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August 22, 2016 HIGHLIGHTS

- The Wireline Competition Bureau [released](#) revised reports showing minor technical corrections to model-based CAF support amounts offered to rate-of-return carriers originally released on [August 3](#).
- PRA comments [are due](#) on September 19 for emergency OMB approval for information collections needed to implement the [RoR USF Reform Order](#), including revisions to FCC Forms 507, 508 and 509.
- Oppositions to Baraga Telephone's [Petition for Reconsideration and Clarification](#) of the RoR USF Reform Order [are due](#) September 2 and replies are due September 12.
- ITTA filed [comments](#) on the previously-filed petitions for reconsideration or clarification of the RoR USF Reform Order, supporting three issues raised by NTCA.
- Oppositions to [petitions for reconsideration](#) of the CAF Phase II Auction Order [are due](#) September 2 and replies are due September 12.
- The Wireline Competition Bureau issued an [Order and Order on Reconsideration](#), addressing several challenges to the Rural Broadband Experiments' post-selection requirements.
- Shawnee Telephone and Moultrie Independent Telephone [asked](#) the FCC to grant Shawnee's Petition for Waiver of the portions of the RoR USF Reform Order that exclude census blocks served by FTTP from the support calculations under the A-CAM and exclude any RoR carrier that has deployed 10/1 broadband to 90 percent or more of its eligible locations.
- Responses to [petitions for rehearing](#) of the D.C. Circuit Court's Open Internet [decision are due](#) September 12.
- Chairman Wheeler sent a [letter](#) to Rep. Richard Neal (D-Mass) in response to his [letter](#) on the CAF Phase II auction, noting the FCC is seeking comment on how best to coordinate with state broadband initiatives and how to structure the CAF Phase II auction to ensure an equitable distribution of funds to states where the price cap carrier declined to accept significant amounts of USF support.
- Chairman Wheeler sent letters to Reps. [Bob Gibbs](#) (R-Ohio) and [Robert J. Wittman](#) (R-Va.), in response to their letters ([Gibbs](#), [Wittman](#)) urging the FCC to consider small and medium-sized voice and video providers in the Open Internet, retransmission consent, and set-top box proceedings.
- [Chairman Wheeler](#) and Commissioners [Clyburn](#) and [Pai](#) delivered remarks at the first meeting of the Robocall Strike Force.
- Chairman Wheeler [responded](#) to [Congress](#) on concerns about robocalls and robotexts from the federal government and its contractors.

Other Key Upcoming Dates

- Aug. 22 - PRA comments [due](#) on the survey of urban rates for fixed voice and fixed broadband residential services.
- Aug. 25 - Replies due to oppositions to petitions for reconsideration of the RoR USF Reform [Order](#) filed by [NTCA](#), [WTA](#), [Custer Telephone](#), and [Madison Telephone](#). [Notice](#).
- Aug. 31 - PRA comments [due](#) on a new collection associated with the March 2016 RoR USF Reform [Order](#).

