

NECA's Weekly Federal Regulatory Summary

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July 1, 2019 HIGHLIGHTS

- Golden West Telecommunications and NTCA [discussed](#) concerns over potential FCC action to impose a new overall cap on the USF programs, stating such action could undermine the predictability finally restored by the December 2018 RoR USF Reform Order and hinder the progress in broadband investments spurred by that decision.
- NTCA, et al. [expressed support](#) for the Iowa Companies' [Petition for Clarification or Declaratory Ruling](#) on the definition of locations for purposes of meeting CAF deployment obligations.
- WTA, Cambridge Telephone, et al. [discussed](#) performance testing requirements for RLECs and A-CAM II location issues and build-out requirements. They said there remain a number of questions regarding the design and implementation of the performance testing regime for rural LECs.
- Pineland Telephone and JSI [discussed](#) Pineland's [Petition for Reconsideration](#) of the A-CAM II offer in the December 13, 2018 RoR USF Reform Order.
- Miller Telephone and JSI [discussed](#) the negative ramifications to Miller's future USF support of a fixed wireless provider that has overstated and misrepresented its broadband availability on its Form 477.
- Vantage Point Solutions [asked](#) the FCC to clarify A-CAM II qualifying location criteria, either through a USAC directive or FCC order, before the ACAM II election deadline on July 17, 2019.
- The USDA [announced](#) the [Community Facilities Direct Loan Program](#) is awarding \$50 million to [40 rural communities](#) for infrastructure and community facilities projects in 17 states. It said it has more than \$2 billion still available this year to invest in community facilities and infrastructure projects.
- The House Small Business Subcommittee on Contracting and Infrastructure [held a hearing](#) on broadband mapping.
- [Commissioner Starks](#) hosted a [workshop](#) on how to address the national security threats posed by insecure equipment within the communications network.
- The FTC and its law enforcement partners [announced](#) a major crackdown on illegal robocalls on June 25, 2019, called "Operation Call it Quits," including 94 actions targeting operations around the country.

Other Key Upcoming Dates

- 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.
- July 10 - Comments [due](#) on Iowa Companies' [Petition for Clarification or Declaratory Ruling](#) on the definition of locations under the A-CAM for residences that also serve as businesses. Replies due July 25, 2019.
- July 15 - Comments due on the [NPRM](#) on establishing an \$11.42 billion cap on the USF. Replies due August 12, 2019. [FR](#)

