June 22, 2020 HIGHLIGHTS

- Chairman Pai asked Congressional leaders to provide funding to ensure all Americans remain connected until the pandemic ends. Pai said while the Keep Americans Connected Pledge expires on June 30, 2020, he asked companies not to disconnect consumers and businesses who are behind on their bills due to the pandemic, but instead offer the option of extended payment plans and deferred payment arrangements. news release

- Rep. Greg Walden (R-Ore.) and Sen. Roger Wicker (R-Miss.) released principles for a legislative framework to expand broadband access and digital opportunity and close the digital divide.

- Sen. John Thune (R-S.D) introduced legislation that would use a portion of the proceeds from spectrum auctions conducted by the FCC through September 30, 2022, for the buildout of broadband networks in rural America.

- Chairman Pai testified at a Senate Appropriations subcommittee hearing on oversight of the FCC’s spectrum auctions program.

- The FCC released instructions for completing the short-form application for entities seeking to participate in the Rural Digital Opportunity Fund Phase I auction. The application filing window will open on July 1, 2020, and close on July 15, 2020.

- Commissioner O'Rielly wrote a blog post on eliminating the condition that USF auction winners be designated ETCs.

- Comments are due June 29, 2020, on the Connect America Fund Phase II Coalition's petition for waiver of the CAF II location adjustment rules. Replies are due July 7, 2020. public notice

- The Senate Committee on Commerce, Science, and Transportation will hold a hearing on oversight of the FCC on June 24, 2020.

- The Senate Commerce Committee held a hearing to consider presidential nominations, including the nomination of Commissioner O’Rielly for a five-year term from July 1, 2019.

- Comments were filed on the NPRM on protecting consumers from one-ring scams. Replies are due July 6, 2020.

Other Key Upcoming Dates
- June 25 - Comments due on the NPRM on establishing the 5G fund for rural America. Replies are due July 27, 2020. FR
- July 7 - Comments due on adjustment factor values for the 5G Fund. Replies are due August 6, 2020.
**USF Reform**

- The Rural Broadband Auctions Task Force, Wireline Competition Bureau and the Office of Economics and Analytics issued a public notice on June 15, 2020, releasing instructions for completing the short-form application (FCC Form 183) for entities seeking to participate in the Rural Digital Opportunity Fund Phase I auction. The instructions are available on the Auction 904 website. They also said an online tutorial is available to assist applicants in completing their short-form applications. The Form 183 filing window will open on July 1, 2020, and close on July 15, 2020.

- The public notice on final application procedures for Phase I of the Rural Digital Opportunity Fund auction was published in the Federal Register on June 18, 2020. The auction will award up to $16 billion in support over 10 years for the deployment of fixed broadband networks to millions of unserved homes and businesses across rural America. Bidding in the auction will begin on October 29, 2020, with the application window for potential bidders opening on July 1, 2020, and closing on July 15, 2020.

- Commissioner O’Rielly wrote a blog post on June 18, 2020, on eliminating the condition that USF auction winners be designated ETCs. He said getting the designation itself can be a time-consuming and resource-intensive process, especially depending on the state jurisdiction in question. He said Congress should address this issue and noted Rep. G. K. Butterfield (D-N.C.) recently introduced legislation on this issue. O’Rielly said if complete elimination of the ETC designation is not possible, perhaps be a single, uniform application accepted in all states and a time limit for approving applications, also applicable to the FCC when designating federal ETCs.

- The Wireline Competition Bureau issued a public notice on June 15, 2020, seeking comment on the Connect America Fund Phase II Coalition’s petition for waiver of the requirement that CAF II recipients of auction-based support be required to accept pro rata reductions if the actual number of locations at the state level is less than the eligible number of locations estimated by the Commission for the auction. Comments are due June 29, 2020; reply comments are due July 7, 2020.

- An FCC notice was published in the Federal Register on June 22, 2020, seeking Paperwork Reduction Act comments on a revision of a currently approved collection on FCC Form 683, application for CAF Phase II and RDOF auction support. The FCC proposes to reduce the number of respondents that are subject to this collection now that the CAF Phase II auction winning bidders have been announced. Also, this proposed revision seeks approval of the disclosures and certifications that must be made by winning bidders seeking to become authorized for RDOF support. PRA comments are due July 22, 2020.

