

[USF Reform](#) [Open Internet](#) [Broadband](#) [IP Transition](#) [USF](#) [Call Completion](#) [Misc.](#) [Upcoming Events](#)

July 31, 2017 HIGHLIGHTS

- The FCC released the [agenda](#) for its August 3, 2017 Open Meeting. The FCC will consider, among other things: a [Public Notice](#) to initiate the pre-auction process for the CAF Phase II auction; an [Order on Reconsideration and Second Report and Order](#) that lays out the challenge process for the Mobility Fund Phase II; and an [FNPRM](#) that looks at Form 477 to improve the value of the data.
- Chairman Pai [responded](#) to Congress on the Commission's CAF Phase II competitive bidding process, and [responded](#) to Congress on broadband for remote areas.
- NTCA filed [reply comments](#) on the [NPRM](#) that asked whether the FCC should change the current local service rate floor methodology or eliminate the rate floor and its accompanying reporting obligations.
- Several groups of RLECs [discussed](#) concerns over reductions of USF support, including recent developments in the budget control mechanism and the impact these reduced distributions will have on their customers and communities. Ex partes from [other meetings](#). Wilson Communications and NTCA also [discussed](#) the budget shortfall in the High Cost USF support mechanism.
- Allband filed a [Petition for Waiver](#) of section 54.302 and for an increase in per-line support to \$457 in order to continue its services and operations as an ILEC and to meet its expense obligations.
- Comments [are due](#) August 28, 2017, on the [Second FNPRM](#) on rural call completion. Replies are due September 25, 2017.
- Great Plains Communications filed a [Clarification](#) to its [Petition for Waiver](#) of sections 51.909(a)(4) and 51.917. It said the FCC could grant the requested relief by only waiving the provision in 51.909(a)(4) that permits switched access rates to increase when entities leave the NECA switched access pool.
- The House Energy and Commerce Committee [will hold](#) a hearing on September 7, 2017, entitled Ground Rules for the Internet Ecosystem.
- The House Subcommittee on Communications and Technology held an FCC Oversight and Reauthorization [hearing](#) last week.
- Chairman Pai responded to Congress ([letter](#), [letter](#)) on their concerns with the FCC's proposal to roll back the FCC's net neutrality rules.
- Comments [are due](#) August 21, 2017, on the [NPRM](#) proposing to amend the Caller ID rules to enable called parties and/or law enforcement to obtain blocked Caller ID information in connection with threatening calls. Replies are due September 19, 2017.

Other Key Upcoming Dates

- July 31 - Comments due on access charge reform for 8YY calls. Replies due August 15. [Public Notice](#)
- July 31 - Replies due on the [NPRM](#) on facilitating voice service providers' blocking of illegal robocalls.
- July 31 - Comments due on Great Plains Communications' Petition for waiver of sections 51.909(a)(4)(ii)(A) and 51.919(b). Replies due August 15. [Public 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.