USF Reform

- Golden West Telecommunications and NTCA [met with](#) Advisors to Chairman Pai and Commissioner Rosenworcel on June 25, 2019, to discuss concerns over potential Commission action to impose a new overall cap on the USF programs, saying such action could undermine the predictability finally restored by the December 2018 RoR USF Reform Order and hinder the progress in broadband investments spurred by that decision. NTCA said the precise reasoning of the Commission in the December 2018 Order in rejecting the notion of an overall budget cap for small rural carrier USF support applies with equal force to the concept of potentially establishing an overall budget cap for all USF support. They suggested if a periodic review of USF budgets is necessary and appropriate, the Commission could establish a rule requiring a periodic simultaneous review of each program's individual budget that might mechanically result in the reduction of support across programs.
- Iowa Communications Alliance, Premier Communications, Farmers Mutual Coop Phone Company, and NTCA [met separately with](#) Chairman Pai's Special Counsel and Wireline Competition Bureau staff on June 26, 2019, to express support for Northeast Iowa Telephone and Western Iowa Telephone's [Petition for Clarification or Declaratory Ruling](#) on the definition of locations for purposes of meeting CAF deployment obligations. They also referred to NTCA's June 5, 2019, [ex parte filing](#) that proposed changes to USAC's HUBB FAQs and Guidance. They said these changes would address apparent discrepancies between the FAQs and Commission rules, which do not require separate equipment, facilities, or an active subscription for the location to be counted for purposes of deployment obligations.
- WTA, Cambridge Telephone, Totah Communications, Range Telephone companies, Shawnee Communications, and CC Communications [met with](#) Chairman Pai's Special Counsel and Legal Advisors to Commissioners [Rosenworcel](#) and [Starks](#) on June 26, 2019, to discuss performance testing requirements for RLECs and A-CAM II location issues and build-out requirements. WTA, et al. said there remain a substantial number of questions regarding the design and implementation of the performance testing regime for rural LECs, including the testing software. They asserted it is unreasonable and inequitable for rural LECs to lose high cost support due to testing failures caused by problems and circumstances that occur outside their networks and over which they have no control. They also said the number of locations required to be served as a condition of receiving A-CAM II support appear in a substantial number of cases to be significantly in excess of the actual number of locations on the ground.
- Pineland Telephone and JSI [met separately with](#) Advisors to Chairman Pai and Commissioners O'Rielly, Rosenworcel, and Starks and Wireline Competition Bureau staff on June 19 and 20, 2019, to discuss Pineland's [Petition for Reconsideration](#) of the A-CAM II offer in the December 13, 2018 RoR USF Reform Order. They asserted this A-CAM II offer embodied a different approach from that taken when the FCC made the initial A-CAM I offer, as well as when it made subsequent revised offers to A-CAM I carriers, yet no provision was made for A-CAM I carriers to elect A-CAM II. They asserted this will create a situation where thousands of rural customers will not receive support for the now-standard 25/3 Mbps service and where there will be serious, arbitrary, and irrational distinctions among the funding for rural customers. They claimed if all A-CAM I carriers were to elect A-CAM II, this fix would cost no more than \$63.3 million, while obliging the electing carriers to deploy and support 25/3 Mbps service for 234,100 locations.
- Pineland Telephone and JSI [spoke with](#) Commissioner Carr's Advisor on June 25, 2019, to discuss Pineland's Petition for Reconsideration of the A-CAM offer in the December 13, 2018 RoR USF Reform Order. They noted A-CAM II funds 25/3 Mbps service to locations in all fully funded census blocks, including blocks that contain preexisting fiber or cable, yet no provision was made for A-CAM I carriers to elect A-CAM II. They said granting the Petition will fix this anomaly by allowing A-CAM I carriers to elect A-CAM II and would cost no more than \$63.3 million. They also explained the Petition's proposal on how the Commission could address the two years of A-CAM I support the A-CAM I carriers electing A-CAM II have received to avoid over-recovery.
- Miller Telephone and JSI [met with](#) Chairman Pai's Advisor on June 25, 2019, to discuss the negative ramifications to Miller's future USF support of a fixed wireless provider that has overstated and grossly

misrepresented its broadband availability on its Form 477 to the extent that it appears there is a competitive overlap of nearly 100 percent of Miller's very rural study area in Missouri. Miller said by reviewing the pricing information provided on the fixed wireless provider's own website, it is obvious the provider does not meet the FCC's service obligation standards. It urged the FCC not to rely solely on flawed Form 477 data when making critical decisions regarding vital USF funding in either the context of A-CAM II or legacy support and suggested the FCC always ensure that a robust challenge process is undertaken.

