

## NECA's Weekly Federal Regulatory Summary

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### June 24, 2019 HIGHLIGHTS

- The FCC released a [tentative agenda](#) for its July 10, 2019 Open Meeting. The FCC will consider eight items, including: a [Report and Order on Remand](#) that would grant price cap carriers relief from ex ante pricing regulation of their lower speed TDM transport BDS nationwide and would partially grant USTelecom's request for forbearance from DS1 and DS3 transport unbundling obligations for price cap carriers; an [NPRM](#) that would propose a connected care pilot; and an [NPRM and Declaratory Ruling](#) to promote facilities-based broadband deployment and competition in multiple tenant environments.
- The Wireline Competition Bureau issued a [Public Notice](#) seeking comment on Northeast Iowa Telephone and Western Iowa Telephone's [Petition for Clarification or Declaratory Ruling](#) on the definition of locations under the A-CAM for residences that also serve as businesses. Comments are due July 10, 2019; reply comments are due July 25, 2019.
- NTCA [discussed](#) inaccuracies in cost model identification of serviceable locations, broadband availability reporting, and the need for the Commission to address the potential for increasing standalone broadband conversions to reintroduce the effects of the USF budget control mechanism.
- USTelecom [discussed](#) the importance of its proposed Broadband Mapping Initiative for an effective and efficient reverse auction for the Rural Digital Opportunity Fund. ACA Connects also [discussed](#) the RDOF.
- Cascade Utilities, Trans-Cascade Telephone, and Rio Virgin Telephone filed a [Petition for Waiver](#) of the March 1, 2018 deadline for certification of HUBB filings and requested the FCC order USAC to rescind the support reduction penalties it has imposed.
- CLECs [responded](#) to filings made by Aureon Network Services, Sprint, AT&T Services, and NTCA on access stimulation, and claimed these filings continue to present proposals that are not supported by the necessary data and evidence and that are premised on mischaracterizations and generalized assumptions.
- The FCC [announced](#) the formation of a new federal advisory committee, the Task Force for Reviewing Connectivity and Technology Needs of Precision Agriculture in the United States. The FCC seeks nominations for membership on the Task Force and a Chairperson. Nominations are due July 17, 2019. Chairman Pai issued a [statement](#).
- Comments [are due](#) July 24, 2019 on the Robocalls [FNPRM](#) proposing revisions to FCC rules implementing the Telephone Consumer Protection Act and on issues pertaining to implementation of SHAKEN/STIR. Replies are due August 23, 2019. The [Declaratory Ruling](#) clarifying voice service providers may offer consumers programs to block unwanted calls on an informed opt-out basis and may block calls from numbers not in a consumer's contact list [is effective](#) June 7, 2019.

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### Other Key Upcoming Dates

- June 24 - Replies due on the [NPRM](#) on FY 2019 regulatory fees.
- July 1 - Comments due on Central Texas Telephone, et al.'s [Petition](#) for a Rulemaking to prohibit the use of USF funds for special construction of fiber networks that overbuild existing fiber networks. Replies due July 16, 2019.