USF Reform

- Chairman Pai sent [letters](#) to Representatives from Missouri Roy Blunt, Claire McCaskill, Billy Long, Sam Graves, Vicky Hartzler, Blaine Leutkemeyer, Jason Smith, and Ann Wagner on July 18, 2017, in response to their letter in support of the Commission's CAF Phase II competitive bidding process. Pai said August will be Rural Broadband Month at the FCC, and the Commission's August 3 Open Meeting agenda will feature several items that will help bridge the digital divide, including a Public Notice to initiate the pre-auction process for the CAF Phase II Auction. Pai said moving forward now will put the FCC on track to conduct the auction in 2018.
- Chairman Pai sent [letters](#) to Senators Jerry Moran (R-KS) and Joe Manchin III (D-WV) on July 18, 2017, in response to their letter urging the Commission to move forward with connecting the most remote, hardest-to-reach places in rural America with broadband. Pai said the Commission is moving forward with the bipartisan CAF Phase II Auctions Order, which the Commission has now targeted to include extremely high-cost areas as well as the high-cost areas that were always part of the CAF. Pai indicated the Commission agreed to commence the Remote Areas Fund no later than one year after the commencement of the CAF Phase II auction. He also said the agenda for the August 3 Open Meeting will feature several items that will help bridge the digital divide, including a Public Notice to initiate the pre-auction process for the CAF Phase II auction.
- NTCA filed [reply comments](#) on July 24, 2017, 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 obligations. NTCA said the record in this proceeding supports elimination of the voice service rate floor. It said the one dissenting party based its opposition on the notion that eliminating the rate floor would benefit consumers nationwide, but NTCA argued this party misses what the NPRM and all other parties do not - HCLS funding reductions flowing from non-compliance with the rate floor do not accrue back to ratepayers, but is redistributed to other carriers by operation of the Commission's rules. NTCA said no additional burden would be placed on American ratepayers by eliminating the rate floor. [Notice](#)
- Wilson Communications and NTCA [met with](#) Chairman Pai and his Wireline Advisor on July 26, 2017, to discuss the budget shortfall in the High Cost USF support mechanism. Wilson Communications asserted the High Cost USF as presently sized is insufficient to ensure that reforms to modernize the program and provide support for standalone broadband service are effective and will ensure rates for broadband service in rural areas are reasonably comparable, as mandated by section 254(b)(3). They urged the Chairman to reconsider the existing budget. Wilson also expressed support for the Chairman's efforts to ensure reporting requirements are not unnecessarily burdensome on small operators.
- Craw-Kan Telephone Cooperative, Cunningham Telephone and Cable, KanOkla Networks, Golden Belt Telephone, and TCA [met with](#) Legal Advisors to Chairman Pai and Commissioner Clyburn on July 26, 2017, to discuss concerns over reductions of USF support, including recent developments in the budget control mechanism and the impact these reduced distributions will have on their customers and communities. They stressed the urgency of the issue and asked the FCC to expeditiously take steps to mitigate the effects of the budget shortfall. Cochrane Cooperative Telephone, Norvado, Citizens Connected, Mosaic Telecom, and TCA [spoke by phone](#) with Commissioner O'Rielly's Legal Advisor to discuss the same issues, and along with West Wisconsin Telcom Cooperative, [met with](#) Legal Advisors to Chairman Pai and Commissioner Clyburn on July 20, 2017, to discuss the same issues.
- Allband filed a [Petition for Waiver](#) of section 54.302 and requested a prompt increase in high-cost per-line support to \$457 in order to continue its services and operations as an ILEC and to meet its expense obligations, including payments on its current federal RUS loan. Allband claimed it has established in its attached affidavits ([Appendices A, B, C](#)) that it has exhausted all of its financial resources of both ACC and AMM on a combined basis, and that it soon will no longer be able to continue its services or make payments on its RUS loan. Allband said grant of its waiver is urgent to avoid irreparable injury to Allband, its customers, and the public interest.

