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June 26, 2017 HIGHLIGHTS

- The FCC issued a [tentative agenda](#) for its July 13, 2017 Open Meeting. The FCC will consider, among other things: a [Second FNPRM](#) proposing changes to the rural call completion rules and reporting requirements; a [NOI](#) on methods to authenticate telephone calls to address illegal robocalls; a [NOI](#) that explores methods by which reassigned telephone number data could be made available to callers to avoid making unwanted calls to consumers; and a [NPRM](#) on steps to further curtail slamming and cramming.
- The FCC released items that were adopted at its June 22, 2017 [Open Meeting](#), including an [NPRM](#) that would amend the Caller ID rules to allow disclosure of blocked Caller ID information to aid law enforcement in investigating threatening calls; an [NPRM and Order](#) that proposes to eliminate the requirement that payphone operators conduct annual audits; and an [NOI](#) that seeks comment on ways to facilitate greater consumer choice and enhance broadband deployment in multiple tenant environments.
- The Wireline Competition Bureau issued a [Report](#) presenting findings on rural call completion based on eight sets of reports submitted during the first two years of the data collection. Comments are due August 3, 2017.
- Chairman Pai posted [a blog](#) on unlawful robocalls, slamming/cramming, and rural call completion.
- Great Plains filed a [Petition for Waiver](#) to permit it to utilize actual interstate switched access revenues in establishing rates and calculating amounts eligible for ICC CAF recovery for its 2017-2018 switched access rates.
- [Sprint](#) and [CenturyLink](#) filed petitions on price cap carriers' 2017 annual access tariff filings.
- Chairman Pai sent [letters](#) to 56 Senators, noting outstanding issues remain regarding USF Rate-of-Return reform, and detailed recent FCC efforts to address these issues and items currently circulating.
- The Senate Subcommittee on Communications, Technology, Innovation, and the Internet held a [hearing](#) on the USF and its capabilities for the deployment of broadband in rural America. The House Subcommittee on Communications and Technology held a [hearing](#) on broadband coverage, and the House Subcommittee on Agriculture, Energy, and Trade held a [hearing](#) on broadband deployment efforts by small telecommunications companies in the most rural parts of America.
- NTCA [discussed](#) the negative effects of insufficient USF support and the unpredictable nature of the budget control mechanism, and urged the Commission to act on its pending Petition for Reconsideration. Similar issues were [discussed](#) by South Central Telephone, Blue Valley Tele-comm, and TCA.
- Nextech [urged](#) the FCC to adopt, on a permanent basis, the CBOL surrogate cost [Waiver Orders](#)' solution to limit the amount of Special Access revenue requirement allocated to the CBOL.
- Monte R. Lee & Company and WTA [discussed](#) the RoR path challenge process.
- The second meeting of the Broadband Deployment Advisory Committee [will be held](#) on July 20, 2017.
- [Comments were filed](#) on NCTA and USTelecom's [Petition for Declaratory Ruling](#) on the federal regulatory regime governing broadband speed disclosures. Replies are due July 3, 2017. [Public Notice](#)
- [Comments were filed](#) on the [NPRM](#) on 2017 regulatory fees. Replies are due July 7, 2017.

Other Key Upcoming Dates

- July 3 - Comments due on the [NPRM](#) on ways to block illegal robocalls. Replies due July 31. [Notice](#)
- July 6 - Comments due on ITTA and USTelecom's [Petition for Rulemaking](#) to review rate regulation of business data services offered by model-based rate-of-return carriers. Reply comments are due July 21. [Public Notice](#)
- July 10 - Comments due on the [NPRM](#) on whether the FCC should change the current local service rate floor methodology or eliminate the rate floor and its accompanying reporting obligation. Replies are due July 24. [Notice](#)