## USF Reform

- The Wireline Competition Bureau issued a [Public Notice](#) on June 20, 2019, seeking comment on Northeast Iowa Telephone and Western Iowa Telephone's [Petition for Clarification or Declaratory Ruling](#) on the definition of locations under the A-CAM for residences that also serve as businesses. Petitioners asserted guidance issued by USAC on location reporting contradicts the 2016 RoR Reform Order, the 2018 RoR USF Reform Order, and the Wireline Competition Bureau's Guidance on location reporting. Comments are due July 10, 2019; reply comments are due July 25, 2019.
- NTCA [met with](#) Chairman Pai's Special Advisor on June 19, 2019, to discuss inaccuracies in cost model identification of serviceable locations, and encouraged the Commission to adopt a reasonable approach to recalibration of buildout obligations where "facts on the ground" do not match model predictions of how many locations exist to be served in rural areas. NTCA urged the FCC to direct USAC to clarify its FAQs to provide a more reasonable interpretation of what qualifies as a home-based business. NTCA discussed making immediate improvements to existing broadband availability reporting through the use of shapefiles, while also taking steps to develop and implement a system that would provide greater granularity for individual addressable locations as well as a validation and challenge process. NTCA also discussed the need for the Commission to address the potential for increasing standalone broadband conversions to reintroduce the effects of the USF budget control mechanism.
- USTelecom [met with](#) Chairman Pai's Special Counsel on June 14, 2019, to discuss the importance of its proposed Broadband Mapping Initiative for an effective and efficient reverse auction for the Rural Digital Opportunity Fund. USTelecom said without the accurate location of broadband serviceable locations that the Broadband Mapping Initiative will produce, a prospective bidder would not be able to determine if the location counts are correct in unserved census blocks, let alone where exactly the locations are, making bidding at scale extremely difficult. It also claimed adopting a granular broadband availability reporting mechanism will only be effective if it can be accurately moored to a map of where rural Americans actually live. USTelecom also discussed how to use Rural Digital Opportunity Fund support to close the digital divide in rural America
- ACA Connects [met with](#) Wireline Competition Bureau and Office of Economics and Analytics staff on June 12, 2019, to urge the Commission to promptly implement the Rural Digital Opportunity Fund, which it said would largely replace the CAF Phase II program that is due to expire in two years. It emphasized the value of using a reverse auction for the RDOF to award support and suggested improvements to the auction process for the RDOF, including: bidding by census blocks rather than census block groups; using a technology-neutral weighting methodology, such as the one recommended by ACA; defining eligible areas as those lacking broadband service at 25/3 Mbps; using the "low cost" CACM threshold in determining eligible areas; and setting the minimum broadband performance standard at 100/10 Mbps with low latency. It also discussed auction reserve pricing, state engagement and coordination, additional weighting factors, and using support only for unserved locations.
- Cascade Utilities, Trans-Cascade Telephone, and Rio Virgin Telephone filed a [Petition for Waiver](#) on June 18, 2019, of the March 1, 2018 deadline for certification of HUBB filings and requested the FCC order USAC to rescind the support reduction penalties it has imposed. They said section 54.316(a) makes no mention of any certification requirement and does not expressly require that the recurring HUBB filings made during the course of each year be accompanied by an annual certification submitted by March 1 of the following year. They further argued that even so, the support reduction penalty should be waived because: this is the first time the Cascade companies and other A-CAM recipients were required to make HUBB filings; they filed all their 2017 location data in the HUBB prior to March 1, 2018; they submitted the HUBB certifications within five working days of the deadline; the loss of \$88,460.36 in A-CAM support deprives them of financial resources they need for broadband deployment; and \$88,460.36 is an onerous and excessive penalty for a minor oversight.
- Copper Valley Telephone Cooperative and GVNW [met with](#) Commissioner Rosenworcel's Advisor on June 18, 2019, to discuss CVTC's pending May 24, 2019 appeal of a USAC's audit decision. They said the CVTC appeal presents the following two legal questions: whether an RLEC can lawfully and

equitably be penalized by a loss of substantial high-cost support due an arrangement it entered in order to comply with Alaska state law; and whether the restrictions against sale and lease-back transactions set forth in section 36.2(c)(2) and interpreted in the Commission's 2001 *Moultrie Independent Telephone Company Order* can be stretched to encompass a lease of dark fiber and purchase of tariffed services that it claimed is wholly different in form, intent, and operation. They asserted if USAC's decision is upheld, it would effectively put the Commission in the position of preempting Alaska's regulation of the intrastate services of Alaskan local exchange carriers and interexchange carriers.

- WISPA, AT&T, and ITTA [spoke with](#) Chairman Pai's Advisor on June 18, 2019, to discuss the frequency of latency testing necessary to assess compliance with the CAF II latency requirements, which was raised in their joint Petition for Reconsideration of the CAF Network Testing Order. They asserted the Bureau Order adopted a once-per-minute latency testing requirement without notice, comment, or explanation. They claimed such frequent testing is not necessary to determine compliance with CAF rules and there is no evidence on the record from any party, including the Bureau, that testing latency once per minute is necessary to measure compliance with the CAF 100ms latency requirement. They suggested the Commission could make clear that carriers choosing to test only once per hour must accept the risk of doing so, and that any requests for waiver would be subject to a particularly high hurdle.
- ADTRAN filed [a letter](#) on June 18, 2019, to respond to recent ex partes from Hughes and Viasat regarding the high-latency provisions in the Network Testing Order. ADTRAN noted Hughes now agrees with Viasat's proposal to require achievement of an MOS score of 4.0 at least 80 percent of the time, which ADTRAN also supports. ADTRAN said it has no objection to Hughes' proposed use of a testing framework that would provide the option of selecting either annual in-laboratory controlled tests with more frequent network monitoring or more frequent subjective tests using customers as subjects outside of a laboratory environment, as Viasat has proposed. ADTRAN said the Commission has provided the terrestrial service providers with some flexibility in conducting the performance measurement testing, so it is appropriate to grant satellite providers some flexibility too. It said the Commission must be prepared, however, to sanction severely any service provider that attempts to manipulate the testing results to provide an inaccurate picture of service quality.

