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June 4, 2018 HIGHLIGHTS

- The FCC issued the [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) service 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.
- Chairman Pai released [a statement](#) on the announcement that President Trump intends to nominate Geoffrey Starks to serve as an FCC Commissioner.
- The FCC issued an [Order and NPRM](#) establishing the funds for Puerto Rico and the U.S. Virgin Islands to rebuild, improve and expand voice and broadband networks. Comments are due 21 days after publication in the Federal Register; replies due 35 days after FR publication. ([News release](#))
- [Comments were filed](#) on the NPRM portion of the March 23, 2018 [Report and Order, Third Order on Reconsideration, and NPRM](#) on RoR high-cost USF reform. Replies due June 25, 2018. [FR](#)
- [Mescalero Apache Telecom](#) and [Sacred Wind Communications](#) filed Petitions for Reconsideration of the Tribal OpEx Relief [Order](#).
- NTCA [discussed](#) the two [draft NPRMs](#) on intercarrier compensation arbitrage, and urged the FCC to retain focus on arbitrage issues and to avoid broader sweeping debates. NTCA also urged the FCC to act on its forbearance [Petition](#) on USF contributions and the NPRM on the local service rate floor.
- The FCC [extended](#) the due date to file comments and reply comments until August 6, 2018, and September 5, 2018, respectively, on USTelecom's [Petition for Forbearance](#) from certain regulatory obligations imposed on ILECs. The Bureau also issued a [Protective Order](#).
- NTIA [seeks comments](#) on ways to improve identifying gaps in broadband availability. Comments are due July 16, 2018.
- ITTA [suggested](#) the Senate Agriculture Committee not allow RUS loan or grant monies to be used to overbuild networks already supported by the federal USF. ITTA, USTelecom, ACA, and NCTA also [asked](#) the Senate to focus funding on areas where either all, or at least 90 percent, do not have broadband service.
- USAC filed the [Federal Universal Service Support Mechanism Quarterly Contribution Base](#), and revised [Universal Service Support Mechanisms Fund Size Projections for the Third Quarter 2018](#).
- [Comments were filed](#) on the supply chain security [NPRM](#). Replies due July 2, 2018.