USF Reform

- The Wireline Competition Bureau issued a [Public Notice](#) on August 15, 2016, to release revised reports showing minor technical corrections to the model-based CAF support amounts offered to rate-of-return carriers originally released on [August 3, 2016](#). The Bureau revised the support amount for Fremont Telecom to properly recognize Fremont's Form 477 data, which resulted in a revised support amount and revised deployment obligations. It also corrected the short names previously assigned to seven study areas, which do not affect any carrier's support.
- The FCC published a [Notice](#) in the Federal Register on August 18, 2016, seeking PRA comments on an information collection submitted for emergency OMB approval for information needed to implement the [RoR USF Reform Order](#). The FCC proposes to revise FCC Forms 507, 508 and 509 to include additional line count, forecasted cost and revenue, and actual cost and revenue data associated with consumer broadband-only loops necessary for the calculation of CAF BLS. PRA comments are due September 19.
- The FCC published a [Notice](#) in the Federal Register on August 18, 2016, announcing a [Petition for Reconsideration and Clarification](#) of the RoR USF Reform Order has been filed by Baraga Telephone. Oppositions to the Petition are due September 2, 2016; replies are due September 12, 2016. Comments on prior petitions for reconsideration of the RoR USF Reform Order filed by [NTCA](#), [WTA](#), [Custer Telephone Cooperative, et al.](#) and [Madison Telephone Company](#) were due August 15, 2016; replies are due August 25, 2016.
- ITTA filed [comments](#) on the petitions for reconsideration of the RoR USF Reform Order on August 15, 2016, supporting three issues raised by NTCA. ITTA agreed with NTCA that the Commission should clarify where an unsubsidized competitor actually purports to serve before eliminating support in a census block, and echoed NTCA's request for the Commission to confirm that where competitive overlap is found, RLECs may choose freely from among the Commission's defined formulas for recovery of disaggregated costs. ITTA also supported NTCA's call for reconsideration of the requirement to impute ARCs where a carrier can show it had a certain number of standalone broadband connections when the CAF ICC baseline was set. Replies due August 25. [Notice](#), [Notice](#)
- The FCC published a [Notice](#) in the Federal Register on August 18, 2016, announcing petitions for reconsideration and clarification of the CAF Phase II Auction Order have been filed by [Broad Valley Micro Fiber Networks](#), [ADTRAN](#), [Crocker Telecommunications, et al.](#), [Verizon](#), [Southern Tier Wireless](#), the [National Rural Electric Cooperative Association and Utilities Technology Council](#) and [ViaSat](#). Oppositions to the petitions are due September 2, 2016; replies are due September 12, 2016.
- The Wireline Competition Bureau issued an [Order and Order on Reconsideration](#) on August 15, 2016, addressing several challenges to the Rural Broadband Experiments' post-selection requirements. The Bureau denied three separate petitions filed by Lake Region Electric Cooperative, Wichita Online, and Halstad Telephone Company seeking waiver of the requirement to submit, by a specified deadline, an irrevocable stand-by letter of credit from an acceptable bank in the amount of the provisionally selected bid, as well as Halstad's related petition seeking reconsideration of a Bureau order finding that Halstad had defaulted on this requirement. The Bureau also dismissed as moot WOI's petition for waiver of the obligation to submit, by a specified deadline, proof of its designation as an ETC in all areas covered by its provisionally selected bid. In the Order on Reconsideration, the Bureau also dismissed as procedurally flawed, and denied on its merits, Lake Region's Petition for Reconsideration of the Bureau's determination that certain blocks included within Lake Region's bid projects were already served and thus ineligible for CAF Phase II support.
- Chairman Wheeler sent a [letter](#) to Rep. Richard Neal (D-Mass.) on July 27, 2016, in response to his [letter](#), which urged the FCC to consider adopting rules for the CAF Phase II auction that would complement the efforts of States like Massachusetts that have committed state funds to extending broadband. Chairman Wheeler said the CAF Phase II FNPRM recognized and applauded state initiatives to advance broadband deployment and access to unserved and underserved consumers, such as the Massachusetts Broadband Institute. He noted the FCC is seeking further comment on how

best to coordinate with such initiatives and how the Commission can structure the CAF Phase II auction to ensure an equitable distribution of funds to states like Massachusetts, where the price cap carrier declined to accept significant amounts of USF support.