- Governor Stephen Lewis of the Gila River Indian Community and his Counsel [met with](#) Commissioner O’Rielly on July 20, 2017, to discuss the impact of the operating expense limitation rule on the Community and GRTI. Lewis explained the \$93,000 per month loss of support to GRTI as a consequence of this rule has caused GRTI to reduce its buildout plans for broadband to serve the Community. He also responded to a question from Commissioner O’Rielly regarding certain non-regulated, wireless revenues the Community receives as part of a partnership it has with Verizon Wireless, and attached a resolution from the Gila River Indian Community, which is the sole shareholder of GRTI, that directs GRTI to transfer funds earned from the Verizon partnership to the Gila River Indian Community in a timely manner.
- Midwest Energy Cooperative, Ralls Technologies, Indiana Electric Cooperatives, Tipmont Rural Electric Membership, OzarksGo, Co-Mo Connect, the Utilities Technology Council, and Jenner & Block LLP, on behalf of the Rural Coalition, [met separately with](#) Chairman Pai and his Advisor, Commissioner Clyburn and her Advisors, and Commissioner O’Rielly’s Legal Advisor on July 24, 2017, to discuss concerns with the CAF Phase II Auction Order. The Rural Coalition encouraged the Commission to seek comment on: whether the auction procedures should be designed to ensure the entire budget is utilized; permitting satellite providers to bid on a total number of locations up to their available capacity to serve in any given tier; and requiring bidders using radiofrequency spectrum to provide propagation maps with their short-form applications. They expressed support for the CAF Phase II Auction procedures requirement that all service providers must assume a subscription rate of at least 70 percent when determining whether they can meet the obligations for the elected performance tier and latency combinations.
- NARUC sent [a letter](#) to Chairman Pai and Commissioners Clyburn and O’Rielly to express support for the Pennsylvania PUC’s April 24, 2017 [Petition for Reconsideration, Modification, or Waiver](#) of the CAF Phase II auction rules. NARUC said Pennsylvania’s proposal incentivizes expanding the reach of federal USF support with additional complementary support provided by the state to successful bidders. NARUC said this concern is not limited to Pennsylvania, and noted NARUC’s Resolution specifically supports States’ retention of CAF II declined funds. NARUC urged the Commission to reconsider its determination for Pennsylvania.
- AT&T filed a [letter](#) on July 27, 2017, to provide updated feedback in response to the [Public Notice](#) released on June 8, 2017. AT&T said this submission replaces in its entirety its [filing](#) of July 7, 2017, and confirms that all the census blocks originally included on the USTelecom list are not in an AT&T study area. It attached an Excel file listing CBs originally included in AT&T’s Phase II offer that it has identified as not in an AT&T study area. AT&T also indicated it submitted directly to USAC a revised list of extremely high-cost census blocks it intends to use to meet its CAF II obligations.
- The Rural Wireless Association [met with](#) Chairman Pai and his Advisors, Commissioners Clyburn and O’Rielly’s Legal Advisors, and staff from the Rural Broadband Incentive Auction Task Force and the Wireless Telecommunications Bureau on July 24, 25, and 26, 2017, to express disappointment that the Commission failed to include a 1 Mbps upload threshold to determine MFII support-eligible areas and concern that the draft MF II challenge process places onerous burdens on small rural carriers. RWA opposes the Commission’s proposed requirement that challengers must purchase “handsets specified by each unsubsidized service provider with coverage in the challenged area” and “an appropriate service plan from each unsubsidized service provider in the challenged area.” RWA also expressed concern that the Commission declined to deal with a complicated CDMA/GSM incompatibility issue that it claimed could leave half of all mobile customers in some areas without voice service, including access to 911.
- AT&T [met with](#) Chairman Pai’s Advisors on July 25, 2017, to express support for the Mobility Fund II draft [Order on Reconsideration](#) and draft Challenge Process Order, saying it believes the modifications the Commission made to the proposal CTIA submitted with respect to cell edge probability and loading factors are appropriate to meet the overriding policy goals of this proceeding. AT&T also supported the Commission’s decision to not require a specific signal strength benchmark, and urged the Commission to refrain from defining other parameters for the data collection beyond those proposed by CTIA. AT&T said the most important decision the Commission can make regarding MF II is to vote to move forward

as expeditiously as possible. AT&T also [met separately with](#) Commissioner Clyburn and O’Rielly’s Advisors on July 24, 2017, to discuss similar issues. AT&T said adopting, in part, the CTIA proposal to conduct a MF II-specific data collection and a concisely targeted challenge process should help target the areas that truly need MF II support. AT&T also asserted validating propagation model results by collecting on-the-ground data is essential to ensure MF II reflects consumer experience.

