The FCC issued the agenda for its July 12, 2018 Open Meeting. The FCC will consider six items, including: a Report and Order that forbears from interexchange dialing parity requirements and amends the N-1 rule to facilitate the move toward complete nationwide number portability; and a Report and Order governing formal complaint proceedings delegated to the Enforcement Bureau.

The FCC issued an Order adopting network testing requirements for recipients of CAF high-cost USF support, including price cap carriers, rate-of-return carriers, RBE support recipients, Alaska Plan carriers, and CAF Phase II auction winners.

Reply comments were filed on the NPRM proposing to allow A-CAM carriers to voluntarily migrate their lower speed circuit-based BDS offerings to incentive regulation.

The FCC issued an Order denying the Colorado Broadband Deployment Board’s Petition that sought a waiver of the CAF Phase II auction rules.

The FCC announced the agenda for the July 9, 2018 CAF Phase II auction workshop. The FCC also announced it will conduct a CAF Phase II mock auction on July 18-19, 2018. Bidding in Auction 903 will open July 24, 2018, at 10:00 a.m. ET.

No oppositions were filed to Petitions for Reconsideration of the March 2018 RoR USF Reform Order filed by Clarity Telecom, Hamilton County, and Grand River Mutual. Replies are due July 9, 2018.

Oppositions are due July 23, 2018, to Petitions for Reconsideration of the Tribal OpEx Order that were filed by Mescalero Apache Telecom and Sacred Wind. Replies are due August 2, 2018.

USTelecom discussed its proposed updated methodology for distributing USF funds to support voice telephony service obligations in high cost and extremely high cost price cap areas that are not, and will not be otherwise, supported via the CAF II program.

The Second Report and Order that revised section 214(a) service discontinuance, network change disclosure, and customer notification processes is effective August 8, 2018.

Comments are due September 4, 2018, on the 8YY Access Charge Reform FNPRM. Replies are due October 1, 2018.

Reply comments were filed on CenturyLink’s Petition for a Declaratory Ruling on end office local switching access reciprocal compensation for over-the-top VoIP.

The FCC announced Petitions for Reconsideration of the Rural Call Completion Order were filed by NTCA and USTelecom. Opposition and reply due dates are not yet set.

Reply comments were filed on the supply chain security NPRM.

Other Key Upcoming Dates
- July 9 - Replies due on the robocalls FNPRM.
- July 20 - Comments due on the access stimulation NPRM. Replies are due August 3, 2018.
- July 20 - Comments due on an FCC staff report on robocalling. Replies are due August 20, 2018.

Editor: Teresa Evert | Assistant Editor: Shawn O'Brien
USF Reform

- The Wireline Competition and Wireless Telecommunications Bureaus and the Office of Engineering and Technology issued an [Order](https://www.fcc.gov/document/2018-order-network-testing-requirements-caf-high-cost-support) on July 6, 2018, adopting network testing requirements for recipients of CAF high-cost USF support, including price cap carriers, rate-of-return carriers, rural broadband experiment support recipients, Alaska Plan carriers, and CAF Phase II auction winners. They established a uniform framework for measuring the speed and latency performance for recipients of high-cost support to serve fixed locations, and required providers to submit testing results as part of their annual compliance certification. Carriers that do not comply with the speed and latency requirements will be subject to a reduction in support, commensurate with their level of noncompliance. Providers will also be subject to audit of all testing data.

- The FCC [published](https://www.fcc.gov/document/2018-order-denied-acs-petition-reconsideration) the April 26, 2018 [Order](https://www.fcc.gov/document/2018-order-denied-acs-petition-reconsideration) in the Federal Register on July 6, 2018, that denied ACS's Petition for Reconsideration of the October 31, 2016 [ACS CAF Phase II Order](https://www.fcc.gov/document/2018-order-denied-acs-petition-reconsideration). The Order is effective Aug. 6, 2018. ACS sought reconsideration of the definition of high-cost, which the Commission adopted to provide ACS flexibility to meet its service commitments by deploying to certain locations within census blocks that otherwise have been identified as low cost. The Commission required ACS to certify, in order to take advantage of that flexibility, that its minimum capital expenditure for each location in the low cost census block was at least $5,000, whereas ACS had asked that the threshold be lowered to $2,577.79.

- The Wireline Competition and Wireless Telecommunications Bureaus issued an [Order](https://www.fcc.gov/document/2018-order-denied-colorado-broadband-deployment-board-petition) on July 6, 2018, denying the Colorado Broadband Deployment Board's Petition that sought a waiver of the CAF Phase II auction rules, finding the Board failed to demonstrate that its request for waiver presents both special circumstances and that its request serves the public interest by more effectively balancing CAF policy objectives. The Board sought a waiver to allow it "to apply" for CAF support and to permit the Board to allocate the support to the broadband projects it approves in Colorado's unserved areas.