- Shawnee Telephone Company and Moultrie Independent Telephone Company [met separately with](#) Legal Advisors to Chairman Wheeler and Commissioners Clyburn, Rosenworcel, Pai, and O’Rielly and Wireline Competition Bureau staff on August 11, 2016, to urge the Commission to grant Shawnee Telephone’s Petition for Waiver of the Commission’s decisions in the RoR USF Reform Order to exclude census blocks served by FTTP technology from the support calculations under the A-CAM and not to make an offer of model-based support to any RoR carrier that has deployed 10/1 broadband to 90 percent or more of its eligible locations in the relevant state. Shawnee said while it prefers the predictability and administrative simplicity of the A-CAM mechanism to the CAF-BLS alternative, the Bureau’s current offer of roughly \$1.4 million in annual A-CAM support is unsustainably low in light of the company’s high-cost rural service area and its existing financial commitments. It claimed even with the requested waivers, the A-CAM would produce annual high cost support significantly below its current legacy level, and suggested the waivers would reduce pressure on the Commission’s budgeted increase of \$150 million in support for those carriers accepting the offers of model-based support.
- Midwest Energy Cooperative and the Utilities Technology Council [met with](#) Chairman Wheeler’s Legal Advisor and Wireline Competition Bureau staff on August 12, 2016, to discuss the comments filed on the CAF Phase II Auction Order and FNPRM. They expressed support for the FCC’s Gigabit performance tier and urged the Commission not to reallocate funds from certain census blocks into other census blocks or other states. They also met with Legal Advisors to Commissioners [Rosenworcel](#) and [Clyburn](#) to discuss the same issues.

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ICC

- West Kentucky & Tennessee Telecommunications Cooperative and JSI [met with](#) Legal Advisors to Commissioners Rosenworcel, O’Rielly, Pai, and Clyburn on August 10 - 11, 2016, to discuss WK&T’s pending [Petition for Waiver](#) of section 51.917(b)(7)(iii), 2011 Rate-of-Return Carrier Base Period Revenue. They noted West Kentucky’s Petition has been pending a decision for several years, and said they want to ensure the FCC has all the information it needs to come to a favorable decision. They also provided some new information they believed would be helpful for the Commission staff to decide favorably on WK&T’s Petition.

Broadband

- CTIA [met with](#) Legal Advisors to Commissioners Clyburn, O’Rielly, Rosenworcel, and Pai on August 16 and 18, 2016, to discuss broadband privacy issues. CTIA discussed what it says is the importance of harmonization of privacy policy across the internet ecosystem; aligning data breach and data security provisions with existing state law; use of de-identified data; and payment models that vary by consumer privacy preferences. CTIA also attached a copy of a recent report by the Information Technology & Innovation Foundation, entitled “Why Broadband Discounts for Data are Pro-Consumer.”
- Audience Partners [met with](#) the FCC Chief Technology Officer and Wireline Competition Bureau staff on August 11, 2016, to discuss its comments on the broadband privacy [NPRM](#). Audience Partners claimed: an IP address alone is not sufficient to identify an individual; IP addresses are public, carrier-assigned information that do not identify individuals; IP addresses should not be treated as “customer personal information;” and the inclusion of IP addresses would create undue obstacles for companies like Audience Partners that have carefully crafted privacy-sensitive solutions. It said it agreed with the four-pronged construct for implementing the aggregate customer information exemption, with a few modifications, to ensure the proper balance is reached between privacy and commerce. Audience Partners also urged the FCC to consider an exemption for non-commercial speech by political and non-profit organizations.

