and tandem switching and transport charges to bill-and-keep and capping and limiting 8YY database query rates; a [Declaratory Ruling and NPRM](#) that will clarify the FCC's rules regarding the authorization required to text-enable a toll-free number, and proposing further safeguards to promote the use of toll free numbers; a [Report and Order](#) to protect consumers from slamming and cramming; a [Report and Order, Declaratory Ruling, FNPRM, and NOI](#) on IP CTS; a [Third Report and Order, Memorandum Opinion and Order, and Third FNPRM](#) that would continue efforts to make available millimeter wave spectrum, in bands at or above 24 GHz, for fifth-generation wireless, Internet of

Things, and other advanced spectrum-based services; an [Order and Authorization](#) that would grant Audacy's request to construct, deploy, and operate a proposed non-geostationary satellite; an [Order and Declaratory Ruling](#) that would grant a request to modify O3b's existing U.S. market access grant by adding new non-geostationary satellites and new frequency bands for broadband services; an [FNPRM](#) that tentatively concludes the Commission should vacate its 2008 Leased Access Order; and an enforcement action.

- Chairman Pai wrote a [blog post](#) on May 16, 2018, on the agenda for the Commission's June 7, 2018 Open Meeting. He said the FCC will consider: an Order that would relieve small, rural carriers from having to pay USF contributions on broadband services; an Order that would make it easier for companies to discontinue outdated, legacy services and transition to the networks of the future; and an item proposing new rules banning misrepresentations made during sales calls and a prohibition against placing unauthorized charges on consumers' phone bills. He also said the FCC will consider items on freeing up spectrum, expanding satellite services, improving accessibility, and ensuring texting capabilities of toll-free numbers are not hijacked by unauthorized parties.
- The FCC [published](#) in the Federal Register on May 17, 2018, the [NPRM](#) proposing to allow rate-of-return carriers receiving A-CAM support to voluntarily migrate their lower speed circuit-based business data service offerings to incentive regulation. Comments are due June 18, 2018; replies are due July 2, 2018. The Wireline Competition Bureau issued a [Public Notice](#) on May 18, 2018, announcing the due dates for comments and replies on the [NPRM](#).
- The FCC published a [Notice](#) in the Federal Register on May 15, 2018, seeking PRA comments on a revision of a currently approved information collection associated with the 2017 Business Data Services [Order](#). The Order, among other things, required that within 36 months of its effective date (i.e., by August 1, 2020), price cap ILECs must remove all business data services that are no longer subject to price cap regulation from their interstate tariffs. PRA comments are due June 14, 2018.
- The FCC issued a [news release](#) on May 14, 2018, announcing Chairman Pai has accepted the [recommendations](#) of the NANC for industry to quickly establish a Governance Authority for implementing the SHAKEN/STIR framework. The SHAKEN/STIR framework is the industry-developed standard for the cryptographic signing of telephone calls, and is intended to eliminate the use of illegitimate spoofed numbers from the telephone system. The NANC Report anticipates the Governance Authority and Policy Administrator will be operational within the year, and certain providers could be capable of signing and validating SHAKEN/STIR calls in this timeframe as well.
- Chairman Pai sent [letters](#) to 15 Senators on May 8, 2018, to respond to their [letter](#) urging the Commission to ensure key robocall and robotext protections under the Telephone Consumer Protection Act are in effect. They asserted a recent [court ruling](#) could be interpreted to suggest that callers could limit consumers' method to revoke consent to receive robocalls and robotexts through provisions buried in contracts or service agreements. Pai said the FCC has aggressively enforced the TCPA as well as the Truth in Caller ID, leveling over \$200 million in proposed fines against illegal robocallers. He also said the court the ruling does not impact the Commission's current efforts to address illegal robocalls and spoofing.
- AT&T [met with](#) FCC staff on May 14, 2018, to discuss AT&T's plans for implementation of SHAKEN/STIR. AT&T said it plans to implement SHAKEN/STIR in parallel with the industry timeline for establishing the SHAKEN/STIR governance structure, and it plans to conduct further testing in 2018 and begin a general rollout in 2019.
- Sprint [met with](#) Wireline Competition Bureau staff on May 11, 2018, to indicate its support for the adoption of SHAKEN/STIR call authentication by carriers, but cautioned there are logistical obstacles to immediate deployment, and said even when it is deployed, it will not be an immediate silver bullet that will eliminate illegal robocalls. Sprint noted that merely signing calls will not combat robocalls unless intermediate carriers, terminating carriers, and equipment manufacturers are all supporting the protocols and providing information to analytics companies for ultimate use by the recipient of the call.



Sprint also highlighted the advances that analytics companies have made in identifying robocalls and displaying that information to customers.

- The FCC published a [Notice](#) in the Federal Register on May 15, 2018, seeking PRA comments on a new information collection associated with amended rules requiring that carriers honor privacy requests. The rule was amended to state that section 64.1601(b) shall not apply when calling party number delivery is made in connection with a threatening call. The FCC also amended rules to allow non-public emergency services to receive the CPN of all incoming calls from blocked numbers requesting assistance. PRA comments are due June 14, 2018.
- The Senate Subcommittee on Financial Services and General Government held a [hearing](#) on May 17, 2018, to review the FCC's and FTC's Fiscal Year 2019 funding requests. FCC [Chairman Pai](#) said the budget request will provide the resources necessary to advance the FCC's critical strategic goals: closing the digital divide; promoting innovation; protecting consumers and public safety; and reforming the FCC's processes. [Joseph Simons, FTC Chairman](#), discussed the FTC's mission, including protecting consumers from fraud, consumer privacy enforcement, ensuring truthfulness in national advertising, and public outreach and education.
- Sens. Mike Lee (R-Utah), Orrin Hatch (R-Utah), Thom Tillis (R-N.C.), and Chuck Grassley (R-Iowa) [introduced](#) the Standard Merger and Acquisition Reviews Through Equal Rules Act, or SMARTER Act, on May 15, 2018, which would require the FTC to go through the same procedures that the Department of Justice must go through when enforcing antitrust law, and would require the FCC to issue merger review decisions expeditiously. The bill is not yet available. [Commissioners Carr](#) and [O'Rielly](#) issued statements.