- The Rural Broadband Auctions Task Force and Wireless Telecommunications and Wireline Competition Bureaus issued a [Public Notice](https://www.fcc.gov/document/2018-public-notice-announcing-mock-auction) on July 5, 2018, announcing the agenda for the July 9, 2018 CAF Phase II auction (Auction 903) workshop. The workshop will discuss how to participate in the auction, and the FCC encouraged participants to review the online tutorial, which is available in the Education section of the Auction 903 website at [www.fcc.gov/auction/903](https://www.fcc.gov/auction/903). The FCC also reminded qualified bidders that bidding in Auction 903 will open July 24, 2018, at 10:00 a.m. ET.

- The Rural Broadband Auctions Task Force and Wireless Telecommunications and Wireline Competition Bureaus issued a [Public Notice](https://www.fcc.gov/document/2018-public-notice-announcing-mock-auction) on July 6, 2018, announcing they will conduct one CAF Phase II Auction (Auction 903) mock auction for all applicants listed as qualified to bid in the Qualified Bidders Public Notice. The mock auction will be held on July 18-19, 2018. Participants will be able to use and become familiar with all features of the CAF II Bidding System that they will use during the actual bidding. The Task Force and Bureaus strongly recommend that all qualified bidders participate in the mock auction.

- The Rural Broadband Auctions Task Force and Wireless Telecommunications and Wireline Competition Bureaus released a [Public Notice](https://www.fcc.gov/document/2018-public-notice-update-mobility-fund-phase-ii) on July 2, 2018, providing a second update on the Mobility Fund Phase II challenge process. They indicated as of June 30, 2018, 80 entities have access to USAC’s MF-II Challenge Process Portal to participate in the MF-II challenge process, and of these entities, 37 are mobile service providers required to file Form 477 data, 13 are state government entities, 14 are local government entities, 12 are Tribal government entities, and four are other entities that have filed petitions requesting, and have each been granted, a waiver to participate. They said to date, challengers have submitted data including 399,390 speed tests.

- No oppositions were filed to Petitions for Reconsideration of the March 2018 RoR USF Reform Order filed by Clarity Telecom, Hamilton County Telephone Co-op, and Grand River Mutual Telephone. Replies are due July 9, 2018. FR
The FCC published the June 25, 2018 Public Notice in the Federal Register on July 6, 2018, that announced Petitions for Reconsideration of the Tribal OpEx Order have been filed by Mescalero Apache Telecom and Sacred Wind Communications. Oppositions to the Petitions are due July 23, 2018; replies to oppositions are due August 2, 2018.

USTelecom met with Wireline Competition Bureau staff on June 29, 2018, to discuss its proposed updated methodology for distributing USF funds to support voice telephony service obligations in high cost and extremely high cost price cap areas that are not, and will not be otherwise, supported via the CAF II program. USTelecom said this proposal encapsulates the unfunded locations not subject to the Commission’s voice ETC forbearance in states where a price cap carrier had accepted the offer of model-based CAF II support, but also expands to encompass other high cost areas that will remain unsupported after the CAF II Auction.

ITTA filed a letter on July 2, 2018, to report that Commissioner Carr and his Chief of Staff spoke to ITTA members at ITTA’s Membership Meeting on June 28, 2018. It reported that during the meeting, certain attendees expressed positions consistent with ITTA’s prior advocacy on: the USF high-cost program budget for RoR carriers; the need for reforms of the USF contribution methodology; support for stay of the rural call completion rules adopted in April 2018; proposed Commission action related to 8YY originating access charges; and a proposed Commission rule to withhold federal USF disbursements to any USF recipient purchasing equipment or services from any communications equipment or service providers identified as posing a national security risk to communications networks or the communications supply chain.

No comments were filed on Petitions for ETC designation in New York for the purpose of being able to receive CAF support, filed by Hughes Network Systems and OEConnect. Replies are due July 9, 2018.

4G Unwired, et al., a coalition of radio frequency engineering firms that serve mobile wireless carriers across the country, filed a letter on July 5, 2018, to inform the FCC that they have determined Verizon’s claimed 4G LTE coverage is grossly overstated and not supported by rational RF engineering practices. They included information from drive tests conducted by Panhandle for areas in its service territory, taken using Verizon-specified devices that are on plans not subject to network prioritization or throttling, and claimed these examples highlight concerns regarding Verizon’s overstated coverage in the Oklahoma Panhandle. They provided a list of RF engineering observations and questions for FCC staff to address to determine if Verizon has indeed overstated its coverage, and said the Commission should further investigate and require re-filing of Verizon’s data where warranted to comport with standard RF engineering practices.

The FCC issued a notice in the Federal Register on July 3, 2018, publishing the 8YY Access Charge Reform FNPRM, in which the Commission proposes to migrate interstate and intrastate originating end office and tandem switching and transport charges for toll free (8YY) calls to bill-and-keep. The Commission also proposes to cap 8YY database query rates at the lowest rate charged by any price cap LEC and to limit charges to one database query charge per call, regardless of the number of carriers in the call path or the number of database queries conducted. Comments are due September 4, 2018; replies are due October 1, 2018. The Wireline Competition Bureau issued a Public Notice on July 3, 2018, announcing that the 8YY Access Charge Reform FNPRM was published in the Federal Register on July 3, 2018.