Other Key Upcoming Dates

- 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

- The FCC issued an [Order and NPRM](#) on May 29, 2018, establishing the Uniendo, a Puerto Rico USF Fund, and the Connect USVI Fund to rebuild, improve, and expand voice and broadband networks in Puerto Rico and the U.S. Virgin Islands. The FCC made available up to \$750 million to carriers in Puerto Rico, including an immediate infusion of \$51.2 million for restoration efforts in 2018. The FCC also made available up to \$204 million to carriers in the USVI, including an immediate infusion of \$13 million for restoration efforts in 2018. The NPRM seeks comment on allocating approximately \$444.5 million for Puerto Rico and \$186.5 million for the USVI over the next decade for the expansion of fixed broadband connectivity, and allocating approximately \$259 million in medium-term funding for the expansion of 4G LTE mobile broadband connectivity in Puerto Rico and the USVI. Comments are due 21 days after publication in the Federal Register; replies due 35 days after FR publication. ([News release](#))
- In addition to comments listed in a previous edition of *REGScan*, comments were filed on May 25, 2018, on the [NPRM](#) on revising the high-cost budget for RoR carriers, extending a new offer of model-based support, fully funding carriers that have already accepted A-CAM support, and changes to the budget control mechanism, among other things. The [Concerned Rural LECs](#), among other things, said the Commission should eliminate the Rural Growth Factor from the calculation of HCLS and replace it with a pure inflationary factor and rebase the cap on HCLS to account for the negative impact of the RGF in prior years. They also suggested there should be separate budgets for the various RoR support mechanisms and the RoR budget should be increased to make it feasible for many RoR carriers to offer standalone broadband at affordable rates. [ITTA](#), among other things, said the Commission must fully fund the legacy mechanisms and provide up to \$200/month per eligible location to A-CAM plan participants, and should further promote efficient deployment by extending a second A-CAM offer. ITTA also said if the Commission adopts a reasonable threshold level of annual support that should not be subject to a budget cap. [Blooston Rural Carriers](#) said the FCC should adopt a budget that, at a minimum, accounts for rising costs of providing service, and must eliminate the RGF and modify, if not eliminate, the BCM so that a significant portion of USF support is predictable. They also supported the proposal to extend a second model offer and/or increase funding in exchange for increased service deployment obligations only if they do not result in reduced support for legacy support carriers. [All comments available to date](#). Reply comments are due June 25, 2018.
- Chairman Pai sent letters to [Sen. Roger Wicker \(R-Miss.\) and 29 other Senators](#) on May 30, 2018, in response to their letter on the accuracy of the FCC's map of eligible areas for Mobility Fund Phase II support and the challenge process. Pai said the FCC changed the parameters of speed testing for challengers, reducing the number of measurements required to successfully challenge an area, and said the FCC plans to release the list of qualifying handsets to the public in the next two weeks so that local governments can more easily enlist volunteers. Pai also said he supports extending the challenge process window by 90 days and directed the Rural Broadband Auctions Task Force to figure out the procedural steps necessary to do that. Pai said by lengthening the period during which challenges can be submitted, challengers will have an opportunity to conduct additional tests, which in turn means a more accurate map for carrying out the MF II auction.
- Chairman Pai sent a [letter](#) to Sen. Joe Manchin III (D- W.V.) on May 16, 2018, in response to his letter regarding the participation of state and local entities in the Mobility Fund II challenge process. Pai said FCC staff have conducted extensive outreach to governmental entities to make them aware of their opportunity to participate in the challenge process, holding a webinar on the challenge process for state, local, and tribal government entities on May 3, 2018, providing a presentation on the challenge process on May 18, 2018, in West Virginia, and planning similar outreach events in six other states. Pai also advised that the FCC has taken steps to reduce the burden on governmental entities interested in submitting challenges.
- Mescalero Apache Telecom filed a [Petition for Reconsideration](#) on May 30, 2018, of the [Report and Order](#) that allowed certain rate-of-return carriers serving Tribal communities to recover higher levels of operational expenses, but limited this relief to carriers who have not deployed broadband service of 10/1 Mbps to 90 percent or more of the housing units on the Tribal lands in their study area. MATI

claimed the 90 percent condition unnecessarily harms MATI and its customers, and requested that carriers subject to the 90 percent condition be permitted to submit additional information to demonstrate their actual deployment levels in order to avail themselves of the relief. MATI also claimed the FNPRM that led to the Report and Order gave no notice that the Commission was considering imposing any conditions on OpEx relief for carriers on Tribal lands.

- Sacred Wind Communications filed a [Petition for Reconsideration](#) on May 31, 2018, seeking reconsideration of the decision in the April 5, 2018 Tribal OpEx Relief [Order](#) to limit this relief to carriers that have not deployed broadband to 90 percent or more of the housing units in their study area. Sacred Wind claimed the Commission did not provide notice regarding the adopted relief limitations, and argued the limit does not logically relate to OpEx levels and creates an incentive not to deploy broadband. Sacred Wind also asked for the Commission to reconsider its determination that Sacred Wind is ineligible for the relief if it decides to retain the limitation.
- The FCC issued a [Notice](#) in the Federal Register on May 30, 2018, seeking Paperwork Reduction Act comments on a revision to currently approved information collections associated with FCC Forms 481, 505, and 525. The FCC said it is revising this collection because it has adopted a number of orders that implement the 2011 USF/ICC Transformation Order, including the August 2016 [Alaska Plan Order](#) and the July 2017 [ETC Reporting Streamlining Order](#). The FCC also noted there are no longer any reporting obligations associated with CAF Phase I incremental support, and said since the CAF Phase II challenge process has ended, it proposes to remove Form 505 from this collection. PRA comments are due June 29, 2018.
- The Rural Broadband Auctions Task Force and the Wireline Competition and Wireless Telecommunications Bureaus issued a [Public Notice](#) on June 1, 2018, to provide an update on the Mobility Fund Phase II challenge process. They indicated as of May 31, 2018, a total of 64 entities have access to USAC's MF-II Challenge Process Portal to participate in the MF-II challenge process, and of these entities: 37 are mobile service providers required to file Form 477 data; seven are state government entities; six are local government entities; 11 are Tribal government entities; and three are other entities that have filed petitions requesting, and have each been granted, a waiver to participate. They said the Task Force and Bureaus plan to provide updates on the number of challengers and certified challenges in the future.
- To date, no CAF Phase I Round 2 challenges were filed on previously unidentified census blocks served by FairPoint. [Public Notice](#)