- Vantage Point Solutions filed [a letter](#) on June 23, 2019, to ask the Commission to clarify A-CAM II qualifying location criteria, either through a USAC directive or FCC order. VPS said due to the severe consequences that may result from accepting support and failing to meet the required buildout obligations, it is crucial for carriers to determine the true number of potential locations before the ACAM II election deadline on July 17, 2019. It noted in one of its studies, VPS determined that the model overestimated the number of locations in more than 85% of the 144 wire centers examined, and did so by an average of 22%. It said the concern caused by inaccurate estimations is only compounded by current confusion as to what criteria must be met for a location to qualify in satisfying ACAM II service obligations, noting a recent petition filed by two impacted rural carriers sought specific guidance regarding location determinations for home-based business operations.
- Copper Valley Telephone and GVNW [met separately with](#) Chairman Pai's Special Counsel and intern and Advisors to Commissioners [Starks](#) and [Carr](#) on June 25, 2019, to discuss CVTC's pending May 24, 2019 appeal of a USAC audit decision. They claimed the CVTC appeal presents two legal questions: whether an RLEC can be penalized by a loss of 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 is 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 LECs and IXCs.
- USTelecom, AT&T, CenturyLink, Consolidated, Frontier, Verizon, and Windstream [met with](#) Wireline Competition Bureau and Rural Broadband Auction Task Force staff on June 20, 2019, to discuss the Rural Digital Opportunities Fund. USTelecom, et al. discussed unserved housing units in rural census blocks deemed served under the FCC's Form 477, drawing from analysis conducted as part of the Georgia Broadband Deployment Initiative. They asserted an auction of unserved census blocks would leave too many housing units behind in the so-called "served" CBs and negatively impact bidding and broadband deployments in future auctions. They suggested the FCC await implementation of a location-based broadband reporting program before proceeding with a major \$20 Billion program, but proposed an auction concept that could distribute funds to unserved housing units in the short-term to complement the longer-term vision of the RDOF.
- NCTA, Comcast, Cox Communications, and Charter Communications [met with](#) Commissioner O'Rielly and his Advisor on June 24, 2019, to discuss Form 477, mapping, and the Rural Digital Opportunity Fund. NCTA asserted there is broad support for [its proposal](#) to reform the Form 477 reporting system to require providers to report broadband availability by submitting polygon shapefiles that represent the geographic area where a provider offers service. NCTA said the decision whether the Commission should devote time and money to the Broadband Mapping Consortium's proposal to create a location fabric is separate from the reporting questions identified in the Form 477 proceeding. It said while the proposed location fabric is designed to provide more precise latitude and longitude information on the location of unserved homes and businesses than existing tools, it does so at significant cost to the Commission and will take a significant period of time to develop. They expressed strong support for the creation of the new RDOF on a schedule, and said since the Commission has not yet issued an NPRM to create the RDOF, it should have sufficient time to reform the Form 477 reporting regime and then use the resulting data in support of the RDOF.
- The Competitive Carriers Association [met with](#) Wireline Competition Bureau, Wireless Telecommunications Bureau, and Office of Economics and Analytics staff on June 25, 2019, to discuss broadband coverage maps. CCA asserted the FCC's current data, based on Form 477 submissions, does not reflect on-the-ground coverage. It asserted the significant limitations of the current data are

further confirmed by the FCC's most recent mobile data collection to determine a map of areas presumptively eligible for Mobility Fund II support, which failed to reliably identify which areas are sufficiently served. CCA said the FCC should reevaluate its mobile Form 477 data submission parameters to produce coverage maps that more accurately reflect consumer experience, suggesting the FCC apply a specific set of factors to standardize data collections, better understand carriers' broadband coverage, and produce more reliable maps.

- The Vermont Department of Public Service filed a [request for a limited waiver](#) on June 28, 2019, of the designated handset requirement adopted in the MF-II Challenge Process Order. The VDPS requests the Commission waive the designated handset requirement with respect to VDPS' inadvertent use of the T-Mobile Samsung Galaxy 58 (G950U). It explained that on September 10, 2018, in preparation to participate in the MF-II challenge process, it traveled to a T-Mobile retail store and presented the "Provider_Handsets.csv" file to a T-Mobile store employee, after which the store employee presented to VDPS what was believed to be T-Mobile designated handset Samsung Galaxy S8 Active (G892U). VDPS said on March 1, 2019, it learned that the T-Mobile handset it used in conducting the speed tests, originally thought to have been a T-Mobile-approved Samsung Galaxy S8 Active (G892U), was in fact a Samsung Galaxy 58 (G950U).
- Smith Bagley [met with](#) FCC staff on June 21, 2019, to discuss the upcoming Tribal Mobility Fund Phase II auction. SBI advocated weighting the Tribal Mobility Fund auction to minimize the possibility that the most remote and difficult-to-serve Tribal lands could be foreclosed from receiving support at the auction, and it attached examples of how an auction could be weighted for this purpose. SBI also suggested the addition of a universal service grant program for remote Tribal lands where special circumstances warrant targeted action by the Commission. It suggested the program could be based on the USDA's Substantially Underserved Tribal Areas program.
- Hughes Network Systems filed a [letter](#) on June 27, 2019, to clarify points made in its June 6, 2019 [letter](#) on its proposal for the Mean Opinion Score testing requirement for voice quality that the FCC adopted in 2014 for satellite operators that receive CAF funds. Hughes clarified, among other things, the customer equipment, such as handsets used in the testing, should be the same as that provided or available to the provider's actual broadband customers, and providers should use in their testing the same network adapters and/or handset equipment that are available to their residential customers commercially.