The Wireline Competition Bureau issued a Public Notice on July 2, 2018, announcing comments on the Access Arbitrage NPRM are due July 20, 2018, and reply comments are due August 3, 2018. The NPRM, among other things, seeks comment on proposed rules to give access-stimulating LECs two choices about how they connect to IXCs: be financially responsible for calls delivered to their networks
so they, rather than IXCs, pay for the delivery of calls to their end office or the functional equivalent; or accept direct connections either from the IXC or an intermediate access provider of the IXC’s choice. In the alternative, the FCC seeks comment on moving all traffic bound for an access-stimulating LEC to bill-and-keep.

- The FCC Enforcement Bureau sent a letter to AT&T and Aureon Network Services on July 2, 2018, granting Aureon’s unopposed Motion for Further Suspension of the proceeding addressing Aureon’s Petition for Reconsideration of the Memorandum Opinion and Order that granted in part AT&T’s complaint against Aureon for charging AT&T for centralized equal access service on traffic destined for CLECs engaged in access stimulation. The Bureau noted the parties have notified it they are engaged in mediation of the dispute.

- Reply comments were filed July 3, 2018, on CenturyLink’s Petition for a Declaratory Ruling requesting the Commission complete the 2016 remand from the D.C. Court of the 2015 Declaratory Ruling that determined over-the-top VoIP providers and their partnering LECs provide the functional equivalent of end-office switching services and are entitled to impose end office switching charges. AT&T said argued based on the record now before the Commission and the D.C. Circuit’s decision, the only lawful and rational response to the Petition is to deny it, and re-confirm what has been true since at least 2011: LECs and their VoIP partners do not provide interconnection to loops on over-the-top VoIP calls, which is the core and distinguishing feature of end office switching, and thus these LECs are prohibited from tariffing, billing, or collecting end office switching charges on over-the-top VoIP calls. CenturyLink said AT&T and Verizon’s interpretation is a technologically-dependent interpretation, and ignores the disruptive consequences that a “physical connection” requirement would have on today’s commercial reality. CenturyLink argued it is impossible to determine whether a VoIP call is over-the-top or facilities-based, and AT&T and Verizon’s interpretation of the VoIP Symmetry rule, which was meant to reduce litigation and provide a coherent set of “go forward” rules to govern PSTN-VoIP intercarrier compensation during the transition to “bill-and-keep,” will lead to hopeless complexity and litigation, as providers dispute how many minutes of calls to the same numbers are “over-the-top” or “facilities-based.” It asserted in a VoIP network, the voice application server performs the functional equivalent of end office switching, and when the LEC or its VoIP partner provide that function, the LEC is entitled to bill access charges. Teliax said the VoIP Symmetry Rule adopted in the 2011 Transformation Order remains unchanged by the D.C. Circuit’s opinion, and this proceeding is not the opportunity to re-write the VSR. It claimed this Petition process, instead, requests the Commission provide clarity to the industry in light of the D.C. Circuit’s vacatur of the 2015 Declaratory Ruling because the Court found the Commission’s prior attempt to clarify the VSR was defective. It claimed the record before the Commission in this proceeding is sufficient to support the Commission’s original reasoning in the vacated Declaratory Ruling and to grant the CenturyLink Petition. All replies available to date. Public Notice

- Sprint met with the FCC General Counsel and his staff and staff from the Wireline Competition and Wireless Telecommunications Bureaus on June 28, 2018, to discuss litigation pertaining to the proceeding on the applicability of the intra-MTA rule to LEC-IXC traffic. Sprint suggested the Commission could address the key legal issues in the litigation by issuing a declaratory ruling resolving the proceeding, noting the declaratory ruling petition is four years old. Sprint also submitted two attachments claiming to show: the defendants in the litigation argued, and the district court concluded, the FCC’s rules allowed LECs to charge both reciprocal compensation and access charges on the traffic at issue; and the FCC has consistently held that all intra-MTA traffic exchanged between a CMRS provider and a LEC is local traffic subject to reciprocal compensation.

Call Completion

- The FCC announced Petitions for Reconsideration of the Rural Call Completion Order have been filed by NTCA and USTelecom. Oppositions to the Petitions will be due 15 days after publication in the Federal Register, and replies to oppositions will be due 10 days after the time for filing oppositions has expired.
Broadband

- The FCC published in the Federal Register on July 9, 2018, the Second Report and Order that revised section 214(a) service discontinuance, network change disclosure, and the Part 68 customer notification processes. The Order is effective August 8, 2018, except for the amendments to sections 51.333(g)(1)(i), (g)(1)(iii), and (g)(2), 63.71(f), (h), (k) introductory text, (k)(1) and (3), and (l), which contain information collection requirements that have not yet been approved by OMB. The FCC will publish a document in the Federal Register announcing the effective date of these sections. The amendments to 47 CFR 63.19(a), as revised in the 2016 Technology Transitions Order, are effective August 8, 2018.