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- NTCA [met separately](#) with Legal Advisors to Chairman Pai and Commissioner Rosenworcel on May 25, 2018, to discuss the two [draft NPRMs](#) on intercarrier compensation arbitration, which will be considered at the FCC's June 7, 2018 Open Meeting. NTCA urged the Commission to retain a disciplined focus on arbitration issues, and to decline to venture into broader sweeping debates regarding network edges and "end states" for compensation. NTCA asserted such matters should instead be addressed through separate further notices more properly designed and developed to initiate substantive debate and to analyze the implications of any such wide-ranging proposals. NTCA also urged the Commission to take action on its forbearance [petition](#) on USF contributions on broadband transmission and to act on the pending NPRM on the continued imposition of a local service rate floor.
- Frontier [met separately with](#) Legal Advisors to Chairman Pai and Commissioner Carr on May 29 and 31, 2018, to discuss the [FNPRM](#) on 8YY Access Charge Reform. Frontier said the Commission's proposal turns the concept of toll-free calling on its head, shifting the costs to end user customers from large businesses that purchase toll free numbers and the providers of toll free services. Frontier argued to the extent the target of the proposal is arbitration and not elimination of the toll-free 8YY system, it

suggested there are several proposals that could curb abusive practices from the limited bad actors in the interim while the Commission contemplates comprehensive reform. Frontier also claimed the draft FNPRM wrongly suggests that ILECs should be able to make up for lost revenues by increasing their rates.

- Bandwidth filed [a letter](#) on May 31, 2018, to express agreement with NTCA that the Commission should be “surgical in its focus upon inefficient arbitrage, defining precisely what it considers to constitute such a practice and crafting remedies specifically to solve for any such concern.” It said it is imperative the Commission seek comment on how to adopt clear, easy to administer rules and enforce them, and seek comment on how to preclude carrier self-help against a LEC that does not self-identify as an access stimulator. Bandwidth suggested because seamless interconnection is in the public interest, the Commission should also seek comment on the process of self-identification and an expedited means to resolve any disputes regarding that identification to prevent IXC customers from engaging in self-help tactics.
- CenturyLink filed an [Opposition](#) on May 25, 2018, to 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. CenturyLink claimed SDN and MIEAC do not present equivalent circumstances to those at issue when the Commission recently granted Aureon a waiver, and said Aureon was granted a waiver because its most recent tariff filing in response to the Aureon Order is currently the subject of a Commission investigation. CenturyLink claimed SDN and MIEAC seek a waiver in order to continue to avoid filing a tariff following the Aureon Order. [Public Notice](#)
- AT&T filed a [Supplemental Reply](#) on May 30, 2018, in support of its [Motion](#) to amend the [Protective Order](#) in the proceeding investigating Aureon’s switched transport tariff filing. AT&T said the information Aureon produced is not far broader than produced in the Complaint Proceeding, and it does not include the information of third parties. AT&T asserted, given that Aureon’s submissions focus heavily on the arguments and material of Mr. Rhinehart, an AT&T cost analyst, submitted in the formal complaint proceeding, denying Mr. Rhinehart the ability to review those submissions is not justified.

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Open Internet

- Chairman Pai sent letters to [Sen. Patty Murray \(D-Wash.\) and 20 other Senators](#) and [Sen. Bernie Sanders \(I-Vt.\) and 13 other Senators](#) on May 16, 2018, to respond to their letters expressing concern with the impact of the Restoring Internet Freedom [Order](#) on students, schools and libraries. Pai said by returning to the light-touch Title I framework, the Commission is helping consumers and promoting competition and promoting more robust transparency among ISPs than existed three years ago.
- [INCOMPAS, NARUC, et al.](#) and the [Internet Association, et al.](#) filed Statements of Issues to be Raised with the D.C. Circuit Court on May 22 and 29, 2018, in the proceeding reviewing the Restoring Internet Freedom [Order](#). Issues include: whether the Order’s declaratory ruling reclassifying broadband internet access service as an information service violates the terms of the Communications Act of 1934; and whether the Order’s preemption of State authority to enact net neutrality protections and the elimination of the open internet rules is inconsistent with the plain text of the statute and beyond the FCC’s jurisdiction, among other things. Oral argument has not yet been scheduled in this proceeding.