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Broadband

- The USDA [announced](#) on June 24, 2019, the [Community Facilities Direct Loan Program](#) is awarding \$50 million to [40 rural communities](#) for infrastructure and community facilities projects in 17 states, including Alabama, Arkansas, California, Idaho, Illinois, Kansas, Maine, Michigan, Missouri, North Carolina, Nebraska, New York, Ohio, Pennsylvania, South Dakota, Tennessee, and Virginia. The USDA also indicated it has more than \$2 billion still available this year to invest in community facilities and infrastructure projects in rural areas. Interested applicants should contact their USDA Rural Development [state office](#).
- The House Small Business Subcommittee on Contracting and Infrastructure [held a hearing](#) on June 25, 2019, entitled *Broadband Mapping: Small Carrier Perspectives on a Path Forward*. Witness' testimony: [Jason Hendricks of the Range Companies](#) expressed concern with the existing FCC broadband maps and location assumptions, saying the speeds reported are often advertised rather than local; [Tim Donovan of the Competitive Carriers Association](#) said to close the digital divide and provide connectivity for millions of Americans living in rural areas, policymakers must take actions to deliver coverage maps that are based on reliable, real-world coverage data; [Dan Stelpflug of the Allamakee Clayton Electric Coop](#) said electric cooperatives know how challenging it is to build infrastructure throughout rural America to provide a service that is integral to the prosperity and future of their communities and more accurate maps showing broadband availability are a key part of reaching that goal; and [Beth Osler of UniTel](#) said developing more granular maps is an important prerequisite to driving better decision-making.

- Sens. Susan Collins (R-Maine) and Doug Jones (D-Ala.) [introduced](#) the *American Broadband Buildout Act of 2019* (ABBA) on June 27, 2019. The bill would direct the FCC to provide up to \$5 billion in matching grants to help states improve broadband infrastructure and require that projects receiving funding must be located in unserved areas. It would also require this federal funding be matched through public-private partnerships between the broadband service provider and the state in which the infrastructure project will be built, among other things. The bill is not yet available.
- Sen. Dianne Feinstein (D-Calif.) [introduced](#) on June 27, 2019, the [Restoring Local Control Over Public Infrastructure Act](#). She said this bill is in response to two [FCC Orders](#) issued in 2018 on wireless infrastructure, and would overturn the new FCC rules and restore local control over the placement of 5G equipment on phone and utility poles. It would also overturn the FCC's 60- to 90-day limits for local governments to review applications to use public infrastructure before those applications are automatically approved.
- AT&T filed a [letter](#) on June 27, 2019, to respond to arguments by certain CLECs concerning USTelecom's [Petition for Forbearance](#) from section 251(c) resale and UNE loops. AT&T asserted forbearance would not eliminate access to any TDM-based inputs and if the Petition is granted, ILECs will continue to offer DS0, DS1, and DS3 services on a commercial basis, as they do today, and these services will continue to be subject to the just, reasonable and nondiscriminatory provisions of sections 201 and 202. AT&T also said ILECs will still be subject to the resale duty under section 251(b).
- Verizon filed a [letter](#) on June 26, 2019, on USTelecom's [Petition for Forbearance](#). Verizon said customers today regularly transition between TDM and IP (or from copper to fiber), asserting this type of transition will not place unnecessary or undue hardship on end users following a grant of forbearance. Verizon also discussed its experience in transitioning customers from copper facilities to fiber ones, and said customers that subscribe to a forborne service also could transition services with minimal disruption or operational effect.
- Frontier filed a [letter](#) on July 1, 2019, in support of USTelecom's [Petition for Forbearance](#). It also responded to arguments by Granite and other resellers that the FCC must maintain section 251(c)(4) avoided cost resale because a theoretical customer prefers TDM service. Frontier claimed this argument ignores that Frontier has a shared interest with the reseller in preserving the end user customer and avoiding a competitor that does not utilize Frontier's network. Frontier also said the FCC has already litigated issues around copper retirement and IP transition rules, and as long as Frontier has not retired copper, these end user customers will continue to have access to TDM services.
- U.S. TelePacific, Mpower Communications, and Arrival Communications, all d/b/a TPx Communications, [met with](#) Legal Advisors to Chairman Pai and Commissioners O'Rielly, Rosenworcel, and Carr on June 25, 2019, to express opposition to the nationwide forbearance USTelecom seeks in its [Petition for Forbearance](#). TPx said any grant of forbearance must be conditioned on the ability for competitive LECs to obtain replacement loops during the transition period at the same rates and on the same terms as were in place for UNE loops used to serve existing customers on the effective date of forbearance.
- Granite Telecommunications, Metropolitan Telecommunications, and Access One filed a [letter](#) on June 26, 2019, in response to USTelecom's [June 14](#) and [June 20](#), 2019 letters discussing section 251(c)(4) avoided-cost resale. They said the letters reduce to a series of conclusory statements that are unsupported by facts or law. They asserted forbearance would enable ILECs to impose a price squeeze on resale competitors and there is no basis for granting USTelecom's request for forbearance.
- Sonic Telecom [met with](#) Commissioner O'Rielly and his Legal Advisor on June 21, 2019, to discuss issues similar to those discussed by [INCOMPAS](#) on May 30, 2019, regarding how it uses UNEs to offer competitive services and as a foundation for investing in electronics and fiber facilities. Sonic indicated it filed confidentially illustrations which it claimed show the relationship between DS0 UNE loops and fiber deployment.