- The FCC issued a Public Notice on July 6, 2018, announcing the next meeting of the Broadband Deployment Advisory Committee is set for July 26 and 27, 2018. The BDAC will consider and vote on reports and recommendations from its Harmonization Working Group to harmonize the Model Code for Municipalities and Model Code for States adopted by the BDAC on April 25, 2018. The Ad Hoc Committee for Rates and Fees will give a presentation. The FCC also published a notice in the Federal Register on July 6, 2018, on the July 26, 2018 meeting.

- The FCC released a Public Notice on July 2, 2018, to announce Chairman Pai has appointed Broadband Deployment Advisory Committee member David Young to serve as Vice Chair of the BDAC and Danna Mackenzie, a member of the BDAC’s Removing State and Local Regulatory Barriers Working Group, to serve on the BDAC as a representative of the Minnesota Office of Broadband Development.

- Paul D’Ari, FCC Designated Federal Officer of the Broadband Deployment Advisory Committee, filed a letter on July 3, 2018, attaching final reports and recommendations that have been made to the Commission by BDAC. These reports and recommendations were submitted to the BDAC by the following working groups: Competitive Access to Broadband Infrastructure; Removing State and Local Regulatory Barriers; and Streamlining Federal Siting.

- CenturyLink met with Wireline Competition Bureau staff on June 29, 2018, to discuss questions from staff regarding the data CenturyLink provided to USTelecom in support of its Petition for Forbearance. CenturyLink discussed its retail and wholesale UNE offerings, and claimed there are no technical or performance differences between DSx loops that are sold as UNEs and those that are sold as special access or pursuant to other commercial agreements. It said the states CenturyLink chose as data sources for the economic study are representative of CenturyLink’s overall service territory, including rural and urban areas and areas subject to varying levels of competition. It also explained CenturyLink has not discontinued the provision of DSL in any market where it has been made available, and it is not aware of any case in which a carrier customer is utilizing UNEs purchased from CenturyLink to provide DSL in areas where CenturyLink itself does not provide DSL.

- INCOMPAS, IdeaTek Telecom, Sonic Communications, Socket Telecom, First Communications, Access One, and Mammoth Networks met separately with Commissioners Carr and O’Rielly and their Legal Advisors and Commissioner Rosenworcel’s Legal Advisor on June 27 and 28, 2018, to assert continued access to unbundled network elements is crucial to their ability to continue to provide and expand competitive service offerings and fiber networks. They stressed the loss of access to interoffice dark fiber transport as part of the USTelecom Forbearance Petition could hinder competitive broadband development by a decade. They said the Commission should dismiss USTelecom’s Petition outright and focus on removing existing barriers to deployment, and reject USTelecom’s attempt to cut off competitive fiber builders and their customers. INCOMPAS and IdeaTek also met with Chairman Pai and his Legal Advisor to discuss similar issues.

- Verizon filed a letter on July 2, 2018, on one-touch make-ready for fiber and small-cell deployment. Verizon responded to parties that proposed alternatives, and asserted that OTMR is fundamentally different from the existing make-ready process’s self-help remedy and the Commission should reject
calls to confuse the two. Verizon also said the Commission should not require broad third-party indemnification for consequential damages as a condition of using OTMR.

- Crown Castle met with Wireline Competition Bureau staff on June 28, 2018, to discuss its Railroad Crossing Memorandum in support of its request for the Commission to exercise its section 253 authority and preempt state and local laws that allow railroads to act as gatekeepers to the rights-of-way. Crown Castle discussed the extent to which the Commission’s section 253 authority exists to preempt state and local legal requirements that facially or effectively impede Crown Castle’s ability to deploy telecommunications infrastructure across railroad crossings located within public rights-of-way.

- CTIA met with Commissioner Carr and his Legal Advisor on June 28, 2018, to discuss wireless deployment issues. CTIA urged the Commission to ensure the wireless industry has reasonable access to public rights-of-way and publicly owned assets, and urged the Commission to establish clear timelines for the entire local review process, with enforceable remedies, and ensure that fees charged by state and local governments are cost-based, non-discriminatory, and transparent.

- The Crow Creek Tribe of South Dakota and the Omaha Tribe of Nebraska filed a Motion for Stay of the Second Report and Order that amended and adopted new rules to streamline the wireless infrastructure siting review process. They said they have filed a Petition for Review of the Order and seek a stay of the Order pending completion of the judicial review.

- American Tower Corporation met separately with Legal Advisors to Commissioners O’Rielly and Carr on June 27, 2018, to reiterate it hopes the Commission will strike a reasonable and appropriate balance between the need to deploy infrastructure to facilitate 5G by streamlining local reviews and reducing costs while preserving the right of local communities to protect local land use values. It also discussed the importance of collocation as an economically and environmentally efficient method to deploy new wireless facilities and the importance of macro towers as a vital component of the 5G wireless ecosystem.