- The public notice seeking comment on adjustment factor values for the 5G Fund was published in the Federal Register on June 17, 2020. The FCC said to account for the relative costs of serving areas that vary in terrain characteristics and potential business cases, it proposed to apply an adjustment factor to make the most difficult areas to serve more attractive at auction to encourage more bidding. The FCC said the adjustment factor also would be used to transition legacy high-cost support to 5G Fund support. Comments are due July 7, 2020; reply comments are due August 6, 2020.

- Allband Communications Cooperative filed a motion on June 14, 2020, requesting the FCC grant Allband leave to supplement its application for review of the Wireline Competition Bureau’s order that granted in part Allband’s petition for waiver of the per loop USF high-cost support cap of $250 per month. Allband asserted the supplement raises some additional updated factual circumstances and arguments that Allband could not have been aware of or made within the 30-day deadline applicable to filing supplements to an AFR.

- Frontier filed a letter on June 18, 2020, on its challenge to the list of census blocks deemed initially eligible for the Rural Digital Opportunity Fund Phase I auction. Frontier said it has identified 491 census blocks that were included in its challenge in error and should be withdrawn from Frontier’s challenge. Frontier said it has also identified 371 census blocks that should have been included in its challenge because Frontier offers speeds of 25/3 Mbps or greater. Frontier also attached the
consolidated list of the 16,867 blocks where it offers service at speeds of 25/3 Mbps or greater but that appeared on initial eligible list.

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**ICC**

- An FCC notice was published in the Federal Register on June 16, 2020, seeking Paperwork Reduction Act comments on a revision of a currently approved information collection on tariff review plans. ILECs file TRPs to support revisions to the rates in their interstate access service tariffs. PRA comments are due July 16, 2020.

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**Broadband**

- The FCC announced on June 19, 2020, Chairman Pai sent letters to Congressional leaders asking for legislation to help Americans stay connected after the end of the Keep Americans Connected Pledge, which expires on June 30, 2020. Pai said broadband and telephone companies, especially small ones, cannot continue to provide service without being paid for an indefinite period of time. Pai asserted the Broadband Connectivity and Digital Equity framework proposed by Rep. Greg Walden (R-Ore.) and Sen. Roger Wicker (R-Miss.) will ensure all Americans remain connected until the pandemic ends.

- Rep. Greg Walden (R-Ore.) and Sen. Roger Wicker (R-Miss.) announced on June 18, 2020, the release of principles for a legislative framework to expand broadband access and digital opportunity and close the digital divide. The framework includes, among other things, authorization of funding to complete accurate broadband mapping, streamlining permitting processes for infrastructure and equipment to promote broadband deployment, and authorization of funding to fully implement the Secure and Trusted Communications Act.

- Chairman Pai sent letters to 16 members of Congress on June 12, 2020, to respond to their letter urging the Commission to take immediate action to ensure all students K-12 have adequate connectivity if schools close due to the pandemic. Pai said the Commission has worked with Congress to appropriate dedicated funding for remote learning, including the CARES Act’s Education Stabilization Fund and waiving and extending E-rate program rules and deadlines. He also said the Keep Americans Connected pledge has helped students maintain their broadband connections.

- Sen. John Thune (R-S.D) introduced the Rural Connectivity Advancement Program Act of 2020 on June 18, 2020, which would use a portion of the proceeds from spectrum auctions conducted by the FCC through September 30, 2022, for the buildout of broadband networks in rural America. The bill would: set-aside 10 percent of the net proceeds from spectrum auctions for the buildout of broadband networks; require the FCC to utilize the funds provided by RCAP to address gaps that remain in broadband internet access service coverage in high-cost rural areas; and allow the FCC to use the funds provided by RCAP in a technology-neutral manner to address shortfalls in sufficient funding of existing USF High-Cost Programs for the buildout of broadband services, among other things.