- Call One filed a [letter](#) on June 25, 2019, to respond to USTelecom's recent [letter](#) on USTelecom's Petition for Forbearance. Call One urged the FCC not to forbear from the section 251(c)(4) resale obligation, claiming providers like Call One still rely on resale lines purchased from ILECs and those lines still make up a substantial percentage of Call One's lines. It asserted forbearing from the 251(c)(4) obligation will allow the ILECs to impose uneconomic costs on their competitors, as well as creating strong incentive for the ILECs to use promotions to engage in anticompetitive pricing.
- WorldNet filed a [letter](#) on June 23, 2019, in response to PRTC's ex parte comments on USTelecom's Petition for Forbearance. WorldNet asserted telecommunications competition is not thriving in Puerto Rico as PRTC claims, nor is it rivaling the levels of competition in the remainder of the country. WorldNet asserted the current forbearance request is clearly not warranted for Puerto Rico under the Commission's required three-part test because it would cause material and irreparable damage to the telecommunications marketplace, Puerto Rico consumers, and the public interest that outweighs any continuing regulatory compliance burden for PRTC.
- WorldNet Telecommunications [met with](#) Wireline Competition Bureau staff on June 26, 2019, to discuss its opposition to USTelecom's [Petition for Forbearance](#) as applied to Puerto Rico, consistent with its previously filed submissions.
- Raw Bandwidth filed a [letter](#) on June 27, 2019, to express opposition to USTelecom's [Petition for Forbearance](#). It said USTelecom is wrong in claiming the provision of broadband internet access by competitive providers cannot be considered as part of the competitive-needs basis for continued access to UNEs under section 251(c)(3). Raw Bandwidth asserted this claim misrepresents the relevant state of the law, and may flow from a misunderstanding on their part of the Supreme Court's Brand X decision from 2005. It also said USTelecom makes unsupported claims regarding the effects on competitive service viability.
- Alaska Communications [met with](#) Wireline Competition Bureau staff on June 19, 2019, to oppose the re-imposition of rate regulation for lower-capacity (DS1 and DS3) special access services provided using TDM-based technology, at least in the Alaska business data services market. Alaska Communications supported delisting of DS1 and DS3 transport as an UNE under section 251(c)(3) of the Communications Act and section 51.319 of the Commission's rules. It also requested the [Order](#) that will be considered at the July Open Meeting be edited to state clearly that eliminating ex ante pricing regulation of TDM-based transport services, and detariffing of those services, in areas where they are offered by price cap LECs extends equally to the "other transport" described in the October 2018 [BDS NPRM](#), including non-end-user channel terminations.