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## ICC

- CLECs BTC, d/b/a Western Iowa Networks, Goldfield Access Network, Great Lakes Communication, Northern Valley Communications, OmniTel Communications, and Louisa Communications filed [a letter](#) on June 19, 2019, in response to the filings made by Iowa Network Services, d/b/a Aureon Network Services, Sprint, AT&T Services, and NTCA on access stimulation. They said these filings continue to present proposals that are not supported by the necessary data and evidence and that are premised on mischaracterizations and generalized assumptions. They asserted the Commission should continue to refrain from taking further action until it receives the necessary evidence to justify any rule changes, or, in the alternative, it should close this Docket.
- HD Tandem and Dentons [met with](#) Wireline Competition Bureau and Office of Economic and Analytics staff on June 12, 2019, to assert that geographic distinctions are the underlying cause of much of the access rate arbitrage at issue. HD Tandem described how removing geography from the intercarrier compensation equation has driven a commercial marketplace based on the aggregation of direct connections and intermediary voice traffic exchanges. It argued Prong 1 in the Access Arbitrage NPRM presents a unilateral reversal of economics that will simply serve to shift arbitrage opportunities, and regarding Prong 2, it said the indirect direct connections offered by HD Tandem are a positive step, but more could be done to promote a mutual exchange of traffic with commercially negotiated reciprocal terms. It also discussed the shift of voice from traditional phone to applications, the non-geographic nature of applications, and the robust exchange that is waiting for access.

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## Broadband

- The FCC issued a [Public Notice](#) on June 17, 2019, announcing the formation of a new federal advisory committee, the Task Force for Reviewing Connectivity and Technology Needs of Precision Agriculture in the United States. The FCC seeks nominations for membership on the Task Force and a Chairperson. The Task Force will, among other things, identify and measure current gaps in the availability of broadband internet access service on agricultural land. Nominations are due July 17, 2019. Chairman Pai issued a [statement](#).
- Chairman Pai sent [letters](#) to Members of Congress representing Colorado on June 11, 2019, in response to their letter regarding broadband mapping. Pai said the FCC initiated a new data collection for mobile broadband coverage as part of the Mobility Fund Phase II and began a review of the Form 477 process to ensure the FCC's broadband data was more accurate, granular, and useful to the Commission and the public. Pai said a public feedback mechanism could improve the Commission's broadband coverage maps and Form 477 data, suggesting the Commission's Speed Test App is one way that consumers can currently participate in collecting data about broadband deployment.
- ALLvanza [met with](#) Chairman Pai and his Wireline Advisor on June 13, 2019, to discuss mapping and reporting of broadband availability and net neutrality. ALLvanza discussed the need for accurate broadband mapping to ensure that federal subsidies are targeted to the areas of greatest need. It encouraged the FCC to consider NCTA's proposal for improving the mapping issue, asserting NCTA's proposal would fix many of the issues with reporting and mapping in an efficient and timely manner. ALLvanza said the net neutrality solution should be a newly-developed, bipartisan solution and not a reliance on outdated regulatory policy, such as Title II. It also discussed cable franchise fees, privacy, and legacy regulations for cable programmers.
- The Wireline Competition Bureau issued an [Order](#) on June 18, 2019, granting USTelecom's [request](#), filed on June 17, 2019, seeking approval to withdraw without prejudice the portion of its May 4, 2018 [Petition for Forbearance](#) seeking relief from the dark fiber transport unbundling requirements.
- USTelecom [met with](#) Wireline Competition Bureau staff on June 18, 2019, to discuss its [request](#) for nationwide forbearance from section 251(c)(3) unbundling requirements and related mandates, as well as from section 251(c)(4)'s ILEC-specific resale mandate. USTelecom asserted that nationwide forbearance should be granted for analog DS0 loop unbundling requirements and for section 251(c)(4) resale obligations. It claimed the record demonstrates that forbearance from these mandates is consistent with the public interest and that maintaining the requirements, relevant only to voice service in a highly competitive market, are not necessary to protect consumers or to ensure that rates are just and reasonable.
- USTelecom filed a [letter](#) on June 21, 2019, attaching a declaration from Harold Furchtgott-Roth, a former Commissioner of the FCC, in support of USTelecom's [Petition for Forbearance](#). Furchtgott-Roth said, among other things: the 1996 Act favored competition over regulation; sections 10 and 11 were meant to enforce the Act's deregulatory purposes, forcing the removal of regulation as competition advances; the structure of telecommunications regulation under the 1996 Act was not designed to be permanent; and the alleged needs of specific competitors do not justify a denial of forbearance.
- Granite Telecommunications, Manhattan Telecommunications d/b/a Metropolitan Telecommunications, and Access One [spoke with](#) Wireline Competition Bureau staff on June 12, 2019, to discuss USTelecom's Petition for Forbearance and the manner in which competitive carriers rely on avoided-cost resale under section 251(c)(4) to provide traditional TDM-based telephone services via copper loops to business and government customers. They asserted absent the regulatory backstop provided by the avoided-cost resale requirement, ILECs would raise the prices they charge for traditional TDM service made available in commercial wholesale agreements. They also discussed the appropriate transition for avoided-cost resale if forbearance were granted.
- U.S. TelePacific, Mpower Communications, and Arrival Communications, all d/b/a TPx Communications, [met with](#) Legal Advisors to Commissioners O'Rielly and Rosenworcel on June 13, 2019, to express opposition to the nationwide forbearance USTelecom seeks in its [Petition for](#)