- The Senate Appropriations Subcommittee on Financial Services and General Government held a hearing on June 16, 2020, on oversight of the FCC’s spectrum auctions program. Chairman Pai spoke at the hearing and provided a written statement discussing FCC actions to meet connectivity needs during the pandemic, including granting mobile providers special temporary authority to use additional spectrum to meet additional demand. He also said over 780 broadband and telephone service providers have taken the Keep America Connected pledge, which has been extended through June 30, 2020. Additionally, he discussed the Broadband DATA Act, which will require new, granular
broadband maps for fixed and mobile providers, and the need for additional Congressional funding to develop these new maps.

- The FCC issued a public notice on June 15, 2020, announcing the next meeting of the Task Force for Reviewing the Connectivity and Technology Needs of Precision Agriculture will be held July 22, 2020. At this meeting, working group leadership will update the task force on their progress. The meeting will be wholly electronic and is open to the public.

- USTelecom and WISPA filed a letter on June 15, 2020, to follow up on a June 2, 2020 meeting with Wireline Competition Bureau staff on the implementation of the Broadband DATA Act for fixed wireless providers. On latency reporting, USTelecom and WISPA said establishing two or three latency categories from which a provider could choose to reflect its latency would provide uniformity in the way latency information is reported, collected and analyzed, and be consistent with the requirements already codified in the CAF and RDOF programs. On coverage probability, they asserted adopting a cell edge probability of 90% is not appropriate for fixed wireless networks and urged the FCC to adopt a 75% cell edge probability for fixed wireless broadband service to reflect its unique characteristics.

Robocalls

- Comments were filed on June 19, 2020, on the NPRM on implementing the TRACED Act’s requirements to further protect consumers from one-ring scams. USTelecom urged the FCC to implement its proposal to explicitly allow voice service providers to block all calls from phone numbers associated with one-ring scams, establish a broad safe harbor that allows the use of reasonable analytics to further incentivize voice service providers to block clearly fraudulent scams, and continue to collaborate with the ITG to enhance and refine coordination with industry to address future scams. AT&T recommended the FCC adopt USTelecom’s robocall mitigation proposal and a provider-initiated call blocking safe harbor. AT&T also suggested the FCC consider requiring voice service providers to block calls received directly from the originating or gateway providers of one-ring scams. T-Mobile asserted one-ring scams are a subset of fraudulent and illegal calls, and there is no need to adopt a separate safe-harbor for them. It recommended the FCC adopt the safe harbor required by the TRACED Act. Replies are due July 6, 2020.

- Numeracle and NetNumber spoke separately with Wireline Competition Bureau and Public Safety and Homeland Security Bureau staff and Commissioner Rosenworcel’s legal advisor on June 9 and 10, 2020, to discuss how service providers will comply with the TRACED Act’s authenticate caller ID requirement. They said after reviewing the attestation levels, they compared two proposed solutions for elevating signing to A level attestations for enterprises through the delegated certificate and central telephone number database from the ATIS SIP Forum IPNNI Joint Task Force’s study of full attestation alternatives for enterprises.

Call Completion

- Verizon filed a letter on June 16, 2020, to update the FCC on its experience with rural call completion. It said the number of rural call completion complaints it has received has gone down between 2015 and 2020 and asserted the continuous decline shows the FCC was correct in eliminating the data recording and record retention requirements.

Other Universal Service

- The FCC announced on June 17, 2020, it has approved a 11th set of COVID-19 telehealth program applications in the amount of $23.25 million for providers in North Carolina, Maryland, Kentucky, Florida, Massachusetts, New Jersey, Arkansas, California, Texas, Colorado, New Hampshire,

- An FCC notice was published in the Federal Register on June 16, 2020, seeking Paperwork Reduction Act comments on a revised information collection relating to the COVID-19 telehealth order (FCC Forms 460, 461, 462 and 463), which is necessary to facilitate the Commission’s and USAC’s administration of the programs and prevent waste, fraud and abuse. The information also will allow the FCC to evaluate the extent to which the programs are complying with the applicable rules and procedures for each program, and the CARES Act. PRA comments are due August 17, 2020.

- An FCC notice was published in the Federal Register on June 19, 2020, announcing the Office of Management and Budget has approved for a period of three years the information collection associated with the rules for the Telecommunications Program and the Healthcare Connect Fund Program contained in the Promoting Telehealth in Rural America report and order. Sections 54.622(d) and (e)(2), (4), and (5) (completive bidding requirements and exemptions), 54.623(a)(2) through (4)(funding requests), 54.624 (site and service substitutions), 54.626(b) (service delivery deadline and extension requests), 54.627(b)(invoicing process and certifications), and 54.631(d)(audits and recordkeeping) are effective June 19, 2020.