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Open Internet

- The D.C. Circuit Court issued an [Order](#) on August 17, 2016, directing respondents and intervenors for respondents to file responses to the [petitions for rehearing](#) of the Open Internet [decision](#) by September 12, 2016.
- Chairman Wheeler sent letters to Reps. [Bob Gibbs](#) (R-Ohio) and [Robert J. Wittman](#) (R-Va.) on July 27, 2016, in response to their letters ([Gibbs](#), [Wittman](#)) urging the FCC to consider the input of small and medium-sized video providers in the retransmission consent proceeding. Chairman Wheeler said there is nothing in the record that suggests the current totality of the circumstances test is inadequate to address the negotiating practices of broadcast stations or MVPDs of all sizes. Chairman Wheeler also said the set-top box NPRM seeks comment on how this proceeding could affect these smaller providers, and noted the 2015 Open Internet Order temporarily exempted small providers with 100,000 or fewer broadband connections from the enhanced transparency requirements while the Commission evaluated the impact.
- Chairman Wheeler [spoke](#) at the Aspen Institute 2016 Communications Policy Conference on August 14, 2016, to discuss five components of the “Network Compact”: access, interconnection, consumer protection, public safety, and national security. He said the 2015 Open Internet Order enacted a solution that classified ISPs as common carriers, and said the decision also set a course for the future by forbearing from some of “the more ancient and intrusive aspects” of common carriage that might have inhibited investment and innovation. He also said that since the adoption of the Open Internet Order, broadband investment is up, fiber deployment is up, network usage is up, network revenues are up, and investment in new uses of the network is up.
- Mosaik [met with](#) Wireless Telecommunications Bureau and Consumer and Governmental Affairs staff on August 10, 2016, to discuss its concerns with the [Public Notice](#) on wireless network-performance measurement. Mosaik asserted the Public Notice unnecessarily narrowed the pool and types of available wireless network data sources, and claimed mobile network-performance measurements are far more accurate and reliable when the analysis draws from diverse datasets and uses multiple collection methodologies. Mosaik asked the FCC to solicit public comment on how best to ensure sufficient disclosure of actual download and upload speeds, latency, and packet loss by mobile broadband service providers.

IP Transition

- The FCC filed a [reply brief](#) with the D.C. Circuit Court on August 15, 2016, in the proceeding in which USTelecom [sought review](#) of the FCC’s November 2014 Technology Transition Order. The FCC argued that it reasonably adopted a consumer oriented functional test for determining when a service is discontinued, reduced, or impaired under section 214 and reasonably interpreted section 214 to require Commission approval for a carrier to discontinue, reduce, or impair service to another carrier if the change in wholesale service would discontinue, reduce, or impair a carrier-customer’s retail service. Oral argument has not yet been scheduled.

USF

- Atlantel filed a [letter](#) on August 12, 2016, to request clarification on its Request for Waiver of certain FCC rules to revise its Form 499s, which it said resulted in a bill for regulatory fees that were not actually owed. Atlantel seeks confirmation that the July 29, 2016 [Public Notice](#) that dismissed its [Request for Review](#) of the USAC decision denying its waiver request did not deny its request for relief on regulatory fees from the FCC’s Managing Director, and that the dismissal was simply a procedural finding that USAC was not the proper venue for its waiver request.

- i-wireless filed a [Petition](#) seeking a service area expansion of its designation as an ETC in the states of Alabama, Connecticut, New Hampshire, New York, Tennessee, and the Commonwealth of Virginia for the limited purpose of offering Lifeline services to qualifying low-income consumers in the Federal ETC States.

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Misc.