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Broadband

- The Wireline Competition Bureau issued an [Order](#) on June 1, 2018, granting a 60-day and a 15-day extension of time to file comments and reply comments, respectively, on USTelecom’s [Petition for Forbearance](#) from certain regulatory obligations imposed on ILECs. The Bureau also issued a

[Protective Order](#) in the proceeding, setting forth procedures to limit access to proprietary or confidential information that may be filed in this proceeding. Comments are due August 6, 2018; reply comments are due September 5, 2018.

- The National Telecommunications and Information Administration published a [Notice](#) in the Federal Register on May 31, 2018, seeking comments on ways to improve the nation's ability to analyze broadband availability, with the intention of identifying gaps in broadband availability that can be used to improve policymaking and inform public investments. Comments are due July 16, 2018.
- Sens. Steve Daines (R-Mont.) and Patrick Leahy (D-Vt.) introduced a [bill](#) on May 24, 2018, entitled *Reprioritizing Unserved Rural Areas and Locations for Broadband Act of 2018*. The bill seeks to prioritize federal funds that are used to provide broadband access to areas that are unserved with no access before they are used to upgrade areas with existing service. [Press release](#)
- ITTA sent a [letter](#) to Sens. Pat Roberts (R-Kan.) and Debbie Stabenow (D-Mich.) on May 30, 2018, to express opposition to any rule that would allow RUS loan or grant monies to be used to overbuild networks already supported by the federal USF. ITTA urged the Senate Agriculture Committee to incorporate the [legislation](#) proposed by Sens. Steve Daines (R-Mont.) and Patrick Leahy (D-Vt.) into the Farm Bill, and to work to develop policies that supplement existing federal broadband programs and not use taxpayer funds in areas already being supported by such programs. ITTA, along with USTelecom, ACA, and NCTA also sent a [letter](#) to Sens. Roberts and Stabenow urging the Senate to modify the RUS Broadband Loan Program to focus funding on areas where either all, or at least 90 percent, do not have broadband service.
- Biddeford Internet Corporation, Maine Fiber Company, Otelco, Premium Choice Broadband, and Cornerstone Communications filed a [letter](#) on May 31, 2018, in support of requests to extend the time to file comments on USTelecom's [Petition for Forbearance](#) from certain regulatory obligations imposed on ILECs. They asked the FCC to make available a detailed cost-benefit analysis addressing the impact on all parties in sufficient time for them to provide comments.
- AT&T filed a [letter](#) on May 30, 2018, on the draft [Report and Order](#) proposing to revise section 214(a) service discontinuance and network change disclosure processes, which will be considered at the FCC's June 7, 2018 Open Meeting. AT&T said the proposal to expedite applications that grandfather or discontinue previously grandfathered data services at speeds below 25/3 Mbps would be better if it applied to any legacy-TDM data service regardless of speed so long as the applying carrier provides alternative data services with the same or greater bandwidth as the TDM data service being discontinued throughout the affected area. AT&T also said the FCC should modify its proposal for a new alternative options test to provide another option for streamlined treatment of applications to discontinue legacy voice services. AT&T asserted the test differs from the proposal included in the Further Notice and warrants further notice and comment.
- The Alarm Industry Communications Committee filed a [letter](#) on May 31, 2018, to express concerns with the proposed alternative options test in the draft [Order](#) proposing to revise section 214(a) service discontinuance and network change disclosure processes. AICC also expressed support for ADT's [request](#) to require carriers seeking streamlined treatment of applications to discontinue legacy voice service under the alternative options test to demonstrate that their replacement interconnected VoIP service is interoperable with alarm and medical alert equipment.
- ADT Security Services [spoke with](#) Legal Advisors to Chairman Pai, and Commissioners Carr, O'Rielly, and Rosenworcel and Wireline Competition Bureau staff on May 24, 2018, to discuss certain issues in the draft [Report and Order](#) proposing to revise section 214(a) service discontinuance and network change disclosure processes. ADT discussed its concerns regarding the effective elimination of the adequate replacement test that ILECs must currently meet to obtain streamlined treatment for applications to discontinue legacy, TDM-based voice services as part of a technology transition. ADT requested the FCC retain the requirement of interoperability for alarm and medical monitoring equipment and include it as part of its new alternative option for streamlining legacy voice discontinuance applications.