- No replies were filed on oppositions due to petitions for reconsideration of the COVID-19 telehealth report and order filed by the American Hospital Association and the American Dental Association. public notice | Federal Register

- Reps. Doris Matsui (D-Calif.), Anna Eshoo (D-Calif.) and 12 other members of Congress sent a letter to Chairman Pai on June 17, 2020, to ask him to support expanded flexibility in the Lifeline program to ensure connectivity during the pandemic. They urged him to extend the waiver to allow Lifeline providers to begin providing Lifeline service in rural tribal areas even if certain documentation has not been submitted to complete the applications, to all Lifeline applicants. press release

- The Benton Institute for Broadband & Society, et al. filed a letter on June 18, 2020, to urge the Commission to immediately require Lifeline carriers to provide unlimited voice minutes and unlimited texting and adequate voice-only financial support to its participants. They also urged the Commission to uphold its statutory mandate to promote universal service and invoke its authority under section 254 to ensure low-income consumers have access to the voice and texting services they need.

- TruConnect spoke with Wireline Competition Bureau staff on June 16, 2020, to provide recommendations on meeting the needs of Americans impacted by the pandemic, and to discuss its pending amended ETC petition. TruConnect recommended the FCC authorize a higher monthly discount or reimbursement rate to allow Lifeline ETCs to offer subscribers more data and extend the recent orders which temporarily waived Lifeline program requirements.

- The National Lifeline Association spoke separately with Advisors to Commissioners Carr, O’Rielly, Rosenworcel and Starks on June 16 and 17, 2020, to discuss its petition seeking a declaratory ruling revoking its approval of the National Lifeline Accountability Database opt-out certification of the Texas PUC and to provide other relief. NaLA asserted using the Low Income Discount Administrator’s end of month report exclusively and not including subscribers approved by the API review process for purposes of Lifeline reimbursement claims would contravene the FCC’s snapshot rule, and violate the requirements of the Texas NLAD opt-out. NaLA also discussed Lifeline mobile broadband minimum service standards and voice service reimbursement.

- The FCC released a public notice on June 15, 2020, to announce it authorized $237.9 million in high-cost support funding for certain eligible facilities-based mobile providers who elected to participate in Stage 2 of the Uniendo a Puerto Rico Fund and Connect USVI Fund. The FCC said three carriers serving Puerto Rico will receive $233.9 million and one carrier serving the U.S. Virgin Islands will receive $59.5 million, which is specifically devoted to deploying 5G networks in Puerto Rico and the USVI. news release
The PR-USVI Fund Coalition spoke with Chairman Pai’s legal advisor on June 18, 2020, to discuss their petition seeking a waiver of certain rules related to eligibility and letters of credit for applicants participating in the Stage 2 fixed competitive process of the Puerto Rico Fund- USVI Fund. The coalition asserted strict application of the existing financial requirements would serve to undermine the FCC’s objectives by effectively disqualifying successful eligible providers that are creating jobs for local residents and contributing to the local economies of their respective Territories.

Viya and ATN International spoke with Chairman Pai’s legal advisor on June 11, 2020, to urge the FCC to deny the PR-USVI Fund Coalition’s petition for waiver of certain rules related to eligibility and letters of credit for the PR-USVI Fund.

The Wireline Competition Bureau released a public notice on June 15, 2020, 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 Senate Committee on Commerce, Science, and Transportation will hold a hearing on oversight of the FCC on June 24, 2020. The hearing will examine policy issues before the FCC and review the agency’s ongoing activities and proceedings. Chairman Pai and Commissioners O’Rielly, Carr, Rosenworcel, and Starks will testify.

The Senate Committee on Commerce, Science, and Transportation held a hearing on June 16, 2020, to consider presidential nominations, including the nomination of Commissioner O’Rielly for a five-year term from July 1, 2019. O’Rielly provided a written statement discussing FCC process reform, broadband deployment and spectrum.