- Frontier, Windstream and USTelecom [met with](#) Commissioner Clyburn’s Chief of Staff on July 27, 2017, to discuss competitive bidding procedures for the CAF Phase II auction. They discussed the possibility for streamlined short forms for applicants that have substantial business histories of providing robust broadband services to customers. They also discussed package bidding and how the minimum scale percentage approach to assessing bids with competitive overlaps relates to planning network builds across rural areas and delivering broadband service.
- Hughes Network Systems [spoke separately with](#) Legal Advisors to Commissioners Clyburn and O’Rielly, and [staff from](#) the Office of Strategic Planning and Policy Analysis, the Wireline Competition Bureau, the Rural Broadband Auctions Task Force, the Wireless Telecommunications Bureau, and the International Bureau on July 26 and 27, 2017, to discuss how Hughes’s proposal to incorporate time-to-deploy into the CAF Phase II auction process relates to the draft Public Notice’s questions about “the assumptions an applicant will need to make about network usage and subscription rates when determining whether it can meet the public interest obligations for its selected performance tier and latency combination(s).” Hughes urged the Commission to include a question in the Public Notice about whether the presumed take rate would need to change over time to reflect the number of locations that a bidder is able to serve in a given year.
- U.S. Cellular [met with](#) Legal Advisors to Commissioners Clyburn and O’Rielly on July 24, 2017, to discuss the Mobility Fund Phase II draft Order. U.S. Cellular expressed support for the concept of a one-time data collection in place of using FCC Form 477 data. U.S. Cellular noted it builds networks consistent with the standards agreed to in the CTIA plan, and urged the FCC to retain these requirements in the final Order. U.S. Cellular also supported CCA’s proposal to include additional factors to increase the accuracy and utility of the one-time mapping project, and said the FCC’s proposal to allow only 60 days to conduct a challenge is insufficient, suggesting adoption of a 120-day proposal, which it says is far more realistic for carriers having to drive-test significant rural areas. U.S. Cellular also [met with](#) Chairman Pai’s Advisors and staff from the Wireline Competition and Wireless Telecommunications Bureaus on July 25 and 26, 2017, to discuss similar issues.
- CTIA [met with](#) Legal Advisors to Chairman Pai and Commissioners Clyburn and O’Rielly on July 26 and 27, 2017, to discuss CTIA’s support for the Mobility Fund Phase II Challenge Process Order, the proposed Form 477 FNPRM, and the proposed Mid-Band Spectrum NOI. CTIA asserted the draft Mobility Fund II Challenge Process Order’s proposal to collect new mobile wireless coverage data through consistent parameters will help to close the digital divide by ensuring that finite Mobility Fund II resources are targeted to truly unserved rural areas. Regarding the Form 477 FNPRM, CTIA encouraged the FCC to make clear that it continues to support previous findings based on the Form 477 data, and to align the Form 477 data reform with timing of the Mobility Fund II challenge process data collection.
- The Competitive Carriers Association and Nex-Tech Wireless [met with](#) staff of Chairman Pai, Commissioners Clyburn and O’Rielly, the Rural Broadband Auctions Task Force, the Wireless Telecommunications Bureau, and the Wireline Competition Bureau on July 26 and 27, 2017, to reiterate their support to reform the Mobility Fund II program. They encouraged the FCC to improve its data collection parameters to help standardize the data that is used to create an eligibility map, and urged the Commission to ensure a more detailed and less burdensome challenge process that provides challengers sufficient time to collect the information needed to perfect the map.
- Nex-Tech Wireless and Smith Bagley filed [a letter](#) on July 31, 2017, to submit information on mapping for the Mobility Fund II. They argued a robust USF mechanism is the only way to encourage and incent new investment in low-density, low-return areas, but using 70% probability, 30% loading factor, and 5 Mbps thresholds for mapping will block out for a decade many rural areas that need Mobility Fund

support. They urged the Commission to return to a 90% probability level and 50% loading factor, which they claimed is consistent with how networks are built and which will result in an accurate picture of where service is actually available in rural America. They also requested confidential treatment for their maps, which they said depict their real-world coverage to a level of detail not available in any public forum.

- ATN and Buffalo-Lake Erie Wireless, dba Blue Wireless, filed [a letter](#) on July 26, 2017, to urge the Commission to ensure that it identifies areas that truly are unserved by 4G LTE service if it conducts an additional data collection for Mobility Fund Phase II support. They recommended the Commission not increase the 5 Mbps download threshold for identifying eligible areas, and adopt reasonable parameters that are representative of the types of networks that will be constructed with MF II support, such as the 70 percent cell edge probability and 30 percent cell loading factor in the Draft Order, or an even lower loading factor consistent with network loading in the extremely rural areas targeted for MF II support. They also urged the Commission to avoid unnecessary further proceedings that only will serve to delay the MF-II auction.
- Ookla [spoke with](#) Chairman Pai's Legal Advisor on July 26, 2017, to discuss the one-time data collection associated with the Mobility Fund Phase II challenge process. It suggested that consumer-initiated tests conducted within the Speedtest application be permitted as data submissions as part of the challenge process or as responses to challenges.