- JSI [met via](#) telephone with Wireline Competition Bureau staff on August 12, 2016, to discuss the pending [Petition](#) for Study Area Waiver of Mutual Telephone Company of Sioux Center, Iowa, d/b/a Premier Communications, and Winnebago Cooperative Telecom Association. JSI informed Bureau staff that as rate-of-return carriers, Mutual and Winnebago have been following, and will continue to follow, the procedures set forth under Part 64 in which common costs are allocated according to a hierarchy of principles established by the Commission, and, as explained in the Joint Petition, the companies will maintain separate books for the acquired exchanges. JSI noted compliance with these rules is further assured through periodic NECA and USAC reviews and audits. JSI asserted any concerns regarding treatment of common costs should be satisfied as the companies will continue to follow Commission cost allocation rules and implement procedures, such as maintaining separate books.
- Chairman Wheeler and Commissioners Clyburn and Pai delivered remarks at the first meeting of the Robocall Strike Force on August 19, 2016. Chairman Wheeler [noted](#) robocalls are the number one complaint that the FCC hears from consumers about, receiving more than 200,000 complaints a year. He said the issue involves those who build and operate networks, those who build and operate equipment, and those who build and operate services, and it is therefore significant that not just carriers and gateway providers, but also equipment and service providers are at this meeting. Wheeler said the Commission is committed to being an effective partner and asked the group to tell the Commission what it needs to do. Commissioner Clyburn [noted](#) the Commission took the first step last summer by adopting a proposal that reiterated consumers' rights to control the calls they receive on both their landline and wireless phones and gave providers the greenlight to implement robocall-blocking. She applauded AT&T and others for stepping up to the plate to enable industry to focus on real actions that will empower consumers with robust robocall-blocking solutions. Commissioner Pai [acknowledged](#) the number of people and organizations that have already spent sweat equity on this issue: the Federal Trade Commission's 2013 Robocall Challenge and the app that was one of the winners of the challenge—Nomorobo, developed by Aaron Foss; ATIS, the SIP Forum, and the Internet Engineer Task Force's Secure Telephone Identity Revisited Working Group, who have been developing standards to reduce illegitimate Caller ID spoofing; and he expressed appreciation to the industry participants in this task force, especially AT&T for chairing it.
- Chairman Wheeler sent [letters](#) to Senators Edward Markey (D-Mass.), Richard Blumenthal (D-Conn.), Patrick Leahy (D-Vt.), Robert Menendez (D-N.J.), Al Franken (D-Minn.), Amy Klobuchar (D-Minn.), Elizabeth Warren (D-Mass.), Cory Booker (D-N.J.), Sherrod Brown (D-Ohio), and Jeffrey Merkley (D-Ore.) on August 5, 2016, in response to their [letter](#), which expressed concern about robocalls and robotexts from the federal government and its contractors. Chairman Wheeler noted the Commission adopted an Order on August 2, 2016, that will establish rules for federal debt collection to limit the number of calls per month, ensure the correct person is called, and allow consumers to stop such calls. He noted he sent letters to the largest wireline and wireless telephone companies urging them to speed the availability of robocall blocking services that will allow consumers to stop unwanted calls and, as a result, AT&T committed to leading an industry strike force to develop an action plan for providing consumers with robocall-blocking solutions. He also said the Commission is now seeking comment on the robocall activities of the federal government and contractors given the recent filing of a petition for reconsideration of the *Broadnet* decision.
- Sprint, Windstream, Verizon and INCOMPAS [met with](#) Legal Advisors to Commissioners Clyburn and Rosenworcel on August 10 and 12, 2016, to discuss the Verizon/INCOMPAS [proposal](#) on business

data services. They asserted the proposal continues to represent a balanced and administrable approach to the reform of the business data services market.