- The Broadband Access Coalition met separately with Legal Advisors to Chairman Pai and Commissioners O’Rielly and Carr, and staff from the Wireless Telecommunications Bureau, Office of Engineering and Technology, and International Bureau on June 27, 2018, to discuss the Draft Order and NPRM that, among other things, seeks comment on the BAC’s Petition for Rulemaking. It emphasized the critical importance of access to a portion of the 3.7–4.2 GHz band for the provision of fixed point-to-multipoint broadband wireless service to consumers in rural areas, and said gigabit fixed wireless service could be quickly and cost-effectively deployed in a manner that would protect registered Fixed Satellite Service earth station operators. It requested the Commission propose to adopt the rules discussed in paragraphs 111-128 of the Draft NPRM rather than to seek comment, and to include an appendix with specific language for the rules.

Back to Highlights

Universal Service

- Reply comments were filed on July 2, 2018, on the NPRM proposing ways to ensure USF support is not used to purchase equipment or services from companies posing a national security threat to the integrity of communications networks or the communications supply chain. The Competitive Carriers Association, the Computer & Communications Industry Association, ITTA, and NTCA said the proposed rule: goes well beyond the FCC’s core jurisdiction; the subject matter fits far better within the core competency of other agencies; is impractical and ineffective in serving its intended purpose; is disconnected from the reality of the supply chain, and is untethered to the agency’s typical role. They also claimed the proposed rule will devastate impacted rural carriers. They suggested, if the FCC chooses to move forward with the rulemaking, it should at a minimum: provide an extended period for providers to come into compliance; grandfather existing equipment and the services necessary to maintain and upgrade that equipment; and offer adequate transitional funding to adversely affected carriers, along with other mitigation provisions. TIA said the Commission is on the right path by focusing on specific suppliers of concern rather than cybersecurity supply chain risk management.
issues more generally, and said a rule that relies on determinations made by national security agencies would complement, not undermine, a whole-of-government approach. The American Cable Association advised the Commission against taking overly broad and legally dubious steps to regulate communications network supply chains, and said whatever authority the Commission may possess as administrator of the USF, that authority, or any other authority the Commission may have, cannot be read as a mandate to intervene in private agreements between communications providers and their suppliers. United Telephone Association, et al. supported Huawei Technologies’ comments, and said it relies on Huawei equipment to support the provision of its wireless telecommunications services. It said prohibiting the use of Huawei equipment, or the use of USF and CETC legacy support to purchase or maintain that equipment, would have a severe and detrimental impact on residents living in remote, underserved locations in United TelCom’s wireless service area. Pine Belt Cellular said the record supports Pine Belt’s position that the rule proposed by the Commission in the NPRM will negatively impact small businesses, in particular small rural telecommunications companies, and suggested a rule tying the use of USF funds to a prohibition against the purchase of equipment or services from communications equipment or service providers is not appropriate. The Rural Wireless Broadband Coalition said commenters strongly objected to the Commission’s proposed rule, but there was support for adoption of a best practices regime, as recommended by the Rural Wireless Broadband Coalition. It claimed numerous commenters objected to the proposed rule because the Commission fails to assess the benefits and costs of the rule, the costs imposed by the rule on small rural carriers receiving USF support would be substantial, and the Commission does not articulate any benefits the rule might provide. It suggested a best practices regime has the capability to incorporate risk assessment and mitigation methods that utilize intelligence-gathering to evaluate potential threats, and then take steps to reduce or manage identified risks to telecommunications networks and the communications supply chain. CTIA claimed the record makes clear the global supply chain is a complex system of interdependent technologies and equipment, and it leads to three specific conclusions: any action should be thoroughly coordinated among federal government agencies with appropriate jurisdiction and expertise as well as with the communications sector stakeholders who know this market best, and the FCC should align itself with the guidance from a DHS-led process informed by input from both industry stakeholders and the U.S. intelligence community; the Commission should ensure any input from government agencies and private sector stakeholders is appropriately protected; and there is a need for the Commission to work with other expert agencies to conduct a thorough quantitative and qualitative analysis of the costs and benefits of various approaches before taking action that will likely have significant effects throughout the communications and IT sectors. All replies available to date.

- The Commission placed an item on circulation on June 29, 2018, entitled Schools and Libraries Universal Support Mechanism.

- The Wireline Competition Bureau issued an Order on July 5, 2018, denying Assist Wireless, et al.’s Petition for Stay Pending Judicial Review of the Lifeline Fourth Report and Order, Order on Reconsideration, and Memorandum Opinion and Order. The Bureau addressed several of the Petitioners’ contentions, and said the Petitioners have not shown they are likely to succeed on the merits of their claims and have not demonstrated any harm to them from the Commission’s Order is certain and irreparable.

- Q Link Wireless filed an Emergency Petition on July 5, 2018, requesting the FCC issue an order directing USAC to implement application programming interfaces for the Lifeline National Verifier that permit ETCs to exchange information with USAC, including information necessary to establish eligibility, on a machine-to-machine basis when consumers seek to enroll in Lifeline. Q Link said because rural Americans and constituencies such as disabled veterans and seniors are less likely to have access to retail or in-person Lifeline enrollment, these groups rely more on online enrollment and will have their access to Lifeline disproportionately frustrated by USAC’s planned implementation. It asserted carrier-assisted online enrollment has emerged as a critical tool for expanding wireless Lifeline service to rural, disabled, and homebound Americans, and has been the linchpin of Q Link’s success in reaching hundreds of thousands of rural low-income consumers nationwide.