[Back to Highlights](#)

Open Internet

- The House Energy and Commerce Committee [announced](#) it will hold a hearing on September 7, 2017, entitled "Ground Rules for the Internet Ecosystem." The Committee has invited CEOs of leading tech companies, including Facebook, Alphabet, Amazon, and Netflix, and broadband providers, including Comcast, Verizon, AT&T, and Charter Communications, requesting they testify before the full committee.
- Chairman Pai responded to separate letters from [14 Senators](#) and [13 Senators](#) on July 17, 2017, regarding their concerns with the Commission's proposal to roll back the FCC's net neutrality rules. Chairman Pai said the Commission is currently examining the best legal framework for both protecting internet freedom and providing strong incentives for the private sector to build and expand next-generation networks so that all Americans can be connected to digital opportunity.
- NCTA [met with](#) Commissioner O'Rielly's Legal Advisor on July 26, 2017, to express support for the proposal to reinstate the prior classification of broadband internet access service as an information service and to eliminate what it called the investment-dampening and innovation-chilling regulatory overhang caused by the 2015 [decision](#) to classify BIAS as a Title II telecommunications service. NCTA also discussed how best to evaluate the relevant costs and benefits as the Commission determines the proper policy approach in this proceeding.
- [AT&T](#), [Charter](#), and [Comcast](#) filed Oppositions on July 27, 2017, to INCOMPAS' [Motion](#) seeking to modify protective orders in recent merger proceedings to permit interested commenters in the Restoring Internet Freedom proceeding to use certain confidential and highly confidential materials collected in those proceedings. AT&T claimed granting the motion would cause harm to it and other parties that submitted competitively sensitive information in the merger proceedings, and would impose unnecessary burdens. Charter claimed INCOMPAS' request is unlawful and violates the Trade Secrets Act to disclose confidential commercial information in this context. Comcast asserted the disclosure of trade secrets and other confidential information would be both unlawful and bad policy.

[Back to Highlights](#)

Broadband

- Comments were filed on July 24, 2017, on ways to facilitate greater consumer choice and enhance broadband deployment in multiple tenant environments. [Horry Telephone Cooperative](#) urged the FCC to enforce existing rules and initiate a proceeding to strengthen its oversight on carriers that use bulk billing arrangements as a cover to gain a competitive advantage or to engage in anti-competitive behavior. [Sprint](#) said the FCC should ensure its MTE rules encourage competition among wireless carriers in venues where customers of those wireless carriers routinely visit, and should clarify that the access requirements under section 253 apply to MTEs and other large venues owned by state and local governments, and subdivisions or entities of those governments. [NCTA](#) asserted competition among broadband providers is flourishing and claimed there is no sign of any market failure in this marketplace. NCTA asserted bulk billing, exclusive wiring, exclusive marketing, and other arrangements benefit consumers by encouraging competition and broadband investment in MTE environments, and there is no sound policy basis, and no sound statutory basis, for restricting such arrangements. [Public Knowledge](#) said the Commission should prohibit exclusive marketing and bulk billing arrangements, revenue sharing agreements, exclusive wiring arrangements, and other contractual provisions and practices that limit the broadband choices available to MTE occupants. PK also said the Commission should pre-empt state and local statutes, ordinances, and regulations that inhibit or effectively inhibit BIAS deployment and competition in MTEs. [INCOMPAS](#) said the Commission should investigate what it says is the continued use of anti-competitive commercial arrangements in MDUs, including revenue sharing agreements and wiring exclusivity agreements. The [Institute for Local Self Reliance](#) said local ordinances requiring MTE building owners and landlords to allow competing ISPs to offer services in their buildings should be encouraged, and asserted local communities should have broad authority to establish municipal and local government policies that meet their local internet access goals. [Apartment Companies](#) urged the Commission to refrain from proposing rules that would limit or prohibit exclusive marketing, bulk billing, revenue sharing, or exclusive wiring agreements. [All comments available to date](#). Replies are due August 22, 2017. [NOI](#)
- Connected Nation [spoke with](#) Chairman Pai's Legal Advisors on July 20, 2017, to discuss the need for accurate and granular broadband maps as one of the most critical tools in developing sound broadband policy to close the digital divide. Connected Nation asserted the current Form 477 data collection process is deficient in several ways and that any future broadband mapping effort must prioritize the accuracy and granularity of broadband maps at the street address or parcel level of detail, but must also prioritize the protection of providers' proprietary and confidential information that may be used to derive more granular coverage footprints. It also discussed possible legislation that could be a viable and effective path forward for the establishment of a single, independent, third-party clearinghouse for broadband data collection and mapping.
- Comcast [met with](#) Chairman Pai's Legal Advisor on July 21, 2017, to discuss the draft [FNPRM](#) regarding possible revisions to FCC Form 477, focusing on whether the form should include information about the deployment of Wi-Fi facilities when they are "offered to consumers in conjunction with resold mobile service." Comcast said while it is unclear whether seeking additional information about the deployment of Wi-Fi access points would add to an understanding of broadband deployment, Comcast offered revised language it says the Commission should include in the FNPRM before the item is adopted.
- NCTA [met with](#) Chairman Pai's Wireline Advisor on July 25, 2017, to discuss the draft [FNPRM](#) on possible revisions to FCC Form 477. NCTA encouraged the Commission to clarify the discussion of Wi-Fi services in paragraph 14 of the draft FNPRM, and asserted the offering of Wi-Fi service in a package with resold mobile service does not change the technical capability of the Wi-Fi connection. NCTA said in seeking comment on whether there are circumstances in which Wi-Fi deployment should be reported as a mobile service, it encouraged the FCC to make clear that it is only asking about Wi-Fi that has the technical capability to enable mobile use. NCTA also claimed it was premature for the FCC to conclude that gathering broadband deployment data on the Form 477 at a more granular level would be beneficial, as suggested in paragraph 36 of the draft item.