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Robocalls

- The Consumer and Government Affairs and Wireline Competition Bureaus issued a [Public Notice](#) on June 26, 2019, to announce that comments are due July 24, 2019, on the Third Robocalls FNPRM that proposes: a safe harbor for call-blocking programs targeting unauthenticated calls which may be spoofed; safeguards to ensure that critical calls are not blocked; and to require 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.
- The Federal Trade Commission and its law enforcement partners [announced](#) a major crackdown on illegal robocalls on June 25, 2019, including 94 actions targeting operations around the country. It said the joint crackdown, "Operation Call it Quits," is part of the FTC's ongoing effort to help stem the tide of pre-recorded telemarketing calls and today's announcement brings the number of cases the FTC has brought against illegal robocallers and Do Not Call violators to 145. It noted, in addition to the FTC's actions, [25 federal, state, and local agencies](#) have brought [87 enforcement actions as part of the initiative](#). The announcement listed the FTC cases against [First Choice Horizon](#), [8 Figure Dream Lifestyle](#), [Derek Jason Bartoli](#), [Media Mix 365](#), [Lifewatch](#), [Redwood Scientific](#), and [Life Management Services](#).

- ATIS filed [a letter](#) on June 24, 2019, on the auction of toll-free numbers in the 833 code. ATIS said its SMS/800 Number Administration Committee supports excluding toll-free numbers that were obtained for free from the secondary market and recommends that a unique RespOrg ID be assigned to toll free numbers that are eligible for resale. ATIS SNAC supported the comments made by CenturyLink that numbers that do not require competitive bidding to be allocated should not be eligible for the secondary market and the exemption on brokering, hoarding, and warehousing. It said if the Commission agrees that a new code should be established, ATIS SNAC would work to modify the industry guidelines to reflect this new code and its use.
- USTelecom, AT&T, CenturyLink, and iconectiv [met separately with](#) the Wireline Competition Bureau Chief and Deputy Bureau Chief on June 19, 2019, and Commissioner Carr's Chief of Staff on June 20, 2019, to ask the FCC, consistent with their petition on the reassigned numbers database, to reconsider its decision to merge the administration of the RNDB with the already consolidated NANPA and PA functions under a single contract and a single administrator. They said with this comes a corollary request for flexibility to consider administrator funding scenarios beyond the existing decision to recover the upfront database costs from service providers through the mechanism that is currently used to recover the NANPA and PA costs. They also discussed iconectiv's theory questioning whether reconsideration is required because the prospective language at issue may not legally bind the Commission to acquiring the services in the suggested manner.

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Universal Service

- Commissioner O'Rielly [spoke](#) before the Hudson Institute on June 25, 2019, on universal service. He said an overall USF budget is necessary to protect the investments of ratepayers who pay for the programs and would force the FCC to consider the whole USF when increasing program spending. He also said an FCC running up against a cap would have greater incentive to eliminate inefficiencies that detract from achieving the program's mission and value and would help protect universal service.
- The Wireline Competition Bureau released a [Public Notice](#) on June 28, 2019, 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.
- ACA Connects met with Commissioners [Carr](#) and [Starks](#) and their Advisors on June 25, 2019, to discuss promoting access to connected care, robocalls, broadband infrastructure deployment, and closing the digital divide. ACA Connects expressed support for the Connected Care Pilot and the FCC's ruling that voice providers may offer robocall blocking technology by default. It also expressed support for moving forward with Chairman Pai's proposed Rural Digital Opportunity Fund reverse auction.
- The Schools, Health & Libraries Broadband Coalition and 34 other organizations filed a [motion](#) on June 26, 2019, for an extension of time to file comments and reply comments on the [Notice of Proposed Rulemaking](#) on establishing an \$11.42 billion cap on the Universal Service Fund. They seek an extension to file comments and replies until September 30, 2019, and October 30, 2019, respectively. They claimed an extension is warranted because the short filing periods established coincide with timelines and deadlines established for several other proceedings that impact the affected parties.
- NTCA [spoke with](#) Trent Harkrader of the Wireline Competition Bureau on June 24, 2019, to discuss concerns its members have with the obligation to provide personally identifiable information to USAC as part of the Lifeline Representative Accountability Database. NTCA recommended USAC be directed to modify the individual registration process as soon as possible.
- CTIA, the National Hispanic Media Coalition, the National Consumer Law Center, the OCA, and the United Church of Christ filed a [petition](#) on June 27, 2019, to pause the December 1, 2019 implementation of two changes to Lifeline that would otherwise take effect; a five-fold increase in the minimum required broadband data usage allowance and the phase-down in support for voice services.