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USF Reform

- Chairman Pai sent [letters](#) to 56 Senators on June 16, 2017, in response to their letter on April 11, 2017, asking the FCC to consider changes to the high-cost USF mechanisms to make affordable broadband available to Americans in high-cost rural areas. Pai said despite the FCC's efforts in the 2016 Rate-of-Return Reform Order, he still hears from small carriers that the rates they have to charge exceed the rates for bundled services because of the different regulatory treatment. Pai said to provide some relief, he directed his staff to gather a punch list of lingering issues from the Order. Pai noted in May 2017, he circulated an Order on a surrogate method to avoid duplicative cost-recovery and another involving charges imposed on stand-alone broadband lines, and he circulated an Order to address certain duplicative reporting requirements imposed on rural providers.
- Chairman Pai sent a [letter](#) to Sen. Mitch McConnell (R- Ky.) on June 5, 2017, in response to his letter on broadband internet access. Pai said closing the digital divide is his top priority, and noted the FCC adopted the second phase of the Mobility Fund at its February meeting. Pai said the Mobility Fund will preserve and advance mobile broadband service in rural America and is a long-term investment directing up to four-and-a-half billion dollars to rural America over the next decade using a competitive reverse auction to redirect USF funding toward areas that would otherwise be unserved.
- The Senate Subcommittee on Communications, Technology, Innovation, and the Internet held a [hearing](#) entitled "The Universal Service Fund and Rural Broadband Investment" on June 20, 2017, to examine the FCC's USF and its capabilities for the deployment of broadband in rural America. Shirley Bloomfield, CEO of NTCA, [testified](#), saying the viability and effectiveness of the USF is in serious peril. She said while the FCC took steps to provide some level of additional funding within the fixed overall USF budget for a subset of carriers that elected model-based High-Cost USF support, the funding was insufficient to achieve the goals of the model the FCC designed. She also said the problem is even more dire for those small carrier recipients of High-Cost USF that could or did not elect model support. Testimonies were also given by: [Michael Balhoff](#); [Eric Graham – C Spire](#); and [Dr. Karen S. Rheuban](#).
- NTCA [met with](#) Chairman Pai's Wireline Advisor and interns on June 16, 2017, to discuss the negative effects of insufficient USF support and the ensuing unpredictable nature of the budget control mechanism on investments by RLECs and the rates paid by their consumers. NTCA urged the Commission to act on its pending Petition for Reconsideration to address such concerns so that the purported goals of USF reform and the mandates of federal law may be achieved.
- South Central Telephone, Blue Valley Tele-comm, and TCA [met separately with](#) Chairman Pai's Legal Advisor and Wireline Competition Bureau staff on June 20, 2017, to discuss reductions in USF support, including recent developments in the budget constraint mechanism and the impacts these reduced distributions will have on their customers and communities.
- Rural Telephone Service, d/b/a Nextech, filed [a letter](#) on June 23, 2017, to urge the Commission to adopt, on a permanent basis, the CBOL surrogate cost [Waiver Orders](#)' solution to limit the amount of Special Access revenue requirement allocated to the CBOL category to the total DSL revenue requirement. It claimed this has two benefits: it avoids the distortive effects on non-end user broadband rates; and has been in place for the past two tariff filings and the current estimate of CAF BLS. It suggested to change policy now would invite uncertainty, confusion, and other unintended consequences.
- Monte R. Lee & Company and WTA [met with](#) Wireline Competition Bureau staff on June 19, 2017, to discuss the RoR path challenge process that will determine whether or not possible unsubsidized competitors will be treated as being present in certain census blocks. They also discussed the form WTA previously submitted to address the evidentiary burdens of that challenge process, which it attached.
- Gila River Telecommunications and Councilman Barney Enos, Jr. [met with](#) Chairman Pai and FCC staff on June 14, 2017, to urge the Commission to adopt the draft Order that would exempt carriers

primarily serving Tribal lands from the effects of the operating expense limitation rule. GRTI stated the impact of the OpEx limitation rule is a reduction in support of \$93,000 per month, or \$1.11 million per year, and said for a small company trying to provide broadband service to a sparsely populated Tribal community, that level of reduction is unsustainable. It reported that combined with other reductions in USF support due to reforms, GRTI is losing \$260,000 per month in support.

- The FCC published a [Notice](#) in the Federal Register on June 20, 2017, seeking PRA comments on an information collection (Forms 183 and 184) that will be used to determine if applicants are eligible to participate in auctions for USF support, including the CAF Phase II auction, the Mobility Fund II auction, the Tribal Mobility Fund Phase II, and the Remote Areas Fund. Comments are due August 21, 2017.
- Thirty-three rural organizations sent [a letter](#) to Chairman Pai on June 20, 2017, urging the Commission to complete with all due speed the CAF Phase II auction. They said further delay now to rewrite the rules in a manner that may tilt the playing field toward lesser quality networks will not serve the needs of rural communities and the consumers they serve. They asserted networks built with CAF II funds must be scalable and sustainable over the long-term to better meet the growing needs of consumers and businesses in rural America.
- Frontier filed [a letter](#) on June 21, 2017, to submit a list of census blocks for which it previously had identified locations to which it would deploy broadband service using CAF Phase I Round 2 incremental support but for which it now will not be deploying broadband service using that support. It said the list only reflects the previously-identified Round 2-eligible census blocks to which Frontier did not deploy broadband using Round 2 support due to changes in Frontier's deployment plans, and does not reflect census blocks that were removed from Round 2 deployment due to challenge process determinations or assertions that the census blocks were already served.
- Ellington Telephone Company filed [a letter](#) on June 23, 2017, to notify the FCC that the attached list of consensus blocks, which appeared on the FCC's June 8, 2017 [updated list](#) of census blocks eligible for CAF Phase II support, are within its study area boundary.
- Hughes Network Systems [met with](#) Wireline Competition Bureau staff on June 21, 2017, to urge the Commission to adopt a revised bid-weighting matrix for the CAF Phase II auction. Hughes discussed a paper by Scott Walsten, Ph.D., that it said argues the bid weighting matrix should also include time-to-deployment in the scoring matrix.
- Mosaik Solutions [met with](#) Legal Advisors to Chairman Pai and Commissioner Clyburn on June 15, 2017, to discuss the data the Commission will use to determine the availability of commercial wireless broadband services. Mosaik introduced its network performance data collection and reporting software, Signal Insights, which it claimed is well-suited to support potential Mobility Fund II challenges. Mosaik urged the FCC to take a more aggressive and aspirational approach to broadband data analysis, noting that technologically advanced, cost-effective network testing solutions are available in the private sector to assist the FCC's policy decisions. Mosaik also attached a white paper from the Wireless Infrastructure Association, which it said describes how the 49 million Americans living in rural areas would benefit from improved access to mobile wireless broadband service.
- Wireless Partners filed [a letter](#) on June 21, 2017, to urge the Commission to take all steps necessary to complete the process of identifying areas eligible for Mobility Fund Phase II support as soon as possible and to ensure the program continues to focus support on truly unserved areas. It claimed the Commission is already four years beyond the date when it committed to conduct the auction, and said if the Commission collects new data in order to determine which areas should be eligible for MF-II support, the Commission must ensure the data collection identifies areas that are truly unserved.