- INCOMPAS [spoke with](#) Chairman Wheeler's Legal Advisor on August 12, 2016, to discuss its [joint proposal](#) with Verizon on business data services. INCOMPAS asserted the three-tiered approach to the competition test is important, and said the proposal continues to represent a balanced and administrable approach to the reform of the business data services market.
- CenturyLink, Frontier and ITTA [met with](#) Legal Advisors to Commissioners Pai, Rosenworcel, and Clyburn on August 11, 2016, to express opposition to the Verizon-INCOMPAS proposed regulatory [framework](#) for business data services. They asserted the proposal is not, as claimed, a middle ground between many different perspectives, and argued the competitive market test should be administered in a technologically neutral manner. They also said the FCC should find detariffing permissible, not mandatory.
- CenturyLink and Dr. Mark Schankerman of the London School of Economics [met separately](#) on August 15 and 16, 2016, with Legal Advisors to Chairman Wheeler and Commissioners Rosenworcel, O'Rielly, Pai and Clyburn, the FCC's Chief Economist, and Wireline Competition Bureau and General Counsel staff to discuss a study Dr. Schankerman conducted with Dr. Pierre Regibeau entitled [Response to the FCC Further Notice: Regulation of DSJ and DS3 Services](#). Dr. Schankerman asserted applying the principles in the report to a potential one-time rate adjustment and going-forward X factor, there is a strong empirical argument for raising DS1 and DS3 rates on a one-time basis by a minimum of 4.4%, depending on the data period used, and DS_n rate caps going forward should be permitted to increase at the rate of inflation minus an X-factor of 1.06% per year.
- AT&T and Christensen Associates [met with](#) Wireline Competition Bureau and General Counsel staff on August 12, 2016, to express opposition to the Ad Hoc Telecommunication Users Committee's proposal for using fully distributed accounting costs based on stale and economically arbitrary allocation factors and depreciation schedules for estimating any required reset to current BDS prices. AT&T also asserted the Commission should not impose any rate regulation on Ethernet services and claimed there is no justification for a new BDS-specific X-factor.
- Verizon [met with](#) Commissioner Rosenworcel's Legal Advisor on August 17, 2016, to express agreement with the FCC's statement in the [FNPRM](#) that business data services are telecommunications services, regardless of the provider supplying the service, and therefore all BDS providers are common carriers. Verizon asserted cable providers sell business data services the same way other providers sell these services, and under both the statutory test and the common-law test, cable providers' business data services are common-carriage offerings.
- CenturyLink filed a [letter](#) on August 12, 2016, to submit information on its operating expenses per access line and per business data services circuit, in response to earlier CLEC filings and Verizon and INCOMPAS's [proposal](#) seeking what CenturyLink says are huge one-time adjustments to ILEC DS1 and DS3 rates. CenturyLink asserted the proposed rate adjustments could only be justifiable if ILECs' average cost of providing service had declined steeply since 2005, but claimed the opposite has occurred.
- Windstream [spoke with](#) the Wireline Competition Bureau Chief on August 15, 2016, to discuss the importance of ensuring that any BDS benchmarks are sufficiently inclusive so they cannot be evaded, and claimed Verizon and INCOMPAS had agreed that rate reductions should be real and not just reductions on paper. Windstream also discussed Dr. Robert Willig's declaration in its [reply comments](#), which outlined the economic basis and importance of a wholesale rate below retail rates for business data services in ensuring that downstream efficient competition could be preserved in the face of market power by market-leading business data service providers.
- USTelecom [met with](#) Wireline Competition Bureau staff on August 8, 2016, to discuss the findings of its survey of small and medium-sized business customers and their use of business broadband services. USTelecom also responded to FCC staff inquiries regarding the pool of respondents represented in the

survey to enable the Commission and the public to better understand and assess the validity and potential impact of the survey's findings.