- AT&T filed a [letter](#) on May 31, 2018, to respond to letters from the [Alarm Industry Communications Association](#) and [ADT](#) expressing concerns with the alternative services options test in the draft [Order](#) proposing to revise section 214(a) service discontinuance and network change disclosure processes. AT&T asserted ADT's and AICC's arguments that discontinuing carriers should be required to demonstrate that next generation voice services are interoperable with key applications and functions, such as alarm systems, are baseless and subscribership data belies the claim.
- Verizon filed a [letter](#) on May 31, 2018, to respond to letters from the [Alarm Industry Communications Association](#) and [ADT](#) that expressed concerns with the alternative services options test in the draft [Order](#) on removing barriers to broadband infrastructure investment. Verizon said the Commission should reject the ADT and AICC proposals to add interoperability and compatibility requirements to the alternative options test, claiming that doing so would deny providers the flexibility intended by the Commission to facilitate network transitions and usher in more advanced services that will benefit consumers.
- The Communications Workers of America filed [comments](#) on May 31, 2018, opposing elimination of consumer notification obligations when legacy voice service is discontinued, as proposed in the draft [Order](#) on removing barriers to broadband infrastructure investment, which will be considered at the FCC's June 7, 2018 Open Meeting. CWA said the Commission's service discontinuance consumer outreach and education guidelines are not overly burdensome and provide consumers with the minimum amount of information they need to transition from legacy to alternative services, and they provide carriers with a flexible blueprint to follow.
- The Center for Rural Strategies, Public Knowledge, et al. filed a [letter](#) on May 31, 2018, to oppose certain proposals in the [Order](#) on removing barriers to broadband infrastructure investment. They asserted the Commission is poised to create loopholes within its current section 214 service discontinuance rules that would allow carriers to opt out of requirements. They claimed the proposals reduce carrier responsibility and allow carriers to abruptly turn off legacy services, even if the replacement service will not provide the same quality support or device compatibility as the legacy service.
- Public Knowledge and Common Cause filed an [ex parte](#) on May 31, 2018, requesting the FCC disclose why certain educational and outreach material requirements for carriers seeking section 214 service discontinuance adopted in the [July 2016 Order](#) were never approved by the Office of Management and Budget, and therefore never in effect. They claimed this revelation was not disclosed by the Commission during the [FNPRM](#) phase of the rulemaking and was revealed only in a footnote in the draft [Order](#), which will be considered at the June 7, 2018 Open meeting. They asked the FCC to issue a further notice on these requirements so that interested parties can respond.
- The Leadership Conference on Civil and Human Rights and its Media/Telecommunications Task Force filed a [letter](#) on May 31, 2018, to oppose the elimination of consumer notification obligations when legacy voice service is discontinued, as proposed in the draft [Order](#) that will be considered at the FCC's June 7, 2018 Open Meeting. They said the Commission's rationale in favor of eliminating consumer education ignores the needs of the most vulnerable communities in the United States, and said the Commission has failed to conduct any cost-benefit analysis in presumptively concluding that the education and outreach rules are burdensome.
- The American Public Power Association filed a copy of a [letter](#) it sent to Elizabeth Bowles, Chair, Broadband Deployment Advisory Committee, on May 29, 2018, expressing concerns about the process and outcomes of the BDAC regarding pole attachments. APPA claimed the BDAC's composition is so overwhelmingly comprised of private industry representatives that there can be no real suggestion that the model codes developed by BDAC are consensus documents that reflect the input and views of all stakeholders. APPA asserted the BDAC should not adopt model codes that would intrude upon and undermine existing state and local processes governing public power pole attachments, and claimed as drafted, the model codes would create top-down, one-size-fits-all attachment practices and procedures.