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Broadband

- Chairman Pai released a [statement](#) on June 22, 2017, expressing support for President Trump's announcement that expanding rural high-speed internet access will be included in his infrastructure proposal. Chairman Pai said "[c]losing the digital divide needs to be a national priority, and the President's decision to include rural broadband in his infrastructure plan holds great promise for creating more jobs and prosperity in our nation's rural areas."
- Chairman Pai issued a [statement](#) on June 21, 2017, on the bipartisan support shown for the [Gigabit Opportunity Act](#), which was introduced by Sen. Shelley Moore Capito (R- W.Va.) and co-sponsored by Sen. Christopher Coons (D- Del.), and the House version of the bill introduced by Rep. Doug Collins (R- Ga.) and originally co-sponsored by Rep. Jason Smith (R- Mo.). Pai said "[c]losing the digital divide is a top national priority. Gigabit Opportunity Zones would go a long way toward meeting that priority. By streamlining regulations to encourage broadband deployment and establishing targeted tax incentives for entrepreneurs to build those networks, we can empower millions of Americans, rural and urban alike."
- The FCC issued a [Public Notice](#) on June 20, 2017, announcing the second meeting of the Broadband Deployment Advisory Committee will be held on July 20, 2017. The BDAC working groups will report on their progress in developing recommendations for the BDAC's consideration, and will discuss how to accelerate the deployment of broadband by reducing and/or removing regulatory barriers to infrastructure investment. The BDAC meeting is open to the public and the FCC will also provide audio and/or video coverage of the meeting at www.fcc.gov/live.
- The FCC released the [NOI](#) on June 23, 2017, that was adopted at its June 22, 2017 [Open Meeting](#), seeking comment on ways to facilitate greater consumer choice and enhance broadband deployment in multiple tenant environments. Comments are due July 24, 2017; replies are due August 22, 2017.
- In addition to comments reported in a previous edition of *REGScan*, comments were filed on June 16, 2017, on NCTA and USTelecom's [Petition for Declaratory Ruling](#), which asked the Commission to confirm and clarify aspects of the federal regulatory regime governing broadband speed disclosures. [CenturyLink](#) supported the Petition, and said the FCC should declare a broadband provider's disclosure of average broadband speeds during periods of peak demand is sufficient to comply with the requirement under section 8.3 of the FCC's rules. [ADTRAN](#) supported the Petition, saying having a patchwork of inconsistent state and federal requirements would impose undue burdens on ISPs and confuse customers. It claimed the particular testing methodologies relied on by the states are significantly flawed. The [Center for Democracy and Technology](#) claimed a declaratory ruling allowing BIAS providers to advertise "up to" speeds, regardless of the accuracy of those speeds, would contradict the 2015 Open Internet Transparency Rule and inhibits the FCC's ability to prevent providers from making false and misleading claims about the performance of BIAS offerings. [State Attorneys General](#) said the Petition should be denied, claiming it seeks to up-end the longstanding dual state-federal regulation of business practices of broadband providers by asking the Commission to block state and local authorities from routine enforcement of state consumer protection laws and declare that the Commission alone regulates all advertising about broadband performance. [List of all comments available to date](#). Replies are due July 3, 2017. [Public Notice](#)
- The House Subcommittee on Communications and Technology held a [hearing](#) on June 21, 2017, entitled "Defining and Mapping Broadband Coverage in America." Carol Matthey, Principal of Matthey Consulting, [testified](#), saying the FCC's Form 477 data collection provides a solid foundation for mapping broadband coverage, and any future program should build on that existing data collection rather than starting anew. She also said requiring all broadband providers in the country to report fixed deployment at the address level, or by geocoded location, would be a significantly more burdensome data collection for affected broadband providers than what exists today. An alternative approach to address-level reporting would be to change the current rules for what is deemed served. Testimonies also given by: [Doug Brake- ITIF](#); [Brian Darr- Mosaik Solutions](#); [J. Brent Legg- Connected Nation](#); and [Dr. Robert Wack](#).