CenturyLink spoke with Wireline Competition Bureau and Office of Economics and Analytics staff on June 11, 2020, to discuss unbundling. It asserted UNE dark fiber transport does not possess unique attributes that would justify maintaining the current unbundling rules for this network element and discussed several alternatives, including leased wavelength services, commercial dark fiber and self-provisioned fiber. It recommended the Commission adopt its proposed finding that CLECs are not impaired without access to unbundled dark fiber transport to wire centers within a half mile of alternative fiber, and commercial dark fiber offers another potential alternative to UNE dark fiber transport.

Uniti Fiber, U.S. TelePacific Corp., Sonic and Allstream filed a letter on June 12, 2020, to urge the FCC to reject and give no weight to CostQuest Associates’ study included in USTelecom’s reply comments on the NPRM on updating its unbundling and resale rules. They asserted the study is unreliable because it is based on flawed, third-party marketing data not part of the public record and its Wi-Fi coverage assumptions cannot be validated with public data.

The Public Safety and Homeland Security Bureau released an order on June 16, 2020, denying Huawei’s motion seeking an extension of time to file comments on NTIA’s letter that provided information for the PSHSB to consider in the proceedings seeking to finalize the designations of Huawei and ZTE as national security threats to the integrity of communications networks and the communications supply chain. The bureau said its deadline provides sufficient time for Huawei to respond to NTIA’s arguments.

The Rural Wireless Association filed comments on June 19, 2020, on NTIA’s letter that provided additional information for the Bureau to consider in the proceedings seeking to finalize the designations of Huawei and ZTE as national security threats to the integrity of communications networks and the communications supply chain. RWA asserted finalizing the designations by June 30, 2020, or any time before the FCC approves the applications for the Secure Networks Act’s reimbursement program...
would leave rural carriers in jeopardy of not being able to maintain their critical networks for their customers. public notice

- An FCC notice was published in the Federal Register on June 16, 2020, seeking Paperwork Reduction Act comments on extension of a currently approved collection associated with Part 59 infrastructure sharing. The reporting and third-party disclosure requirements under section 259 of the Communications Act of 1934 include: filing of tariffs, contracts or arrangements; providing information concerning deployment of new services and equipment; and notice upon termination of section 259 agreements. PRA comments are due August 17, 2020.

- In addition to comments listed in a previous edition of REGScan, comments were filed on June 12, 2020, on the NPRM proposing to collect $339 million in regulatory fees for fiscal year 2020. CenturyLink supported the Commission’s proposal to allocate 95% of IBC fees to submarine cable systems and 5% to terrestrial and satellite IBCs. In addition, CenturyLink urged the Commission to lower the proposed fees for submarine cable systems to ensure it does not over collect from this fee category and revise the tiers so the top tier applies to cables with 10 Tbps capacity or more. OneWeb commented on how the FCC may provide assistance to those regulatees financially impacted by the pandemic. OneWeb said assistance to impacted regulatees, at a minimum, should include extended payment terms at nominal interest rates for regulatory fee payors demonstrating significant financial challenges. Dish Network and AT&T urged the Commission to reject its proposal to increase the direct broadcast satellite per-subscriber regulatory fee for FY 2020. Reply comments are due June 29, 2020. all comments available

- The report and order on FY 2020 regulatory fees was published in the Federal Register on June 22, 2020. The order levels the playing field between domestic and foreign licensed space stations by assessing a regulatory fee on non-U.S. licensed space stations with United States market access. The order also adjusted the FTE allocation for the international bearer circuit category, and declined to grant a categorically lower regulatory fee for VHF stations to account for signal limitations. The order is effective July 22, 2020.

- Comments are due June 22, 2020, on a section 214 application requesting consent to transfer control of Citizens Telephone Company and Citizens Long Distance Company to Green Hills Telephone. Reply comments are due June 29, 2020. public notice

- The Wireline Competition Bureau issued a public notice on June 18, 2020, seeking comment on Voyant Communication’s application for authorization to obtain NANP telephone numbers directly from the numbering administrators for its iVoIP service. Comments are due July 3, 2020.

- The Wireline Competition Bureau issued a public notice on June 19, 2020, seeking comment on Ooma’s application for authorization to obtain NANP telephone numbers directly from the numbering administrators for its iVoIP service. Comments are due July 6, 2020.