They said by pausing implementation, the Commission would maintain eligible low-income consumers' ability to choose from Lifeline service plans that meet the current minimum standards of 2 GB per month of mobile wireless broadband data and 1,000 minutes of use per month of mobile voice services, pending the State of the Lifeline Marketplace Report that the Commission directed the Bureau to complete by June 30, 2021. They argued allowing the two changes to go into effect would restrict eligible low-income consumers' access to, and undermine the affordability of, Lifeline broadband and voice service offerings to the detriment of those the program is designed to help and before the Commission has the benefit of a marketplace analysis.

- Wisper ISP filed [a reply](#) on June 26, 2019, to Conexon's [opposition](#) to Wisper's Petition for waiver of the deadline to apply for ETC designation under the CAF Phase II auction. Wisper claimed the Oklahoma Commission's staff has determined on two occasions that Wisper is qualified to be designated as an ETC in Oklahoma, and asserted waiver of the FCC deadline is warranted, especially in light of the fact that the OCC will hold a hearing on Wisper's ETC application on July 11, 2019. It said its waiver request falls squarely within the waiver standard for the 180-day deadline announced by the Commission and supported by recent waiver grants to similarly situated CAF applicants. Wisper also claimed Conexon lacks standing to file its opposition and failed to follow the correct procedure for registering its opposition to Wisper's waiver request.
- XO Communications [met with](#) Wireline Competition Bureau staff on June 24, 2019, to reiterated points made in its June 4, 2019 [letter](#) regarding its request for the FCC to review a USAC audit finding concerning the appropriate jurisdictional classification of revenues association with private lines. XO said if the Bureau does not overturn its March 30, 2017 [Private Line Order](#), it should follow FCC precedent by granting a retroactive waiver or applying the Order only prospectively. XO argued waiver or prospective relief are appropriate because of the widespread confusion regarding the private line rule that preceded the Bureau's Order.
- Smith Bagley [met with](#) Advisors to Chairman Pai and Commissioners Carr, O'Rielly, Starks, and Rosenworcel on June 20 and 21, 2019, to discuss Lifeline. SBI suggested the Commission could allow facilities-based carriers operating on remote Tribal lands to access additional Lifeline support if such funds were used to either construct facilities or to provide consumers with additional amounts of broadband data service each month. SBI also suggested the Commission delay a hard launch of the Lifeline National Verifier in Arizona until there is an automated connection for the SNAP and Medicaid programs.
- Broadband VI filed a [letter](#) on June 21, 2019, to respond to Viya's [letter](#) on restoration of service in the U.S. Virgin Islands. BBVI agreed with Viya that it would be efficient for the Commission to award Connect USVI Fund support to a single recipient, but that it should be Broadband VI. It said Viya has received more than \$500 million dollars in USF support over the past 27 years just to support operations, so it does not stand to reason that continued subsidies would suddenly cause Viya to materially invest in resilient infrastructure or operations when it has clearly not done so before.
- Fond du Lac Communications filed a [supplement](#) on June 21, 2019, to its [Petition](#) for designation as an ETC to provide telecommunications services within the Fond du Lac Reservation. It said the supplement provides additional information, as well as making additional certifications, concerning the provision of Lifeline-only service.
- No replies were filed on Reservation Telephone and CenturyLink study area waiver petition in North Dakota. [Notice](#)
- No comments were filed in the computer matching program the FCC and USAC will conduct with agencies from the States of Georgia and Iowa. [Notice](#)

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Misc.