- The House Small Business Committee's Subcommittee on Agriculture, Energy, and Trade held a [hearing](#) entitled "Improving Broadband Deployment: Solutions for Rural America," on June 22, 2017. The hearing focused on broadband deployment efforts by small telecommunications companies in the most rural parts of America. [Michael R. Romano, Senior VP at NTCA](#), testified, saying while the FCC provided additional funding for small carriers that elected model-based High-Cost USF support, this funding was insufficient to achieve the goals of the model that the FCC designed. He said an additional \$110 million per year is needed to promote broadband deployment. He also said because of a new budget control mechanism, small operators that could or did not elect model support will see their support slashed by 12.3 percent on average over the next 12 months, and will be denied recovery of a total of \$173 million in actual costs for private broadband network investments they have already made. [Dave Osborn - VTX1](#) testified on behalf of WTA, saying that instead of caps and cuts to support, the High Cost Program needs to be fully funded so that carriers can upgrade their networks to deploy broadband further throughout their service territories. Testimonies were also given by [Tim Donovan - Competitive Carriers Association](#) and [Chris Allendorf - Jo-Carroll Energy](#).
- In addition to comments reported in a previous edition of *REGScan*, [Harris Corporation](#) filed comments on June 22, 2017, on the [NPRM, NOI, and Request for Comment](#) on removing regulatory barriers to wireline broadband infrastructure investment and deployment. [Harris Corporation](#) urged the FCC to: ensure the pole attachment process is competitive and efficient; promote expedited processes to replace copper, but do so in a way that does not undermine legacy technologies that federal government systems will continue to require; provide that network change notifications are thorough and provide at least 180 days advance notice; and apply its Functional Test Standard by requiring that network upgrades continue to support legacy technologies, such as TDM, and at their current recurring costs. [List of all comments available to date](#). Reply comments are due July 17, 2017. [FR](#), [Public Notice](#)

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Call Completion

- The Wireline Competition Bureau issued a [Report](#) on June 22, 2017, presenting findings on rural call completion based on eight sets of reports submitted during the first two years of the data collection. The Bureau found: the aggregate call answer rate in rural areas (64.3 percent) was slightly lower than in nonrural areas (68.8 percent) and the difference in covered providers' median call answer rates in rural and nonrural areas was approximately two percent; there was wide variation in performance among covered providers in rural areas and nonrural areas, suggesting rural call completion may be more a function of individual provider performance than a systemic problem; and the aggregate call answer rate in rural areas did not increase over the course of the reporting period, suggesting the requirement to report data, in and of itself, has not caused providers in the aggregate to improve their performance in rural areas during the reporting period. The Bureau seeks comments on the report, on modifying the data collection, and on eliminating the recording, retention, and reporting rules and replacing them with new rules that could more directly address rural call completion problems. Comments on the Report are due August 3, 2017.

ICC

- Great Plains Communications filed a [Petition for Waiver](#) on June 21, 2017, to permit it to utilize actual interstate switched access revenues in establishing rates and calculating the amounts eligible for recovery for its 2017-2018 switched access rates as it exits NECA's switched and special access pools, and a corresponding alignment of the ICC eligible recovery amounts. Great Plains asserted that without a waiver, the result will be almost a 150 percent increase in its switched access rates and elimination of most of its existing support from CAF-ICC that has resulted through ordered reductions and recovery under the Transformation Order. Great Plains also requested a waiver of the reporting requirements and timeframes associated with the filing of data in the recovery mechanism calculations, saying this waiver will synchronize the switched access rate caps with the eligible recovery CAF-ICC calculations.

- West Telecom Services and Consolidated Communications [met separately with](#) Legal Advisors to Chairman Pai and Commissioner O’Rielly and Wireline Competition Bureau staff on June 20 and 21, 2017, to discuss AT&T’s Petition for Forbearance from tandem switched and transport access charges. They claimed the flash-cut detariffing sought by AT&T’s Petition, if granted, could jeopardize the ability of tandem providers to collect payment for services rendered, and suggested addressing issues associated with that traffic is best done on a case-by-case basis through section 208 proceedings, not through broad forbearance that will result in risk and uncertainty for tandem and transport providers. They also argued AT&T, as an IXC customer of switched access services, lacks standing.
- Sprint filed a [Petition](#) on June 23, 2017, seeking rejection or, in the alternative, suspension and investigation of a number of price cap carriers’ 2017 annual access tariff filings. Sprint claimed contrary to the FCC’s Step 6 Rule (section 51.907(g)(2)), each of these ILEC-filed tariffs improperly limits assessment of the \$.0007 transitional tandem switched transport rate only to traffic that traverses the ILEC tandem switch and terminates to an end office owned by that same ILEC. Sprint claimed as currently filed, each of these tariffs ignores the express language of the FCC’s Step 6 Rule and will unlawfully impose tandem switching rates higher than \$.0007 for traffic terminated via the ILEC tandem to its affiliates. CenturyLink filed a similar [Petition](#) on Verizon’s 2017 annual access tariff filing.