[Forbearance](#). TPx claimed USTelecom has not and cannot meet its burden of proof. It said if the FCC finds that limited forbearance is appropriate, it should provide a transition period long enough to avoid the substantial disruption and cost to customers that forbearance would cause.

- The FCC issued a [Public Notice](#) on June 20, 2019, announcing a one-day workshop for Tribal governments, Tribal employees, and Tribal members on July 17, 2019, to provide information to help Tribal Nations identify and evaluate opportunities to develop more robust communications infrastructure and services in Tribal communities. The workshop will include, among other topics, information on new spectrum opportunities the Commission is considering that may promote expanded broadband access on Tribal lands.
- Crown Castle met with [Commissioners Carr](#) and [Starks](#) and their Legal Advisors, and [Wireless Telecommunications Bureau staff](#) on June 15, 2019, to discuss the ongoing implementation and impact of the September 2018 [Declaratory Ruling and Third Report and Order](#) on wireless infrastructure deployment. Crown Castle discussed areas where challenges remain and explained the issues it has been having getting investor-owned utilities to provide power to small cell installations on utility poles in a timely fashion. It also claimed some IOUs are restricting access to certain parts of the poles and/or prohibiting multiple antenna placements on a particular pole.

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## Robocalls

- An FCC [notice](#) was published in the Federal Register on June 24, 2019, announcing comments are due July 24, 2019, on the June 27, 2019 [FNPRM](#) proposing revisions to FCC rules implementing the Telephone Consumer Protection Act and on issues pertaining to implementation of SHAKEN/STIR. The Commission proposes: A safe harbor for call-blocking programs targeting unauthenticated calls, which may be potentially spoofed; safeguards to ensure the most important calls are not blocked; and requiring voice service providers to implement the SHAKEN/STIR Caller ID Authentication framework in the event major voice service providers have failed to do so by the end of this year. Reply comments are due August 23, 2019.
- An FCC [notice](#) was published in the Federal Register on June 24, 2019, announcing the June 7, 2019 [Declaratory Ruling](#) on call blocking is effective June 7, 2019. The Ruling clarified that voice service providers may offer consumers programs to block unwanted calls through analytics (call-blocking programs) on an informed opt-out basis and may block calls from numbers not in a consumer's contact list (white-list programs). The Commission reminded voice service providers that protecting emergency communications is paramount. The Commission directed the Consumer and Governmental Affairs Bureau, in consultation with the Wireline Competition and Public Safety and Homeland Security Bureaus, to prepare two reports on the state of deployment of advanced methods and tools to eliminate unwanted calls.
- Chairman Pai sent [letters](#) to Senators Susan Collins (R-Maine), Chair of the Special Committee on Aging, and Robert Casey, Jr. (D-Penn.) on June 14, 2019, in response to their letter on blocking unwanted robocalls. He said combatting unwanted robocalls has been his top consumer protection priority since becoming Chairman, and he noted the Commission has tackled this complex challenge with a comprehensive approach, including rulemaking, enforcement actions, consumer education, and collaboration with other government entities and industry. He also said the Commission's work is fully in line with, and a complement to, the work the Senate has done in crafting the Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, or TRACED Act, which he hoped becomes the law of the land.
- House Energy and Commerce Committee Chairman Frank Pallone, Jr. (D-NJ) and Ranking Member Greg Walden (R-OR) [announced](#) a bipartisan version of the Stopping Bad Robocalls Act ([HR 3375](#)) on June 20, 2019. The bill would: require phone carriers to implement call authentication technology with no additional line-item for consumers on an opt-out basis; include a process to help rural carriers implement this technology; direct the FCC to issue rules to protect consumers from calls they didn't agree to receive and to ensure consumers can withdraw consent; require the FCC to enact safeguards so companies can't abuse robocall exemptions; ensure the FCC has the authority and the tools to take