- Commissioner Starks hosted a [workshop](#) on June 27, 2019, on how to address the national security threats posed by insecure equipment within the communications network. In his opening statement, Starks [discussed](#) steps taken toward prohibiting or restricting insecure equipment, including: the FCC's supply chain proceeding; Congress' NDAA prohibiting government procurement of telecommunications equipment from certain Chinese companies; and the Trump Administration's May Executive Order. Starks said the workshop was intended to explore: the scope of the threats and risks posed by insecure equipment currently in the communications networks and what equipment poses a threat; how to fix the problem and ways to transition carriers away from insecure equipment as rapidly as possible; and how to fund a solution, noting many of the carriers who purchased this equipment are small and operate in rural areas and may not be able to cover the costs of replacement without financial support.
- TIA and Union Telephone filed statements they made at the FCC [workshop](#) on network security on June 27, 2019. [TIA](#) said Congress needs to support the Commission's efforts by providing funding for transition costs in a manner that does not divert funds that would otherwise have supported broadband deployment, and suggested information should be collected regarding how much problematic gear is currently used and how to replace it. [Union Telephone](#) said the ripping and replacing of equipment of a few rural mobile broadband carriers is not going to make the United States even 1 percent more secure from foreign influence. Union urged the Commission to investigate the possibility of developing a mechanism that does not trust any vendor, suggesting it is possible to set up a facility into which equipment makers submit hardware and source code for review and approval.
- Reply comments were filed on June 24, 2019, on the [NPRM](#) on the assessment and collection of regulatory fees for FY 2019. [CenturyLink](#) responded to the comments of the North American Submarine Cable Association and the SEA-US Licensees, which proposed reducing fees for submarine cables and allocating those fees to others that currently pay fees to cover the expenses of the International Bureau. CenturyLink agreed with NASCA that the total amount of fees assigned to the former international bearer circuit category, and now divided among submarine cables and terrestrial and satellite international bearer circuits, remains too high. [NCTA and ACA Connects](#) urged the FCC to end the phase-in of the DBS regulatory fee and adopt a uniform rate for cable television, IPTV and DBS providers. They also said the FCC's adoption of a common regulatory fee for all MVPDs would impose on DBS providers an increase of only a few cents per month per customer, and claimed AT&T and DISH failed to offer any alternative justification for continuing to phase in the DBS fee incrementally. [Intelsat License](#) urged the FCC to consider widening the current regulatory fee constituency to include all parties that profitably derive direct benefits from Commission proceedings in which they actively participate, as suggested in the National Association of Broadcasters' comments. The [National Association of Broadcasters](#) said the radio industry faces a steep increase in fees disproportionate to the overall budget, and claimed satellite and VHF television stations are unfairly impacted by significant fee structure changes, without any explanation. [All replies available to date.](#)
- The Wireline Competition Bureau issued a [Public Notice](#) on June 28, 2019, seeking comment on an application by Pinpoint Holdings and Wyyerd Group requesting consent to transfer control of Accipiter Communications d/b/a Zona Communications from Pinpoint Holdings to Wyyerd. Comments are due July 12, 2019; replies are due July 19, 2019.
- The Wireline Competition Bureau issued a [Public Notice](#) on June 28, 2019, granting Alaska Communications Internet's application for authorization to obtain NANP telephone numbers directly from the Numbering Administrators for its iVoIP service. This proceeding will be terminated and the docket will be closed 60 days from the date of this Public Notice if there are no further filings.
- The Consumer and Governmental Affairs Bureau issued an [Order](#) on July 26, 2019, resolving two complaints filed against Telplex Communications that alleged it changed complainants' telecommunications services without obtaining authorization and verification. The Bureau concluded Telplex responded fully to the complainants and took action to resolve the complaints.

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Upcoming Filing Dates

- 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 12 - Comments due on an application by Pinpoint Holdings and Wyverd Group requesting consent to transfer control of Accipiter Communications d/b/a Zona Communications from Pinpoint Holdings to Wyverd. Replies are due July 19, 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 19 - Replies due on an application by Pinpoint Holdings and Wyverd Group requesting consent to transfer control of Accipiter Communications d/b/a Zona Communications from Pinpoint Holdings to Wyverd. [Public 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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