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Open Internet

- Commissioner Clyburn [spoke at](#) the Open Technology Institute on June 21, 2017, to discuss net neutrality and the economy. She claimed robust net neutrality rules are good for the economy and there must be support and a push for an environment which encourages seamless entry and limitless success of smaller players and of everyday people, who have always been the economic backbone of our nation.
- The Free State Foundation filed a [letter](#) on June 20, 2017, attaching two papers, entitled “Too Much Unnecessary Regulation Is Impeding Telecom Investment” and “Allow Paid Prioritization on the Internet for More, Not Less, Capital Investment,” authored by FSF Senior Fellow Theodore Bolema. The Free State Foundation asserted in light of the importance of ongoing substantial investment by ISPs in the deployment and upgrading of high-speed internet services, issues relating to the adverse effect of the FCC’s regulation of ISPs on their investment incentives are extremely important.
- The Phoenix Center released a [report](#) on June 20, 2017, to respond to [Free Press](#) and the Internet Associations’ claims that reclassifying broadband internet access service as a common carrier telecommunications service did not have a negative effect on network investment. The Phoenix Center’s report claims Free Press and the Internet Association presented a false narrative to both the Commission and the public at large, and asserted their evidence actually points to the harms of reclassification on investment incentives. [Press release](#)
- The Electronic Gaming Federation filed [comments](#) on June 21, 2017, to urge the FCC to sustain the existing, strong net neutrality rules, based on Title II of the Communications Act. It also said the FCC should maintain bright line rules against blocking, throttling, and paid prioritization on both fixed and mobile connections, as well as maintain ongoing oversight of other types of discrimination.

USF

- The Commission placed [an item](#) on circulation on June 19, 2017, on Sandwich Isles Communications’ Petition for Waiver of the definition of “Study Area” contained in Part 36, Appendix-Glossary and sections 36.611 and 69.2(hh) of the Commission’s rules.
- The Wireline Competition Bureau issued an [Order](#) on June 23, 2017, waiving the Healthcare Connect Fund invoice filing deadline for funding year 2016 for certain funding request numbers. The Bureau said by the time USAC issued funding commitment letters, some of the applicants’ invoicing deadlines

had already passed, while others were set to expire less than six months later. The Bureau listed the waived FRNs in the appendix.

- The FCC published a [Notice](#) in the Federal Register on June 21, 2017, announcing [amendments](#) to the FCC's Rural Health Care rules, adding skilled nursing facilities to the list of healthcare providers eligible to receive RHC Program support, are effective June 21, 2017.
- The Wireline Competition Bureau issued a [Public Notice](#) on June 21, 2017, seeking comment on proposed eligible services for the E-rate program for funding year 2018. The Bureau seeks comment on: the language added to the draft FY 2018 ESL and whether additional clarification is needed to assist applicants seeking support for on-premises network equipment; and on the category of service that should apply to inside wiring between different schools or libraries sharing a single building. Comments are due July 21; replies are due August 7.
- Springs Charter Schools filed a [letter](#) on June 16, 2017, to express opposition to the E-rate Modernization [Order](#) phase down. It said the reduction of voice and data technology funding is discriminatory to 50 percent of its students who are homeschooled and the teachers who support them. It asked the Commission to reconsider the portion of the Order that eliminates mobile data services and phases down all voice services.
- Smith Bagley filed [PRA comments](#) on June 22, 2017, on a [revision](#) to a currently approved information collection associated with Lifeline reform. SBI claimed the FCC's proposal to require Lifeline customers to provide eligibility documents during the annual recertification process would impose extraordinary burdens on SBI and its customers, and this requirement appears nowhere in the FCC's rules, affording no opportunity for SBI to pursue the issue on reconsideration. SBI also said the supporting statement provides no work burden estimate for the requirement, and urged the OMB to decline to approve the FCC's information collections until the FCC revises its supporting statement so it is consistent with the FCC's recertification rules.
- Alaska Communications filed a [letter](#) on June 20, 2017, to respond to the Managing Director's [Public Notice](#) that proposed a Third Quarter 2017 USF contribution factor of 17.1 percent. Alaska Communications urged the Commission to include the full \$100 million quarterly demand for the Rural Health Care support mechanism in the amount to be collected in the coming calendar quarter. It also said OMD's recommended approach has the effect of reducing the total program collection requirement by \$100 million, and suggested without this "adjustment," the correct contribution factor would be only marginally higher, about 17.9 percent for the third quarter 2017.
- The Schools, Health & Libraries Broadband Health Coalition filed a [letter](#) on June 23, 2017, to express support for Alaska Communications' [letter](#) requesting full funding for the Rural Health Care Program. SHLB said even though the demand for RHC funding has increased substantially in the past year, the [Public Notice](#) proposes to collect less than \$0 for the third quarter of 2017 for the RHC program, and without taking public comment or going through a rulemaking proceeding, the Public Notice proposes to change existing policy and to use reserve funds from prior years to cover the RHC demand for the upcoming quarter.
- The [Ninilchik Traditional Council](#), [Cross Road Health Ministries](#), [Peninsula Community Health Services of Alaska](#), and [Community Connections](#) filed letters on June 20 and 22, 2017, on the [Public Notice](#) proposing a Third Quarter 2017 USF contribution factor of 17.1 percent. They said the decision to use the RHC program reserve funds to help lower the contribution factor could have negative long-term implications on rural health care services across the country. They urged the FCC to fully fund the RHC program and not to use previously collected RHC reserve funds to reduce the USF contribution factor before considering whether and how those funds could better be used to serve the Commission's commitment to improving rural healthcare.
- The Kenaitze Indian Tribe filed a [letter](#) on June 20, 2017, on the [Public Notice](#) proposing a Third Quarter 2017 USF contribution factor of 17.1 percent. It said the decision to use the RHC program reserve funds to help lower the contribution factor could have negative long-term implications on rural health care services across the country. It urged the FCC to fully fund the RHC program and not to use