- Smith Bagley filed a Petition on June 29, 2018, seeking a waiver of the standard Lifeline form requirements. SBI requested a one-month extension of the deadline of July 1, 2018, announced by the
FCC and USAC for implementation of the standard forms to ensure its electronic forms incorporate guidance provided by USAC a few weeks before the deadline.

- The Benton Foundation, et al. filed a letter on July 3, 2018, to express support for Assist Wireless, et al.'s Petition for Stay Pending Judicial Review of the Lifeline Fourth Report and Order, Order on Reconsideration, and Memorandum Opinion and Order. Benton, et al. claimed residents of Tribal lands are at risk of consumer confusion and loss of phone and broadband service if the Fourth Report and Order were to take effect while the court appeal is pending.

- The National Consumer Law Center met with Wireline Competition Bureau staff on July 3, 2018, to inquire about the status of the determination of the Lifeline minimum standards and the availability of Lifeline subscriber usage data, and discussed the importance of consumer education regarding the new processes involved in the hard launch of the National Verifier. NCLC discussed its concern with the drop in Lifeline subscribership and the importance of helping eligible consumers understand the changes to the Lifeline program. NCLC also discussed implementation of the Rural Health Care Program.

- Terracom Wireless and INCOMPAS met with Wireline Competition Bureau staff on July 2, 2018, to discuss the Commission’s proposed reforms to the Lifeline program. INCOMPAS expressed concern that the Commission’s proposal to discontinue Lifeline support for non-facilities-based providers will eliminate competitive options without any guarantee that facilities-based providers will re-enter the program, and could quash an important revenue stream for providers that offer wholesale services. INCOMPAS also said the Commission’s consideration of a self-enforcing budget mechanism may be premature.

- DTC Cable and Mohawk Networks filed petitions on June 29 and July 2, 2018, seeking ETC designation in New York. Mohawk Networks said it is a recipient of the New NY Broadband Program Phase 2 and Phase 3 broadband grants and seeks designation in St. Lawrence, Franklin, and Clinton Counties so it may receive Federal USF support. DTC Cable requests designations as an ETC in all areas in which it has been awarded CAF Phase II support via the New NY Broadband Program.

- Comments were filed July 2-5, 2018, on how to structure the second stage of the Uniendo a Puerto Rico Fund and the Connect USVI Fund, which are intended to speed longer term efforts to rebuild fixed and mobile voice and broadband networks in Puerto Rico and the U.S. Virgin Islands. The Puerto Rico Manufacturers Association said this next build-up must be resilient, innovative, and hurricane proof, and said a strong investment should also be made in processes, strategic contingency planning, interagency and federal coordination, and most importantly, the human resources that make it possible to recover, rebuild and maintain a 21st century, world class telecommunications infrastructure. Liga de Cooperativas de Puerto Rico said advances in technology now offer next-generation satellite systems that can provide Puerto Rico with the latest technology and ever-increasing broadband speeds, and claimed excluding satellite technology from inclusion in the Uniendo a Puerto Rico Fund would be a grave oversight. The Surety and Fidelity Association of America and the National Association of Surety Bond Producers asserted, based on their observation of rural ISPs having difficulty in securing sufficient collateral to obtain a letter of credit to meet security requirements under CAF Phase II, they support broadening the range of options for performance security to include a surety bond. Casa Pueblo said any long-term investment in the communications infrastructure of Puerto Rico must include satellite technology. It said not only must satellite technology be included, it must be a priority in any restoration funding efforts, and noted satellite broadband was the only reliable communications system in the aftermath of the hurricanes. Coopharma said redundant systems, such as very small aperture satellite terminal and satellite phones, are needed for the transmission of data and voice communications between the health care sector providers for the evaluation, treatment, management, and prescription of patients’ health care conditions, and requested the Uniendo a Puerto Rico and Connect USVI Funds allocate funds for satellite broadband communications.
The FCC issued the agenda for its July 12, 2018 Open Meeting. The FCC will consider: a Report and Order that forbears from interexchange dialing parity requirements and amends the N-1 rule to facilitate the move toward complete nationwide number portability; a Report and Order that consolidates and streamlines the rules governing formal complaint proceedings delegated to the Enforcement Bureau; an Order and NPRM that would make mid-band spectrum in the 3.7-4.2 GHz band available for expanded flexible use; a Report and Order eliminating unnecessary rules that apply to cellular service and other licensees; an NPRM seeking comment on proposed revisions to the children’s television programming rules; and a Report and Order and FNPRM to improve emergency alerting, including facilitating more effective EAS tests and preventing false alerts.