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## Upcoming Filing Dates

- May 21 - PRA comments due on a new information collection on the Application for CAF Phase II Auction Support, FCC Form 683 and on a revision of a currently approved collection associated with High Cost USF support forms. [Notice](#)
- May 21 - Oppositions due to the U.S. Department of Justice's request for NRUF and LNP data in connection with its investigation of the proposed merger of T-Mobile and Sprint. [Public Notice](#)
- May 25 - Comments due on the NPRM portion of the March 23, 2018, [Report and Order, Third Order on Reconsideration, and NPRM](#) on high-cost USF rate-of-return reform. Reply comments are due June 25, 2018. [FR](#)
- May 25 - Comments due on SDN's [Petition for Waiver](#) and Minnesota Independent Equal Access Corporation's [Petition for Expedited Temporary Waiver](#) of section 69.3(f)(1), which requires them to submit their biennial access tariff filings with an effective date of July 1, 2018. [Public Notice](#)
- May 29 - PRA comments due on revisions to Lifeline and ETC Forms 555, 481, 497, 5629, 5630 and 5631. The revisions implement the requirement that ETCs provide written notice to their customers who are currently receiving enhanced support but will no longer be eligible for enhanced Tribal support. [Notice](#)
- May 29 - CAF Phase I Round 2 challenges due on previously unidentified census blocks served by FairPoint. [Public Notice](#)
- June 1 - Comments due the [NPRM](#) proposing ways to ensure that USF support is not used to purchase equipment or services from companies posing a national security threat to the integrity of communications networks or the communications supply chain. Replies are due July 2, 2018. [FR](#)

- June 4 - Comments due on the [Third FNPRM](#) on rural call completion. The FCC seeks comment on: proposed rules to implement the recently enacted Improving Rural Call Quality and Reliability Act of 2017, and sunsetting the recording and retention rules established in the RCC Order upon implementation of the RCC Act. Replies are due June 19, 2018.
- June 7 - Comments due on the [FNPRM](#) on ways to address the problem of unwanted calls to reassigned numbers. Replies due July 9, 2018. [FR](#)
- June 7 - Comments due on USTelecom's [Petition for Forbearance](#) from certain ILEC regulatory obligations. Replies are due June 22, 2018. [Public Notice](#)
- June 14 - PRA comments due on a revision of a currently approved information collection associated with the 2017 Business Data Services [Order](#). [Notice](#)
- June 14 - PRA comments due on a new information collection associated with amended rules requiring that carriers honor privacy requests. [Notice](#)
- June 18 - Comments due on the [NPRM](#) proposing to allow rate-of-return carriers receiving A-CAM support to voluntarily migrate their lower speed circuit-based business data service offerings to incentive regulation. Replies are due July 2, 2018. [FR](#)
- June 18 - Comments due on CenturyLink's [Petition](#) for a Declaratory Ruling as to the applicability of end office local switching access reciprocal compensation, under section 51.913, for traffic that originates from or terminates to an end user customer of an over-the-top VoIP provider that partners with a LEC to exchange traffic to and from the PSTN. Replies are due July 3, 2018. [Public Notice](#)
- June 19 - Replies due on the [Third FNPRM](#) on rural call completion. The FCC seeks comment on: proposed rules to implement the recently enacted Improving Rural Call Quality and Reliability Act of 2017, and sunsetting the recording and retention rules established in the RCC Order upon implementation of the RCC Act.
- June 22 - Replies due on USTelecom's [Petition for Forbearance](#) from certain ILEC regulatory obligations. [Public Notice](#)
- June 25 - Petitions due seeking to suspend or reject tariff filings made on 15 days' notice. Replies due June 28, 2018. [Order](#)
- June 25 - Replies due on the NPRM portion of the March 23, 2018, [Report and Order, Third Order on Reconsideration, and NPRM](#) on high-cost USF rate-of-return reform. [FR](#)
- July 2- Replies due the [NPRM](#) proposing ways to ensure that USF support is not used to purchase equipment or services from companies posing a national security threat to the integrity of communications networks or the communications supply chain. [FR](#)
- July 2 - Replies due on the [NPRM](#) proposing to allow rate-of-return carriers receiving A-CAM support to voluntarily migrate their lower speed circuit-based business data service offerings to incentive regulation. [FR](#)
- July 3 - Replies due on CenturyLink's [Petition](#) for a Declaratory Ruling as to the applicability of end office local switching access reciprocal compensation, under section 51.913, for traffic that originates from or terminates to an end user customer of an over-the-top VoIP provider that partners with a LEC to exchange traffic to and from the PSTN. [Public Notice](#)
- July 9 - Replies due on the [FNPRM](#) on ways to address the problem of unwanted calls to reassigned numbers. [FR](#)

- July 16 - PRA comments due on an extension of a currently approved information collection associated with the selection of USAC Board of Directors and ensuring that requests for review are filed properly with the Commission. [Notice](#)

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