previously collected RHC reserve funds to reduce the USF contribution factor before considering whether and how those funds could better be used to serve the Commission's commitment to improving rural healthcare. [Chugachmuit](#) and [Sitka Counseling and Prevention Services](#) filed similar letters on June 21, 2017.

- GCI [met with](#) Wireline Competition Bureau staff on June 21, 2017, to discuss the application of the cap on rural health care funding and the hardship that creates for the nearly completed 2016 funding year, the difficulty of making changes for the 2017 funding year, and the need to get a better solution in place in time to plan for the 2018 funding year. GCI asserted instability and unpredictability in rural health care support hurts both health care providers in remote areas and the ability of network providers to plan for future infrastructure deployments.
- Locus Telecommunications filed a [letter](#) on June 21, 2017, to ask the Commission to act on its pending [Request for Review](#) of the rejection of its TRS, LNP, and NANPA fee invoices, and the [Petition for Declaratory Ruling](#) that carriers have the legal right to ensure that revenues derived from private carriage offerings are exempted from Title II Program fees. Locus asserted consistent with long-standing precedent and the FCC's recent BDS [Order](#), the Commission should direct USAC to abandon its policy of sharing all Form 499-A data with the Title II Program administrators for billing purposes and instruct USAC to respect a filer's certified exclusion of private carriage revenues from its Title II Program contribution base via Line 603 of the Form, consistent with federal law.

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Misc.

- The FCC issued a [tentative agenda](#) on June 22, 2017, for its July 13, 2017 Open Meeting. The Commission will consider: a [Second FNPRM](#) to address ongoing problems in the completion of long-distance telephone calls to rural areas; a [Notice of Inquiry](#) on methods to authenticate telephone calls to further secure telephone networks against illegal robocallers; a [Notice of Inquiry](#) that explores methods by which reassigned telephone number data could be made available to callers to avoid making unwanted calls to consumers; a [NPRM](#) outlining steps to further curtail slamming and cramming; a [Report and Order](#) that increases the required hours of video-described programming that covered broadcast stations and MVPDs must provide to consumers; a [First Report and Order](#) that would update and amend the equipment authorization program; a [Report and Order](#) that would address use of the 76-81 GHz band to support a broad range of vehicular radar uses; and an [Order on Reconsideration and FNPRM](#) that would address licensed and unlicensed wireless microphone operations in the TV bands and various other frequency bands.
- The FCC released the following items that were adopted at its June 22, 2017 [Open Meeting](#): an [NPRM \(News\)](#) that would amend the Caller ID rules to allow disclosure of blocked Caller ID information to aid law enforcement in investigating threatening calls; an [NPRM and Order \(News\)](#) that proposes to eliminate the requirement that payphone operators conduct annual audits; an [NPRM \(News\)](#) that would amend the Emergency Alert System rules to add a dedicated event code for Blue Alerts; and a [Report and Order \(News\)](#) on First Responder Network Authority opt-out procedures; an [Order and Declaratory Ruling \(News\)](#) that would grant OneWeb's request to be permitted to access the U.S. market using its proposed non-geostationary satellite constellation for the provision of broadband; and an [NOI \(News\)](#) that seeks comment on ways to facilitate greater consumer choice and enhance broadband deployment in multiple tenant environments. The FCC [adopted](#) before the Open Meeting a [Declaratory Ruling](#) that would clarify the "written information" that cable operators must provide to their subscribers via annual notices may be provided via e-mail.
- Chairman Pai posted [a blog](#) on June 22, 2017, in honor of Consumer Protection Month, saying efforts "to excommunicate this unholy triad of consumer scourges—unlawful robocalls, slamming/cramming, and rural call completion—headline the FCC's agenda in July." On robocalls, he said the Commission will explore setting up a reliable system for authenticating phone calls and begin to address the problem of calls that are made to reassigned phone numbers. On slamming and cramming, the Commission will propose a rule that would ban misrepresentations on sales calls that typically precede a slam and rule amendments that would make it harder for fraudsters to put unauthorized charges on

consumers' phone bills. For rural call completion, he said he was asking the FCC to adopt new, strong rural call completion requirements for certain telecommunications carriers and eliminate some of the reporting carriers must file that "hasn't proven to be very useful." He also addressed consumers with disabilities and spectrum for radars in vehicles.