Reply comments were filed on July 2, 2018, on the NPRM proposing to allow A-CAM carriers to voluntarily migrate their lower speed circuit-based BDS offerings to incentive regulation. NTCA said there appears to be no opposition to permitting RLECs that receive A-CAM or Alaska Plan support to elect voluntarily to move their BDS to incentive regulation, and any disagreements are over a few discrete, but important, details of such a transition, including how markets will be identified as competitive and the exact scope of any transition to incentive regulation. NTCA said it is sound policy and logic to employ the existing CMT in the context of electing RLEC operations. It also said, contrary to AT&T’s assertions on the “all-or-nothing” rule, there is no material risk of gaming because costs that a carrier might think of reallocating to switched access from BDS are then subject to capped switched access rates or a frozen-and-declining-over-time eligible recovery baseline for CAF-ICC support. ITTA and USTelecom said comments unanimously support the Commission’s proposal to permit model-based rate-of-return carriers to voluntarily elect incentive regulation for business data services, and claimed the record supports applying the existing price cap BDS rules to these carriers. They also argued the competitive market test for determining the level of regulation appropriate for packet-based services and higher bandwidth TDM price cap BDS is equally valid for model-based carrier BDS. They opposed the additional proposals made by AT&T and Sprint, saying the BDS marketplace has changed and their proposals would undermine the consumer, competitive, and investment incentive benefits of the NPRM’s proposals. AT&T said the Commission should reaffirm that an A-CAM carrier’s choice to move from RoR to price cap regulation must apply to all of its interstate services; but if the Commission grants A-CAM carriers the option to be price cap carriers when providing BDS and remain RoR when providing switched access services, the Commission must ensure the carriers’ initial price cap rates are set fairly and reflect all ongoing switched access and RoR pricing reforms. It also said any competitive market test the Commission adopts to determine whether a county should be deemed “competitive” or “non-competitive” must be A-CAM carrier specific and centered on the competitive landscape for BDS in the A-CAM carriers’ study areas. All replies available to date.

Cisco met with Office of Strategic Planning and Policy Analysis, Wireline Competition Bureau and Public Safety, and Homeland Security Bureau staff on June 29, 2018, to discuss implementation of the SHAKEN/STIR technologies. Cisco also said it has not seen or expects to see at this stage requests from large enterprises to implement STIR.

The FCC issued a Public Notice on July 3, 2018, announcing a new Interoperable Video Calling Working Group to assist the North American Numbering Council, and seeking nominations of members for the Working Group. The IVC Working Group will explore how to facilitate the provision of interoperable telephone number-based video calling, allowing service providers to voluntarily offer to any customer the capability to make or receive a video call between 10-digit North American Numbering Plan numbers. Nominations are due July 31, 2018.

WTA met with Chairman Pai’s Wireline Advisor and Chiefs of Staff to Commissioners O’Rielly and Carr on July 2 and 3, 2018, to discuss the draft Report and Order on nationwide number portability, which will be considered at the July 12, 2018 Open Meeting. WTA urged the Commission to wait to deal with NNP for wireline telephone numbers until it has implemented and gained experience with NNP for the much more personalized wireless telephone numbers and until the ongoing transition to much more NNP-friendly VoIP technology has proceeded further. WTA asserted its members and other RLECs will be required to make substantial and expensive changes to switching, call completion, and billing
equipment and arrangements in order to implement NNP at a time when their resources are already stretched thin to deploy broadband. WTA said it supports the extension to CLECs of forbearance from all remaining equal access and dialing parity requirements, but opposes elimination or modification of the current N-1 query requirement.

- INCOMPAS filed a letter on July 3, 2018, to express support for the draft Report and Order that forbears from legacy requirements and amends rules to facilitate the move toward complete nationwide number portability, which will be considered at the FCC’s July 12, 2018 Open Meeting. INCOMPAS supported the Commission’s proposal to forbear from the interexchange dialing parity requirements for competitive LECs, and claimed the Commission’s middle course for the N-1 requirement will give competitive providers the flexibility to eliminate routing inefficiencies inherent in this practice while preserving the standardization and uniformity that has contributed to successful number portability at the local level and with nationwide carriers.

- Verizon spoke separately with Chairman Pai’s Advisor and Enforcement Bureau staff on July 3, 2018, to express support for the Commission’s efforts to streamline and harmonize the rules governing formal complaint proceedings, including adopting a shot-clock to ensure expeditious resolutions. It expressed concerned that the Draft Report and Order would eliminate important portions of section 1.1404, which govern procedures for pole attachment complaints. Verizon said the Commission should accept NCTA and ACA’s proposed language that would fix this situation by restoring the portions of section 1.1404 that require pole owners to provide data relevant to a pole attachment dispute upon request.

- NCTA spoke with Enforcement Bureau staff on July 3, 2018, to discuss the draft Report and Order that consolidates and streamlines the rules governing formal complaint proceedings delegated to the Enforcement Bureau, which will be considered at the July 12, 2018 Open Meeting. NCTA stated it is important for the Commission’s formal complaint rules to identify the cost-related information that must be included in a pole attachment complaint and to require utilities to provide such information to cable operators and telecommunications carriers upon request. NCTA also attached suggested revisions to the rules proposed in the draft Order.