Universal Service

- Chairman Pai sent a [letter](#) to Rep. Doris Matsui (D-Hawaii) on May 1, 2018, to respond to her request for updates on Commission implementation of the Lifeline National Verifier. He said Commission staff have reviewed and provided feedback on USAC's National Verifier development and implementation plans on an ongoing basis to ensure the National Verifier is implemented in a cost-effective manner that will create a more effective, efficient, and fiscally responsible program. He also said the Commission staff and USAC continue to work on the expansion of the National Verifier in additional states to minimize the impact of the initial delay, and USAC has identified additional states and territories that it believes are appropriate candidates for launch in 2018.
- USAC filed the [Federal Universal Service Support Mechanism Quarterly Contribution Base for Third Quarter 2018](#) on June 1, 2018. The total projected collected interstate and international end-user revenue base to be used in determining the contribution factor for the USF Support Mechanisms for Third Quarter 2018 is \$12,951,958,416, up from \$12,805,676,391 in the previous quarter.
- USAC filed [Federal Universal Service Support Mechanisms Fund Size Projections for the Revised Third Quarter 2018](#) on May 31, 2018. USAC stated the total High Cost Support Mechanism funding requirements are projected to be \$1.169 billion, which reflects revisions to the High Cost Demand Projections made in USAC's [May 2, 2018](#) filing.
- Comments were filed on June 1, 2018, on 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. [NTCA](#) said it supports well targeted proposals to address threats to the supply chain, but claimed the Commission's current proposal is overly broad and lacks clarity. NTCA also said it is unclear how the Commission intends to define and enforce a prospective-only ban on equipment based upon a to-be-defined threshold of national security concerns. [TIA](#) expressed support for the proposal to prevent the use of federal USF dollars to procure or obtain equipment or services produced or provided by any company posing a national security threat. It also said the Commission's actions should be taken with long-term considerations in mind. [Echostar and Hughes Network Systems](#) said the rule should be easy for USF recipients and other stakeholders to administer and lists of problematic manufacturers should derive from broader policy processes that advance industry-driven principles of cybersecurity and supply chain risk management. [The Satellite Industry Association, et al.](#) urged the Commission to consider the role that best practices can play, such as the Joint Statement of the Satellite Industry's Commitment to Cyber Security, as it considers the role of regulation in protecting the nation's communications network supply chain. Replies are due July 2, 2018. [FR](#)
- The Wireline Competition Bureau released a [Public Notice](#) on May 31, 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 National Lifeline Association filed [PRA comments](#) on May 29, 2018, 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 Tribal support but will no longer be eligible for enhanced support. The National Lifeline Association claimed the subscriber notice requirement provides inadequate time for affected ETCs to integrate and search relevant data sources to determine which subscribers are urban or rural, provides no reasonable means for affected ETCs to determine whether those subscribers will have an "option" of a facilities-based wireless Lifeline provider or any facilities-based Lifeline provider at all, and presents ETCs with extreme technological, logistical, and administrative costs. [Notice](#)
- NARUC [met with](#) Commissioner O'Rielly's Legal Advisor on May 25, 2018, to discuss Lifeline, wireless and wireline broadband development, and other issues. NARUC said the Commission should confirm its tentative conclusion with respect to the Lifeline Broadband Provider category of ETCs and affirm that States' role in designations cannot be bypassed. NARUC also asserted the Commission should

not eliminate non-facilities based resellers from the Lifeline program. NARUC claimed the FCC lacks statutory authority to take most of the actions that were originally implied in both the wireless and wireline infrastructure deployment proceedings, and said the FCC should respect clear limits set by Congress.

- Q Link Wireless [met separately](#) with Legal Advisors to Chairman Pai and Commissioner Rosenworcel and Wireline Competition Bureau staff on May 23, 2018, to discuss what it says is a flaw in USAC's technical implementation of the National Verifier. Q Link asserted this flaw, if left uncorrected, will effectively deny access to mobile wireless broadband Lifeline services to millions of low-income Americans in rural areas.