- Google Fiber [met with](#) Chairman Pai's Legal Advisor on July 27, 2017, to discuss Google Fiber's comments on the NPRM on [wireline broadband infrastructure deployment](#). Google Fiber said its discussion was similar to the discussions it had with FCC staff on June 29, 2017, on the specifics of one-touch make-ready for pole attachments, and suggested OTMR that would allow a new attacher with permission to install attachments on a pole to use a contractor approved by the pole owner to perform all work on existing attachments needed to make the pole ready for its new attachments.
- The Competitive Carriers Association [met with](#) Legal Advisors to Commissioners Clyburn and O'Rielly, and Office of Native Affairs and Policy staff on July 26 and 27, 2017, to encourage the FCC to update and strengthen national siting rules. It expressed support for the need for historic review reform and clarification. CCA also said the FCC should clarify that section 253's limit on "fair and reasonable compensation" to rights-of-way access denotes publicly-available fees and rents that are tied to direct application review and site maintenance costs.
- The Rural Utilities Service issued a [Notice](#) in the Federal Register on July 26, 2017, announcing the second application window for fiscal year 2017 for the Rural Broadband Access Loan and Loan Guarantee, and the revised minimum and maximum amounts for broadband loans. The RUS said it has \$115.2 million available in FY 2017 appropriated and carryover funds, and of this amount the agency expects that at least \$60 million is available to fund applications received in this window. Applications under this NOFA will be accepted immediately through September 30, 2017.

[Back to Highlights](#)

Call Completion

- The FCC issued a [Public Notice](#) on July 27, 2017, to announce the [Second FNPRM](#) on rural call completion was published in the [Federal Register](#) and comments are due August 28, 2017, and replies are due September 25, 2017.

ICC

- Great Plains Communications filed a [Clarification](#) on July 27, 2017, of its June 21, 2017 [Petition for Waiver](#). It said although its Petition requested waiver of both § 51.909(a)(4) and § 51.917, the FCC could grant the requested relief by only waiving the provision in 51.909(a)(4) that permits switched access rates to increase when entities leave the NECA switched access pool. It said the rule results in an approximately 150 percent increase in its switched access rates, claiming this result in no way benefits Great Plains due to the cap on total ICC recovery, but will lead to significant disruption and harm to the Commission's ICC and rural call completion goals. It said, if granted, its switched access rates would be capped at their June 30, 2017 levels.