- The Wireline Competition Bureau issued Public Notices on July 6, 2018, granting applications for interconnected VoIP numbering authorization filed by Origin Networks, EdgeTel, and Terra Nova Telecom. The Bureau indicated these proceedings will be terminated, and the dockets will be closed, 60 days from the date of the Public Notices if there are no further filings in the proceedings or, if there are additional filings, after 60 days of inactivity in the record.

- Replies were due July 6, 2018, on the NPRM on the assessment and collection of regulatory fees for FY 2018.

**Upcoming Filing Dates**

- July 9 - Replies due on the FNPRM on ways to address the problem of unwanted calls to reassigned numbers. FR

- July 9 - Replies due on Petitions for ETC designation in New York for the purpose of being able to receive CAF support, filed by Hughes Network Systems and OEConnect. Public Notice

- July 9 - PRA comments due on a new information collection on Form 683 to collect information from the winning bidders to determine the recipients of CAF Phase II auction support. notice

- July 12 - PRA comments due on a revision to a currently approved information collection associated with Forms 555, 481, 497, 5629, 5630, and 5631. This revision implements the requirement that ETCs
provide written notice to their customers who are currently receiving enhanced support who will no longer be eligible for enhanced Tribal support.

- July 13 - Oppositions due to Verizon’s Application for Review of the April 30, 2018 Order on Reconsideration that determined the Mobility Fund II challenge process would use a 400-meter buffer radius to assess challenges to areas initially deemed ineligible for MF-II support. Replies are due July 23, 2018. Public Notice

- July 16 - Comments due on NTTA’s Notice seeking comments on ways to improve the nation’s ability to analyze broadband availability, with the intention of identifying gaps in broadband availability that can be used to improve policymaking and inform public investments.

- July 16 - PRA comments due on an extension of a currently approved information collection associated with the selection of USAC Board of Directors and ensuring that requests for review are filed properly with the Commission. Notice

- July 16 - PRA comments due on an extension of a currently approved information collection related to the FCC’s Truth in Billing Format rules in section 64.2401. FR Notice

- July 20 - Comments due on the access stimulation NPRM. Reply comments are due August 3, 2018.

- July 20 - Comments due on an FCC staff report on robocalling. The Commission seeks data and other information on the progress of robocalling initiatives among government, industry, and consumers, and data and other information, including notable trends in illegal robocalling, including for a baseline period of January 2018. Replies are due August 20, 2018. Public Notice

- July 23 - PRA comments due on a revision of currently approved information collections associated with rural call completion. Notice

- July 23 - Replies due to oppositions to Verizon’s Application for Review of the April 30, 2018 Order on Reconsideration that determined the Mobility Fund II challenge process would use a 400-meter buffer radius to assess challenges to areas initially deemed ineligible for MF-II support. Public Notice

- July 23 - PRA comments due on an extension of a currently approved information collections associated with FCC Forms 470 and 471. Notice

- July 23 - Oppositions due to Petitions for Reconsideration of the Tribal OpEx Order have been filed by Mescalero Apache Telecom and Sacred Wind Communications. Replies to oppositions are due August 2, 2018. FR

- July 26 - Comments due on the NPRM on how best to structure the second stage of the Uniendo a Puerto Rico Fund and Connect USVI Fund. Replies are due Aug. 8, 2018. FR notice Order

- July 26 - Comments due on the state of mobile wireless competition. Reply comments are due August 16, 2018. Public Notice

- Aug. 2 - Replies due to oppositions to Petitions for Reconsideration of the Tribal OpEx Order have been filed by Mescalero Apache Telecom and Sacred Wind Communications. FR

- Aug. 3 - Replies due on the access stimulation NPRM.

- Aug. 6 - Comments due on USTelecom’s Petition for Forbearance from certain regulatory obligations imposed on ILECs. Replies due September 5, 2018. Public Notice, Order

- Aug. 8 - Comments due on the NPRM on how best to structure the second stage of the Uniendo a Puerto Rico Fund and Connect USVI Fund. FR notice Order
• Aug. 16 - Replies due on the state of mobile wireless competition. Public Notice

• Aug. 20 - Replies due on an FCC staff report on robocalling. The Commission seeks data and other information on the progress of robocalling initiatives among government, industry, and consumers, and data and other information, including notable trends in illegal robocalling, including for a baseline period of January 2018. Public Notice

• Sept. 4 - Comments due on the 8YY Access Charge Reform FNPRM, in which the Commission proposes to migrate interstate and intrastate originating end office and tandem switching and transport charges for toll free (8YY) calls to bill-and-keep. Replies are due October 1, 2018. FR

• Oct. 1 - Replies due on the 8YY Access Charge Reform FNPRM, in which the Commission proposes to migrate interstate and intrastate originating end office and tandem switching and transport charges for toll free (8YY) calls to bill-and-keep. FR