strong, quick action when it tracks down robocallers; and require the FCC to submit a report to Congress on the implementation of its reassigned numbers database.

- Reps. Donald McEachin (D-Va.), Pete Olson (R-TX), Andy Kim (D-N.J.), Susan Brooks (R-Ind.), Anthony Brindisi (D-N.Y.), and David Kustoff (R-Tenn.) [introduced](#) a bill on June 18, 2019, entitled [Locking Up Robocallers Act of 2019](#). The bill would direct the FCC to provide evidence of unlawful robocall violations to the Attorney General and would strengthen enforcement of current robocall laws aimed at ending the scourge of predatory robocalls.
- Frontier [met with](#) FCC staff on June 18, 2019, to discuss matters it felt could be addressed at the Commission's upcoming SHAKEN/STIR Robocall Summit. Frontier said it believes carrier call-blocking for calls that are not authenticated could result in good calls being blocked, and that discussion around these challenges and whether SHAKEN/STIR should be used as a decisive metric for call blocking would be useful at the July 11 Summit.
- Microsoft [spoke with](#) staff from the Wireline Competition and Consumer and Government Affairs Bureaus on June 12, 2019, about the upcoming SHAKEN/STIR summit. It asserted SHAKEN is designed with a certain core set of technologies and business models in mind that is not representative of the entirety of voice communications options. It expressed an interest in industry-led efforts to improve on the current iteration of SHAKEN so that legitimate voice calls from a broader set of calling technologies and business models would be eligible for the highest level attestation under the standard, and recommended this topic be discussed at the summit. It also raised concerns about the possibility that voice service providers may implement SHAKEN in a non-uniform manner by inextricably commingling attestation values with other analytics, and suggested this topic be discussed at the summit as well.
- Transaction Network Services [met with](#) staff from the Consumer and Government Affairs and Wireline Competition Bureaus on June 13, 2019, to discuss the findings of a user study conducted by Cequent, a subsidiary of TNS, on the impacts of STIR/SHAKEN telephone number validation on user displays. TNS said the key lessons learned from the study were: consumers found that displaying the identity of the caller and the purpose of the call were key drivers in the consumer's decision whether to answer the call; consumers did not adjust their call answering behavior when a Telephone Number Validation indicator was displayed; and consumers are more likely to answer incoming calls when the name of the incoming caller is displayed and for which an analytics provider informs consumers about unwanted and spoofed calls.

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## Call Completion

- The Wireline Competition Bureau and Office of Managing Director issued an [Erratum](#) on June 17, 2019, to the March 15, 2019 [Fourth Rural Call Completion Order](#). They indicated the Erratum adopts non-substantive changes to the final rules adopted in the Order relating to the implementation of the sunset provisions for sections 64.2103 and 64.2107. They said these changes are necessary to reflect the Commission's intent regarding the expiration of these sections in a manner that ensures compliance with the requirements of the National Archives and Records Administration's Office of the Federal Register.