[Back to Highlights](#)

Universal Service

- Alaska Communications [met with](#) Commissioner Clyburn and her Legal Advisors on July 20, 2017, to discuss rural healthcare issues. It urged the Commission to update the budget for the rural health care program to account for increases in demand for services and support. It also urged the Commission to consider opportunities to promote greater transparency with respect to the status and timing of USAC's review of funding requests.
- To date, no replies were filed on Leech Lake Telecommunications ETC designation [Petition](#). [Public Notice](#)

[Back to Highlights](#)

Misc.

- The FCC released the [agenda](#) on July 28, 2017, for its August 3, 2017 Open Meeting. The FCC will consider: a [Public Notice](#) to initiate the pre-auction process for the CAF Phase II auction; an [Order on Reconsideration and Second Report and Order](#) that lays out the challenge process for the Mobility Fund Phase II; an [FNPRM](#) that looks at Form 477 to improve the value of the data; a [Notice of Inquiry](#) that explores opportunities for next generation services, particularly for wireless broadband, in the 3.7 GHz to 24 GHz spectrum range; a [Second Report and Order and FNPRM](#) that would adopt unified construction, renewal, and service continuity rules for Wireless Radio Services; and a [Memorandum Opinion and Order](#) on transmitter identification requirements for satellite digital video uplink transmissions. The FCC will also consider a Hearing Designation Order and two enforcement actions.
- The House Subcommittee on Communications and Technology held an FCC Oversight and Reauthorization [hearing](#) on July 25, 2017, with Chairman Pai and Commissioners Clyburn and O’Rielly testifying. Pai [discussed](#) reauthorizing the agency and holding repacked broadcasters harmless after the incentive auction. He also said August will be Rural Broadband Month, noting at the August 3 Open Meeting, the Commission will consider the next steps towards implementing the CAF and Mobility Fund reverse auctions, which together will allocate \$6.5 billion for rural broadband expansion over the next decade. Clyburn [discussed](#) the Open Internet and implications of undoing Title II, Lifeline modernization, inmate calling reform, diversity, and Connect2Health. O’Rielly [discussed](#) FCC reauthorization and process improvements, pirate radio stations, broadcast incentive auction repack, and infrastructure deployment, suggesting the Commission’s high-cost program be used as a mechanism to distribute any new infrastructure funding. [House Subcommittee draft FCC reauthorization bill](#).
- The Consumer and Government Affairs Bureau issued a [Public Notice](#) on July 24, 2017, announcing comments on the [NPRM](#) proposing to amend the Caller ID rules to enable called parties and/or law enforcement to obtain blocked Caller ID information in connection with threatening calls are due August 21, 2017, and reply comments are due September 19, 2017.
- The FCC released a [Forfeiture Order](#) on July 26, 2017, imposing a penalty of \$2,880,000 against Dialing Services for making robocalls to wireless phones using artificial or prerecorded voice messages without the prior express consent of the called parties. The FCC said Dialing Services was responsible for more than 4.7 million calls to wireless phones over a three-month period in 2012, the calls were non-emergency communications, and were made without the called parties’ prior consent, in violation of the Telephone Consumer Protection Act. The FCC ordered Dialing Services to pay the forfeiture within 30 days of the release of this Order.
- ZipDx [met with](#) Commissioner O’Rielly and his Legal Advisor and staff from Chairman Pai’s office and the FCC on July 25 and 26, 2017, to discuss robocalls.
- Verizon [met with](#) Wireline Competition Bureau staff on July 27, 2017, to discuss implementation of the Business Data Services [Order](#). Verizon explained how its business data service are structured in its tariffs, and discussed how it plans to implement provisions of the Order. Verizon also discussed the timing of implementation of the Order, which becomes effective on August 1, 2017, subject to OMB approval, where applicable.
- Neustar filed a [letter](#) on July 25, 2017, submitting an updated organizational chart for Neustar following its merger with Aerial Merger Sub, Inc., in connection with its request to approve its new owner, Aerial Investors LLC, formed by Golden Gate Private Equity. Neustar said the updated organizational chart reflects agreements that Golden Gate Capital has entered or expects to enter with such additional investors prior to the closing.