- Comments are due June 22, 2000, on RadiantIQ’s application for authorization to obtain NANP telephone numbers directly from the numbering administrators for its iVoIP service.

- Iconectiv spoke with Wireline Competition Bureau staff on June 17, 2020, to discuss its petition asking the Commission to conduct a competitive procurement process to select the toll free numbering administrator to ensure that users of the service management system database are charged efficient, competitive rates. It urged the Commission to seek comment on the petition so it can move quickly to act on it.

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Upcoming Filing Dates

- June 25 - Comments due on the 5G Fund NPRM. Replies are due July 27, 2020. FR
• June 29 - Replies due on the NPRM proposing to collect $339,000,000 in regulatory fees for FY 2020.

• June 29 - PRA comments on an extension of a currently approved information collection on the extent of which potentially prohibited equipment exists in current networks and the costs associated with removing such equipment and replacing it with equivalent equipment. notice

• June 29 - Replies due on a section 214 application requesting consent to transfer control of Citizens Telephone Company and Citizens Long Distance Company to Green Hills Telephone. public notice

• June 29 - Comments are due on Connect America Fund Phase II Coalition’s petition for waiver of the CAF II location adjustment rules. Replies are due July 7, 2020. public notice

• July 3 - Comments due on Voyant Communication’s application for authorization to obtain NANP telephone numbers directly from the numbering administrators for its iVoIP service. public notice

• July 6 - Replies due on the NPRM on implementing the TRACED Act’s requirements to further protect consumers from one-ring scams. FR

• July 6 - Comments due on the NPRM on detariffing telephone access charges. Reply comments are due August 4, 2020. FR

• July 6 - Comment due on Ooma’s application for authorization to obtain NANP telephone numbers directly from the numbering administrators for its iVoIP service. public notice

• July 7 - Comments due on the public notice seeking comment on adjustment factor values for the 5G Fund. Reply comments are due August 6, 2020.

• July 7 - Replies due on the Connect America Fund Phase II Coalition’s petition for waiver of the CAF II location adjustment rules. public notice

• July 10 - Comments due on the National Lifeline Association’s petition for a declaratory ruling revoking the Texas PUC’s National Lifeline Accountability Database opt-out certification and providing other relief. Replies are due July 27, 2020. public notice

• July 12 - Comments due on the NPRM on what rules the FCC needs to guide registration of a single consortium to conduct private-led efforts to traceback the origin of illegal robocalls. Replies are due July 27, 2020. FR

• July 13 - Comments due on refreshing the record in its 2012 USF contribution methodology FNPRM regarding one-way VoIP providers. Replies are due July 27, 2020. public notice

• July 13 - PRA comments due on an extension of a currently approved information collection associated with the 2017 business data services order. notice

• July 16 - PRA comments due on a revision of a currently approved information collection on tariff review plans. Federal Register

• July 22 - PRA comments due on a revision of a currently approved collection on FCC Form 683, application for CAF Phase II and RDOF auction support. notice

• July 27 - Replies due on the 5G Fund NPRM. FR

• July 27 - Replies due on the NPRM on what rules the FCC needs to guide registration of a single consortium to conduct private-led efforts to traceback the origin of illegal robocalls. FR
• July 27 - Replies due on the National Lifeline Association’s petition for a declaratory ruling revoking the Texas PUC’s National Lifeline Accountability Database opt-out certification and providing other relief. public notice

• July 27 - Replies due on refreshing the record in its 2012 USF contribution methodology FNPRM regarding one-way VoIP providers. public notice

• Aug. 3 - PRA comments due on a new information collection on Alaska Plan end of term commitments. FR

• Aug. 4 - Replies due on the NPRM on detariffing telephone access charges. Federal Register

• Aug. 6 - Reply comments due on the public notice seeking comment on adjustment factor values for the 5G Fund.

• Aug. 17 – Paperwork Reduction Act comments due on extension of a currently approved collection associated with Part 59 infrastructure sharing. notice

• Aug 17 - PRA comments due on a revised information collection relating to the COVID-19 telehealth order (FCC Forms 460, 461, 462 and 463), which is necessary to facilitate the Commission’s and USAC’s administration of the programs and prevent waste, fraud and abuse. notice