## Universal Service

- Commissioner Carr [spoke](#) at the Virginia Telehealth Network's event on the Connected Care Pilot Program on June 19, 2019. He said the FCC will be voting at its July 10th meeting to advance a \$100 million Connected Care Pilot Program to support telehealth for low-income Americans across the country, including those living in rural areas and veterans. He said the pilot will target funding to connected care projects that would benefit low-income patients and support a limited number of projects over a three-year period with controls in place to measure and verify the benefits, costs, and savings associated with connected care. [News release](#)

- The Wireline Competition Bureau issued a [Public Notice](#) on June 17, 2019, to announce the National Lifeline Verifier will soft launch on June 25, 2019, in Arizona, Connecticut, Georgia, Iowa, Kansas, Nebraska, Nevada, New York, Vermont, Virginia, and West Virginia. The Bureau said the soft launch period will allow ETCs to become familiar with the National Verifier and adjust and test their systems and business processes before use of the National Verifier becomes mandatory. It also said during the soft launch, only ETCs will have access to the National Verifier as well as access to a pre-production test environment in the National Verifier to improve their ability to conduct sample transactions and train their employees for readiness.
- NTCA filed [a letter](#) on June 19, 2019, in response to a Petition for Waiver reportedly filed by Wisper ISP, although NTCA said it can find no record in ECFS of any such petition having been filed and it only became aware of the Wisper Petition by reference to it in the June 12, 2019 [public filing](#) by Conexon. NTCA said it believes the Conexon opposition raises significant questions, and it agreed with Conexon that it is hard to see how “good cause” could exist for the grant of a waiver where there is an apparent lack of “good faith” in seeking ETC designation in the first instance. NTCA also agreed that if Conexon’s opposition captures accurately the course of events in the state proceedings, and if ETC designations were obtained from a state commission without accurate understanding of federal obligations and what consumers in those states could expect from the would-be ETC, this is worthy of further review as well by this Commission.
- The Education and Library Networks Coalition sent a [letter](#) to Chairman Pai on June 21, 2019, to express concern over the [proposals](#) to establish an overall cap on the Universal Service Fund and a sub-cap on the E-rate and Rural Health Care programs. EdLiNC asserted the proposals will hurt schools and libraries and will inevitably lead to its programs competing for funds. It also said the proposal to merge the E-rate and Rural Health Care programs by sub-capping their funds directly conflicts with the legislative intent of each program as established by the Telecommunications Act of 1996.
- Funds for Learning [met with](#) Commissioner O’Rielly’s Advisor on June 18, 2019, to discuss the preliminary results of its survey of E-rate applicants and the [NPRM](#) to establish a master cap on the USF. FFL discussed the impact of the E-rate program, the funding application process, and Category One and Two discounts. FFL said the best and most effective way to cap the E-rate program is to continue using the current system. FFL also discussed the Texas Carrier’s [Petition](#) to change E-rate competitive bidding rules for fiber networks.
- Totelcom Communications, Peoples Telephone Cooperative, and Central Texas Telephone Cooperative [spoke with](#) Wireline Competition Bureau staff on June 17, 2019, to discuss their [Petition](#) urging the FCC to adopt rules that prohibit the use of universal service funds for special construction of fiber networks that overbuild existing fiber networks. They noted the use of E-rate funds to overbuild existing networks is happening in Texas and other states and urged the FCC to release an NPRM seeking comments on this issue.
- Viya filed a [letter](#) on June 14, 2019, to discuss restoration of service in the U.S. Virgin Islands. Viya urged the Commission to reject the use of a competitive process to award the fixed Connect USVI Fund and instead award the support to Viya for a ten-year term. Viya also said if the Commission does use a competitive process, it must design it carefully to protect the residents of the USVI and ensure continuity of service.
- The SHLB Coalition [met with](#) Wireline Competition Bureau staff on June 11, 2019, to discuss simplifying the USF application process. SHLB expressed interest in improving broadband coverage and adoption by allowing applicants to submit a single application for USF support to serve schools, libraries, rural health care providers, and other entities and for consumers who are eligible for support under the USF umbrella. It suggested the establishment of an additional mechanism, separate and apart from the four existing programs, that would make it easier for applicants to apply for funding from multiple programs using one application.