[Back to Highlights](#)

Upcoming Filing Dates

- July 31 - Replies due on the [NPRM](#) on facilitating voice service providers' blocking of illegal robocalls. [Notice](#)
- July 31 - Comments due on refreshing the record on access charge reform for 8YY calls since the 2011 Transformation Order. Replies due August 15, 2017. [Public Notice](#)
- July 31- Replies due to oppositions to NCTA's [Petition for Reconsideration](#) of the [Part 32 Order](#). NCTA seeks reconsideration of the way in which pole attachment costs are handled. [FR](#)
- July 31 - Comments due on Great Plains Communications' Petition for waiver of sections 51.909(a)(4)(ii)(A) and 51.919(b) to use its actual interstate switched access revenues instead of projected revenues to calculate switched access rates and eligible recovery as it exits NECA's switched and special access pools. Replies are due August 15, 2017. [Public 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. 7 - Comments due on Alaska Communications Systems' [Petition](#) requesting a ruling that GCI or its relevant subsidiary, a CLEC, be treated going forward as the sole incumbent LEC in the study area currently served by ACS of Anchorage. The Petition also requested the FCC rule ACS of Anchorage is no longer a dominant carrier and shall cease to be treated as an ILEC in that study area. Replies due August 21, 2017. [Public Notice](#)
- Aug. 9 - Comments due on the [NPRM](#) that proposes to eliminate the requirement that payphone operators conduct annual audits. Replies due September 8, 2017. [FR](#)
- Aug. 15 - Replies due on refreshing the record on access charge reform for 8YY calls since the 2011 Transformation Order. [Public Notice](#)
- Aug. 15 - Replies due on Great Plains Communications' Petition for waiver of sections 51.909(a)(4)(ii)(A) and 51.919(b) to use its actual interstate switched access revenues instead of projected revenues to calculate switched access rates and eligible recovery as it exits NECA's switched and special access pools. [Public Notice](#)
- 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 - Comments due on the [NPRM](#) that proposes to amend the Caller ID rules to allow disclosure of blocked Caller ID information to aid law enforcement in investigating threatening calls. Replies are due September 19. [Notice](#)
- 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. 21 - Replies due on Alaska Communications Systems' [Petition](#) requesting a ruling that GCI or its relevant subsidiary, a CLEC, be treated going forward as the sole incumbent LEC in the study area currently served by ACS of Anchorage. The Petition also requested the FCC rule ACS of Anchorage is no longer a dominant carrier and shall cease to be treated as an ILEC in that study area. [Public Notice](#)
- Aug. 22 - Replies due on the [NOI](#) on ways to facilitate greater consumer choice and enhance broadband deployment in multiple tenant environments.
- Aug. 28 - Comments due on the [Second FNPRM](#) on rural call completion. Replies are due September 25, 2017. [Notice](#)
- Sept. 5 - PRA comments due on a revision of a currently approved information collection associated with the April 28, 2017 [Report and Order](#) that reformed the business data services/special access regulations for incumbent and competitive LECs. [Notice](#)
- Sept. 8 - Replies due on the [NPRM](#) that proposes to eliminate the requirement that payphone operators conduct annual audits. [FR](#)
- Sept. 11 - PRA comments due on an extension of a currently approved information collection associated with the FCC's Electronic Tariff Filing System. As of June 2011, all ILECs and CLECs were required to file tariff filings electronically. [Notice](#)
- Sept. 11 - PRA comments due on a new information collection associated with changes made in the FCC's February 2017 Part 32 Report and Order. [Notice](#)
- Sept. 19 - Replies due on the [NPRM](#) that proposes to amend the Caller ID rules to allow disclosure of blocked Caller ID information to aid law enforcement in investigating threatening calls. [Notice](#)
- Sept. 25 - Replies due on the [Second FNPRM](#) on rural call completion. [Notice](#)

[Back to Highlights](#)

Editor: [Teresa Evert](#) | Assistant Editor: [Shawn O'Brien](#)