- The FCC issued a [News Release](#) on June 22, 2017, announcing a [proposed fine](#) of \$120 million against Mr. Adrian Abramovich of Miami, Florida, who apparently made 96 million spoofed robocalls during a three-month period in order to trick unsuspecting consumers into answering and listening to his advertising messages, in violation of the Truth in Caller ID Act. The FCC indicated Mr. Abramovich used what has been called "neighbor spoofing," which takes place when the caller falsifies the caller ID to match the area code and first three digits of the recipient's phone number, instead of the caller's number or the number where the call was actually originating. The FCC's Enforcement Bureau also issued a [Citation and Order](#) to Mr. Abramovich for apparent violations of the Telephone Consumer Protection Act's robocall limits and the federal wire fraud statute.
- The Senate Subcommittee on Financial Services and General Government held a [hearing](#) on June 20, 2017, on the FCC's 2018 budget request. [Chairman Pai](#) and [Commissioners O'Rielly](#) and [Clyburn](#) testified. [Pai](#) said the FCC will focus its resources on closing the digital divide, promoting innovation, protecting consumers and public safety, and reforming the FCC's processes. [O'Rielly](#) said only a dozen or so people in the Wireline Competition Bureau are working on the USF High-Cost program, and said necessary changes to the USF programs have been put on hold for lack of resources. He also discussed his concerns with USAC, and discussed broadband, USF reforms, and infrastructure deployment. [Clyburn](#) discussed FCC employment issues, and said future budget requests should include a dedicated account supporting IT modernization and cybersecurity needs.
- Comments were filed on June 22, 2017, on the [NPRM](#) proposing to collect \$356,710,992 in regulatory fees for FY 2017. [ITTA](#) said the Commission should adopt the NRPM's proposal for reallocating several Wireline Competition Bureau FTEs to another bureau or as indirect FTEs. [Frontier](#) supported proposals to improve the imbalance in regulatory fees faced by interstate telecommunications service providers, including appropriately re-allocating Wireline Bureau full-time equivalents associated with universal service and numbering. Frontier encouraged the FCC to consider releasing public data on FTEs that work on net neutrality, privacy, ICC, rural call completion, special access, 911, and pole attachments. [AT&T](#) asserted the FCC should seek to make the International Bearer Circuits fee assessment more efficient, equitable, and less burdensome by applying the existing terrestrial per circuit IBC fees to all terrestrial circuits regardless of regulatory classification. [CenturyLink](#) expressed support for proposals to: reallocate 38 of the 51 FTEs in the Wireline Competition Bureau who work on USF issues from direct FTEs to indirect FTEs and to reallocate four of the Wireline Competition Bureau FTEs that work on numbering issues to the Wireless Telecommunications Bureau as direct FTEs for regulatory fee purposes. [Level 3](#) recommended adoption of a flat-fee assessment methodology for terrestrial IBCs, whether offered on a common-carrier or non-common-carrier basis. The [American Cable Association](#) urged the FCC to rectify the regulatory fee disparity between cable television and IPTV providers and Direct Broadcast Satellite providers by raising the DBS subcategory fee to achieve full parity with the Cable/IPTV fee category in FY 2017. [List of all comments available](#). Replies are due July 7, 2017.
- The FCC published a [Notice](#) in the Federal Register on June 21, 2017, seeking PRA comments on a revised information collection associated with the Tariff Review Plans. The revision is pursuant to the April 20, 2017 BDS Order, which detariffed certain business data services and modified the regulatory obligations for those BDS services that will remain tariffed. The Order also adopted an X-factor of two percent and required price cap ILECs to make a one-time filing to revise their TRPs to implement the new X factor to become effective on December 1, 2017. The only factor that changes in the revised TRPs is the X-factor. The FCC indicated the base period demand and the value of GDP-PI will stay constant for this particular filing. PRA comments are due August 21, 2017.
- The FCC published a [Notice](#) in the Federal Register on June 21, 2017, seeking PRA comments on an extension of a currently approved information collection. The Notice indicated in an August 1999 Order, the Commission permitted price cap LECs to introduce new services on a streamlined basis, without prior approval or cost support requirements. The Commission eliminated the public interest

showing required by section 69.4(g), and, except in the case of new loop-based access services, eliminated the new services test required by sections 61.49 (f) and (g). Comments are due August 21, 2017.

- Chairman Pai [announced](#) on June 21, 2017, he intends to appoint Rosemary C. Harold to serve as Enforcement Bureau Chief. Ms. Harold will rejoin the FCC from Wilkinson Barker Knauer LLP, where she was a partner. Prior to joining the firm in 2011, Ms. Harold was a legal advisor to then-FCC Commissioner Robert McDowell for media and broadband issues and deputy chief of the FCC's Media Bureau.