- Alaska Communications [met with](#) Chairman Pai and his Advisor on June 18, 2019, to discuss progress being made to resolve issues in the rural health care rulemaking. It summarized the reform proposals it has filed, including proposals to: establish an administratively manageable set of guidelines for approval of the rural rate and urban rate under the Telecom Program; eliminate the uncertainty of cost-based analysis of rural rates in a competitively bid environment; and enlarge the budget for the program to ensure it is sufficient to meet the current and anticipated needs of rural health care providers.
- Quintillion Subsea Operations filed [ex parte comments](#) on June 19, 2019, on the Rural Health Care and E-rate programs. Quintillion said it identified market failures within the RHC and E-Rate programs and outlined potential steps the Commission can take to address these market failures and maximize USF support for Alaskans. It suggested the Commission, among other things, act on the outstanding RHC rate guidance petitions to consider more cost-effective middle-mile and backhaul solutions, limit single-bid awards to only one funding year; and, improve flexibility of service provider substitution for single-bid awards to allow applicants to choose more cost-effective solutions during the funding year. It also suggested the Commission initiate a rulemaking proceeding in E-Rate to allow service providers a more reasonable 90-day period to review service requests and limit single-bid awards to only one funding year.
- Education Networks of America and TeleQuality Communications [met with](#) Wireline Competition Bureau and Office of Economics and Analytics staff on June 14, 2019, to discuss the [cost justification](#) for the rural health care rates filed by TeleQuality on May 24, 2019.

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## Misc.

- The FCC released the [tentative agenda](#) on June 19, 2019, for its July 10, 2019 Open Meeting. The Commission will consider eight items: a [Report and Order on Remand](#) that would grant price cap carriers relief from ex ante pricing regulation of their lower speed TDM transport business data services nationwide and partially grant USTelecom's request for forbearance from DS1 and DS3 transport unbundling obligations for price cap carriers; a [Report and Order](#) that would increase flexibility for use of 2.5 GHz spectrum for existing educational broadband service licensees and provide opportunities for rural tribal nations and other entities to access unused portions of the band; a [Public Notice](#) that would establish application and bidding procedures for an incentive auction of upper microwave flexible use service licenses in the upper 37 GHz, 39 GHz and 47 GHz bands; an [NPRM](#) that would propose a connected care pilot; an [NPRM and Declaratory Ruling](#) to promote facilities-based broadband deployment and competition in multiple tenant environments; a [Report and Order](#) that would modernize children's TV programming rules and an FNPRM that would seek additional comment on special efforts by broadcasters to produce or support core programming; a [Report and Order](#) that would modernize the carriage election notice provisions in Part 76 and an FNPRM that would seek comment on applying these new procedures to entities not required to maintain online public inspection files; and an [NPRM](#) that would propose to modernize certain cable and satellite TV provider notice provisions.
- The FCC issued a [Public Notice](#) on June 19, 2019, to announce the date for the August Commission Open Meeting has been changed from Friday, August 2 to Thursday, August 1, 2019.
- The Wireline Competition Bureau issued a [Public Notice](#) on June 20, 2019, to announce access to the Secure Data Enclave containing highly confidential data submitted in the 2015 Data Collection in the price cap business data services proceedings will close after June 30, 2019. All parties' data and work product stored in the Secure Data Enclave will be saved and archived as of June 30, 2019, pending potential judicial or administrative review.
- No replies were filed on a 214 application filed by the Chester Telephone Company, d/b/a Tru-Vista Communications, and York Telecoms Holdings requesting consent to transfer control of TruVista and its wholly owned subsidiaries to York. [Public Notice](#)



- The Wireline Competition Bureau issued a [Public Notice](#) on June 18, 2019, seeking comments on a 214 application filed by InterCarrier Networks and Great Plains Communications requesting consent to transfer control of ICN to GP Communications. Comments are due July 2, 2019; replies are due July 9, 2019.
- Ignition Toll Free, MessageComm, and 800 Response Information Services [spoke with](#) Commissioner Starks' Legal Advisor on June 13, 2019, to discuss how the removal of geographic routing is impacting toll free numbers and how it will adversely affect the upcoming 833 auction. They also discussed the flow of a toll-free phone call and how location data factored into routing a call, and how the carrier mandated opt-in/opt-out requirement for use of location data impacted call completion rates.
- The Consumer and Governmental Affairs Bureau issued two Orders on June 18, 2019, regarding complaints filed against Telplex Communications alleging they changed complainants' telecommunications services without obtaining authorization and verification. In the first [Order](#), the Bureau found Telplex's actions did not result in an unauthorized change in complainant's telecommunications service provider. In the second [Order](#), the Bureau concluded TelPlex responded fully to the complaints and took action to resolve the complaints.
- The Consumer and Governmental Affairs Bureau issued an [Order](#) on July 19, 2019, denying a complaint filed against Charter Communications that alleged it changed complainants' telecommunications services without obtaining authorization and verification. The Bureau found Charter's actions did not result in an unauthorized change in complainant's telecommunications service provider.