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State Actions

- The California Senate passed a bill, [SB 822](#), on May 30, 2018, which proposes to restore net neutrality rules in California. The bill, among other things, prohibits an internet service provider from offering different levels of quality of service to end users as part of broadband internet access service unless specified conditions are met, authorizes the Attorney General to investigate and bring an action to enforce those prohibitions, and would require that complaints be reviewed by the Attorney General on a case-by-case basis.
- The Oregon PUC issued an [Order](#) on May 29, 2018, adopting a staff recommendation to open a rulemaking to implement provisions of the [law](#) signed by Governor Kate Brown that prohibits public bodies in Oregon from contracting with a broadband internet access service provider unless the provider abides by certain "net neutrality" practices. The new law takes effect on January 1, 2019.

Misc.

- The FCC issued the [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 released [a statement](#) on June 1, 2018, regarding the announcement that President Trump intends to nominate Geoffrey Starks to serve as an FCC Commissioner. Pai said "I congratulate Geoffrey Starks on his forthcoming nomination to serve as a Commissioner on the Federal Communications Commission. He has a distinguished record of public service, including in the FCC's Enforcement Bureau, and I wish him all the best during the confirmation process."

- The Massachusetts Department of Telecommunications and Cable filed [comments](#) on the robocalls FNPRM, which are due June 7, 2018. MDTC said the FCC should establish a database of reassigned phone numbers, suggesting the creation and maintenance of such a database should impose only a minimal cost on voice service providers and should be readily available to callers making legitimate robocalls. It suggested: an effective database only requires disconnection information; callers need data from all types of providers; callers do not require extensive information regarding disconnected numbers; and such data should be timely.
- The Wireline Competition Bureau issued a [Public Notice](#) on May 29, 2018, announcing it granted Apeiron Systems' application for authorization to obtain NANP telephone numbers directly from the Numbering Administrators for its iVoIP service. This proceeding will be terminated 60 days from the date of this Public Notice if there are no further filings.
- The Wireline Competition Bureau issued a [Public Notice](#) on May 30, 2018, seeking comments on Number Access' application for authorization to obtain NANP telephone numbers directly from the Numbering Administrators for its iVoIP service. Comments are due June 14, 2018.
- iconectiv [met with](#) Wireline Competition Bureau staff on May 29, 2018, to discuss ongoing issues pending before the LNPA Transition Oversight Committee and the need for some kind of framework within which the industry could collaboratively work to ensure that there continue to be consensus practices and processes with respect to interfaces with the NPAC.

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Upcoming Filing Dates

- 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 sunseting 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 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 14 - Comments due on Number Access' application for authorization to obtain NANP telephone numbers directly from the Numbering Administrators for its iVoIP service. [Public 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 sunseting the recording and retention rules established in the RCC Order upon implementation of the RCC Act.

- June 21 - Comments due on the [NPRM](#) on the assessment and collection of regulatory fees for FY 2018. Replies are due July 6, 2018.
- 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](#)
- June 29 - PRA comments due on a revision to a currently approved collection associated with FCC Forms 481, 505, and 525. [Notice](#)
- July 2- Replies due on 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 6 - Replies due on the [NPRM](#) on the assessment and collection of regulatory fees for FY 2018.
- July 9 - Replies due on the [FNPRM](#) on ways to address the problem of unwanted calls to reassigned numbers. [FR](#)
- July 16 - Comments due on NTTA's [Notice](#) seeking comments on ways to improve the nation's ability to analyze broadband availability, with the intention of identifying gaps in broadband availability that can be used to improve policymaking and inform public investments.
- 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](#)
- July 23 - PRA comments due on a revision of currently approved information collections associated with rural call completion. [Notice](#)
- July 23 - PRA comments due on an extension of a currently approved information collections associated with FCC Forms 470 and 471. [Notice](#)
- Aug. 6 - Comments due on USTelecom's [Petition for Forbearance](#) from certain regulatory obligations imposed on ILECs. Replies due September 5, 2018. [Public Notice](#), [Order](#)

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