- NCTA and Dr. Michael Katz of the University of California at Berkley [met with](#) Legal Advisors to Commissioners Rosenworcel and Clyburn on August 17, 2016, to discuss an economic report by Dr. Katz and Dr. Bryan Keating included in NCTA's [reply comments](#). NCTA asserted there is no basis for imposing rate regulation on cable operators and other competitive providers who possess no market power with respect to any segment of the BDS marketplace. NCTA also claimed most of the proposals for new regulation of BDS rates, particularly the framework submitted by Verizon and INCOMPAS over the last few months, are not supported by the evidence and would result in significant consumer harm. NCTA, Dr. Katz, and Dr. Keating [also met with](#) Chairman Wheeler's Legal Advisor and Wireline Competition Bureau and General Counsel staff to discuss the same issues.
- Cox Communications [spoke with](#) Wireline Competition Bureau and General Counsel staff on August 15, 2016, to urge the Commission not to impose rate regulation on new entrants, whether through price caps or benchmarks. Cox also expressed concern over the use of overly granular geographic markets, such as census blocks, and suggested instead the Commission should consider using geographic markets that more closely reflect how companies enter a market, such as by counties or franchise areas.
- Comcast [met separately](#) with Legal Advisors to Commissioners Clyburn, O'Rielly and Rosenworcel, and General Counsel and Wireline Competition Bureau staff on August 15, 2016, to assert that it would be counterproductive to subject new entrants in the business data services marketplace to rate regulation, and claimed rate regulation generally is inappropriate in the absence of secure monopoly conditions.
- Public Knowledge, New America's Open Technology Institute, Common Cause and Next Century Cities, the Schools, Health & Libraries Broadband Coalition, and the Computer & Communications Industry Association [met with](#) Chairman Wheeler's Legal Advisor and General Counsel and Wireline Competition Bureau staff on August 11, 2016, to urge the Commission to proceed quickly to reform the business data service market and to adopt a final order in 2016. They recommended reforms to the BDS regulatory regime provide a platform for robust competition and eliminate the monopoly and oligopoly rents that plague the BDS market, as well as serve the public interest and protect customers from the market power of ILECs.
- The FCC issued a [Public Notice](#) on August 15, 2016, announcing the next meeting of the North American Numbering Council will be held on September 15, 2016. The agenda includes reports from the North American Numbering Plan Administrator, the National Thousands Block Pooling Administrator, the Numbering Oversight Working Group, and the Toll Free Number Administrator, among other things.
- The Wireline Competition Bureau released a [Public Notice](#) on August 18, 2016, announcing upcoming LNP Administrator Transition outreach and education events to be held by PriceWaterhouseCoopers, the Transition Oversight Manager. The TOM will be at the Venetian I Palazzo Congress Center, adjacent to the CTIA Conference, in Las Vegas, NV on September 7 & 8, 2016. The TOM will also be at the JW Marriott Indianapolis, collocated with the NTCA Conference, in Indianapolis, IN on September 26 & 27, 2016.
- Betty Ann Kane, Chair of the D.C. PSC and Chair of the NANC, filed a [letter](#) with the Wireline Competition Bureau on August 17, 2016, to provide an update on ATIS's and NANC's work on nationwide number portability implementation technical solutions. She reported the ATIS's draft [NNP report](#) considers five approaches to implementing NNP, but makes no recommendation on a specific approach to pursue. She said the LNPA Working Group reported at its June 30 meeting that it was currently reviewing ATIS's NNP report and would report back to the NANC at the September 15, 2016, meeting on the results of its evaluation of ATIS's NNP report.

- Frontier and ITTA [met separately with](#) Legal Advisors to Chairman Wheeler and Commissioners Rosenworcel and O’Rielly on August 17, 2016, to discuss what they call the longstanding disproportionate regulatory fee burden borne by wireline voice providers and their customers and the need for the Commission to adjust its regulatory fee structure to ensure that regulatory fees are applied in a competitively neutral manner that correlates to industry trends and the Commission’s current workload. They expressed support for combining wireless voice providers into the ITSP regulatory fee category so that all voice providers pay regulatory fees associated with the work of the Wireline Competition Bureau on the same basis.
- The American Cable Association [spoke with](#) Chairman Wheeler’s Legal Advisor on August 18, 2016, to discuss regulatory fees. ACA asserted the Commission should assess regulatory fees on DBS providers on the same basis that the FCC assesses those fees on cable operators and IPTV providers. ACA said if the Commission declines to bring DBS into parity with cable and IPTV for FY 2016, it urged the FCC to make clear in the order the DBS rate will continue to be adjusted upward over time to achieve parity among payors in that category.
- The American Cable Association [met with](#) Legal Advisors to Commissioners O’Rielly, Pai, Rosenworcel, and Clyburn on August 16 and 17, 2016, to discuss raising the Commission’s proposed fee level for Direct Broadcast Satellite to a level commensurate to that paid by other payors in the Cable/IPTV fee category. ACA argued that because there is a relatively small difference from an MVPD regulatory perspective between cable, IPTV and DBS, and because these providers impose similar burdens on the Media Bureau, the Commission should assess regulatory fees on DBS providers on the same basis that the FCC assesses those fees on cable operators and IPTV providers - all payors in the Cable/IPTV fee category should achieve full parity in terms of fee level for FY 2016. ACA also expressed support for actions to ensure that the burdens wireless voice providers impose on Wireline Competition Bureau resources are reflected in its regulatory fee program.
- No comments were filed on Edge Communications Solutions’ application to obtain NANP telephone numbers directly from the Numbering Administrators for its iVoIP service. [Public Notice](#)
- Chairman Wheeler [announced](#) on August 16, 2016, his intention to appoint Paul de Sa as Chief of the Office of Strategic Planning and Policy Analysis, taking over for Elizabeth Biley Andron who has been serving as Acting Chief of OSP since January and plans to leave the Commission later this month.
- The Enforcement Bureau issued an [Order and Consent Decree](#) on August 18, 2016, resolving its investigation into whether Telecom House failed to file certain annual certifications and reports, including its CPNI certifications in 2013, 2014, and 2015, and International Traffic Reports in 2012, 2013, 2014. The Bureau stated Telecom House will implement a compliance plan and pay a \$75,000 civil penalty, and upon an event of default, agreed to pay an additional \$175,000 civil penalty.