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Upcoming Filing Dates

- July 3 - Comments due on the [NPRM](#) on facilitating voice service providers' blocking of illegal robocalls. Replies due July 31, 2017. [Notice](#)
- July 3 - Replies due on NCTA and USTelecom's [Petition for Declaratory Ruling](#) to confirm and clarify aspects of the federal regulatory regime governing broadband speed disclosures. [Public Notice](#)
- July 6 - Comments due on ITTA and USTelecom's [Petition for Rulemaking](#) to review rate regulation of business data services offered by model-based rate-of-return carriers. Reply comments are due July 21. [Public Notice](#)
- July 7 - Comments due on updated list of census blocks eligible for CAF Phase II support in states where price cap carriers accepted the statewide offers of model-based CAF Phase II support. [Public Notice](#)
- July 7 - Replies due on the [NPRM](#) proposing to collect \$356,710,992 in regulatory fees for FY 2017 and included proposed fee schedules.
- July 10 - Comments due on the [NPRM](#) that asks whether the Commission should change the current local service rate floor methodology or eliminate the rate floor and its accompanying reporting obligation. Reply comments are due July 24. [Notice](#)
- July 10 - PRA comments due on an extension of a currently approved information collection associated with rule changes and clarifications made in a 2004 [Order on Reconsideration](#) on payphone compensation. [Notice](#)
- July 13 - Comments due on Leech Lake Telecommunications ETC designation [Petition](#). Replies are due July 28. [Public Notice](#)
- July 17 - Replies due on the [NPRM and NOI](#) on the regulatory impediments to wireless network infrastructure investment and deployment.
- July 17 - Comments due on the [NPRM](#) proposing: to return internet broadband access service to the classification of Title I information service; to return to the FCC's original classification of mobile broadband internet access service as a private mobile service; and seeks comment on the existing rules governing ISPs' practices. Replies are due August 16, 2017.
- July 17 - PRA comments due on a revision of a currently approved information collection associated with sections 54.202 (additional requirements for Commission designation of ETCs), 54.307 (support to a CETC), 54.313 (annual reporting requirements for high-cost recipients), and 54.314 (certification of support for ETCs). [Notice](#)

- July 17 - PRA comments due on an extension of a currently approved formal complaint procedures for the Open Internet rules. [Notice](#)
- July 17 - Replies due on the Wireline Infrastructure [NPRM, NOI, and Request for Comment](#). [FR, Public Notice](#)
- July 18 - PRA comments due on a new information collection associated with its January 26, 2017 CAF Phase II [New York Auction Order](#), which granted New York a waiver of the Phase II auction program rules, subject to certain conditions. [Notice](#)
- July 21 - Replies due on ITTA and USTelecom's [Petition for Rulemaking](#) to review rate regulation of business data services offered by model-based rate-of-return carriers. [Public Notice](#)
- July 21 - Comments due on the [Public Notice](#) seeking comment on proposed eligible services for the E-rate program for funding year 2018. Replies are due August 7.
- July 24 - Replies due on the [NPRM](#) that asks whether the Commission should change the current local service rate floor methodology or eliminate the rate floor and its accompanying reporting obligation. [Notice](#)
- July 24 - Comments due on the [NOI](#) on ways to facilitate greater consumer choice and enhance broadband deployment in multiple tenant environments. Replies are due August 22, 2017.
- July 28 - Replies due on Leech Lake Telecommunications ETC designation [Petition](#). [Public Notice](#)
- July 31 - Replies due on the [NPRM](#) on facilitating voice service providers' blocking of illegal robocalls. [Notice](#)
- Aug. 3 - Comments due on the WCB [Report](#) presenting findings on rural call completion based on eight sets of reports submitted during the first two years of the data collection.
- Aug. 7 - Replies due on the [Public Notice](#) seeking comment on proposed eligible services for the E-rate program for funding year 2018.
- Aug. 16 - Replies due on the [NPRM](#) proposing: to return internet broadband access service to the classification of Title I information service; to return to the FCC's original classification of mobile broadband internet access service as a private mobile service; and seeks comment on the existing rules governing ISPs' practices.
- Aug. 21 - PRA comments due on an information collection (Forms 183 and 184) that will be used to determine if applicants are eligible to participate in auctions for USF support, including the CAF Phase II auction, the Mobility Fund II auction, the Tribal Mobility Fund Phase II, and the Remote Areas Fund. [Notice](#)
- Aug. 21 - PRA comments due on a revised information collection associated with the Tariff Review Plans. The revision is pursuant to the April 20, 2017 BDS Order, which detariffed certain business data services and modified the regulatory obligations for those BDS services that will remain tariffed. [Notice](#)
- Aug. 21 - PRA comments due on an extension of a currently approved information collection associated with changes made in a 1999 Order that permitted price cap LECs to introduce new services on a streamlined basis, without prior approval or cost support requirements. [Notice](#)
- Aug. 22 - Replies due on the [NOI](#) on ways to facilitate greater consumer choice and enhance broadband deployment in multiple tenant environments.

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