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## Upcoming Filing Dates

- June 24 - Replies due on Reservation Telephone and CenturyLink study area waiver petition in North Dakota. [Notice](#)
- June 24 - PRA comments due revision of a currently approved information collection for high-cost USF support pursuant to the December 13, 2018 Rate-of-Return USF Reform Order. [Order FR](#)
- June 24 - Replies due on the [NPRM](#) on May 8, 2019, seeking comment on the assessment and collection of regulatory fees for FY 2019.
- June 24 - PRA comments due on a revision of a currently approved information collection associated with FCC Forms 460, 461, 462, 463, 465, 466, and 467 (Rural Health Care Program). [Notice](#)
- June 24 - Comments due on the computer matching program the FCC and USAC will conduct with agencies from the States of Georgia and Iowa. [Notice](#)
- June 25 - PRA comments due on an extension of a currently approved information collection on the survey of urban rates for fixed voice and broadband residential services. [Notice](#)
- July 1 - Comments due on a [Petition](#) for a rulemaking filed by Central Texas Telephone, et al. urging the FCC to consider adopting rules that prohibit the use of universal service funds for special construction of fiber networks that overbuild existing fiber networks. Replies due July 16, 2019. [PN](#)
- July 2 - Comments due on a 214 application filed by InterCarrier Networks and Great Plains Communications requesting consent to transfer control of ICN to GP Communications. [Public Notice](#) Replies are due July 9, 2019.
- July 8 - PRA comments are due on a new information collection pursuant to the requirement that high-cost USF recipients test their broadband networks for compliance with speed and latency metrics and certify to and report the results to USAC on an annual basis. [Notice](#)

- July 9 - Replies due on a 214 application filed by InterCarrier Networks and Great Plains Communications requesting consent to transfer control of ICN to GP Communications. [Public Notice](#)
- July 10 - Comments due on Northeast Iowa Telephone and Western Iowa Telephone's [Petition for Clarification or Declaratory Ruling](#) on the definition of locations under the A-CAM for residences that also serve as businesses. Reply comments are due July 25, 2019. [Public Notice](#)
- July 15 - Comments due on the [Notice of Proposed Rulemaking](#) seeking comment on establishing an \$11.42 billion cap on the Universal Service Fund. Replies are due August 12, 2019. [FR](#)
- July 16 - Replies due on a [Petition](#) for a rulemaking filed by Central Texas Telephone, et al. urging the FCC to consider adopting rules that prohibit the use of universal service funds for special construction of fiber networks that overbuild existing fiber networks. [Public Notice](#)
- July 19 - PRA comments due on an extension of a currently approved information collection associated with telephone number portability rules (sections 52.21 through 52.36). [Notice](#)
- July 24 - Comments are due on the June 27, 2019 [FNPRM](#) proposing revisions to FCC rules implementing the Telephone Consumer Protection Act and on issues pertaining to implementation of SHAKEN/STIR. Reply comments are August 23, 2019. [FR](#)
- July 25 - Replies due on Northeast Iowa Telephone and Western Iowa Telephone's [Petition for Clarification or Declaratory Ruling](#) on the definition of locations under the A-CAM for residences that also serve as businesses. [Public Notice](#)
- Aug. 5 - PRA comments due on a revised information collection pursuant to the requirement that certain carriers with high-cost reporting obligations must file information about their locations that meet their broadband deployment public interest obligations via USAC's electronic portal. [FCC Notice](#)
- Aug. 12 - Replies due on the [Notice of Proposed Rulemaking](#) seeking comment on establishing an \$11.42 billion cap on the Universal Service Fund. [FR](#)
- Aug. 13 - PRA comments due for information collection requirements for parts of sections 251 and 252 of the Telecommunications Act of 1996 that affect local competition. [FR](#)
- Aug. 23 - Replies are due on the June 27, 2019 [FNPRM](#) proposing revisions to FCC rules implementing the Telephone Consumer Protection Act and on issues pertaining to implementation of SHAKEN/STIR. [FR](#)

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