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Upcoming Filing Dates

- Aug. 22 - PRA comments due on the form and content of its survey of urban rates for fixed voice and fixed broadband residential services. [Notice](#)
- Aug. 22 - Replies due on Fairpoint’s [Compliance Plan](#) for forbearance relief from the Commission’s cost assignment rules. [Public Notice](#)
- Aug. 24 - PRA comments due on revisions of a currently approved collection to comply with new rules adopted in the Lifeline Third Reform [Order](#). [Notice](#)
- Aug. 24 - PRA comments due on revisions of currently approved collections associated with Part 61, Tariffs. [Notice](#)

- Aug. 24 - PRA comments due on an extension of a currently approved collection associated with local number portability. [Notice](#)
- Aug. 25 - Replies due to oppositions to petitions for reconsideration of the RoR USF Reform Order filed by [NTCA](#), [WTA](#), [Custer Telephone Cooperative](#), and [Madison Telephone Company](#). [Notice](#), [Notice](#)
- Aug. 31 - PRA comments due on a new collection associated with the March 2016 RoR USF Reform Order. [Notice](#)
- Sept. 2 - Oppositions due to Baraga Telephone's [Petition for Reconsideration and Clarification](#) of the RoR USF Reform Order. Replies are due September 12. [Notice](#).
- Sept. 2 - Oppositions due to [petitions for reconsideration](#) of the CAF Phase II Auction Order. [Notice](#). Replies are due September 12.
- Sept. 6 - Comments due on the [Twelfth Broadband Progress Notice of Inquiry](#) on the appropriate criteria and benchmarks by which to measure whether fixed and mobile broadband services provide access to advanced telecommunications capability. Replies due September 21.
- Sept. 12 - Replies due to oppositions to Baraga Telephone's [Petition for Reconsideration and Clarification](#) of the RoR USF Reform Order [are due](#)
- Sept. 12 – Replies due to oppositions to [petitions for reconsideration](#) of the CAF Phase II Auction Order. [Notice](#)
- Sept. 19 - PRA comments [are due](#) for emergency OMB approval related to information needed to implement the [RoR USF Reform Order](#), including revisions to FCC Forms 507, 508 and 509
- Sept. 21 - Comments due on data and information on the state of competition in the delivery of video programming for the Commission's Eighteenth Report, and to update the information and metrics provided in the [Seventeenth Report](#). Replies due October 24. [Public Notice](#)
- Sept. 12 - PRA comments due on a revision of a currently approved collection associated with the Open Internet rules requiring all providers of broadband Internet access service to publicly disclose accurate information regarding the network management practices, performance, and commercial terms of their broadband Internet access services. [Notice](#)
- Sept. 21 - Replies due on the [Twelfth Broadband Progress Notice of Inquiry](#) on the appropriate criteria and benchmarks by which to measure whether fixed and mobile broadband services provide access to advanced telecommunications capability.
- Oct. 24 - Replies due on data and information on the state of competition in the delivery of video programming for the Commission's Eighteenth Report, and to update the information and metrics provided in the [Seventeenth Report](#). [Public Notice](#)

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