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October 2, 2017 HIGHLIGHTS

- The Senate is set to have a [final vote](#) on October 2, 2017, on the re-nomination of Chairman Pai as FCC Commissioner for a term of five years, starting from July 1, 2016.
- The FCC adopted eight items at its September 26, 2017 [Open Meeting](#), including: a [Report](#) on the state of competition in the mobile wireless industry; an [NPRM](#) on revisions to the wireless hearing aid compatibility annual reporting requirement; and an [NPRM](#) proposing to amend the rules to allow for use of auctions to assign certain toll free numbers and other means to modernize the administration and assignment of toll free numbers.
- The FCC [announced](#) comments are due October 26, 2017, on updating the record on ICC reform issues raised in the 2011 ICC Transformation FNPRM regarding the network edge for traffic that interconnects with the PSTN, tandem switching and transport, and transit. Replies due November 13.
- Replies were filed by [ERTA, USTelecom and NTCA, and NASUCA](#) on NTCA and USTelecom's [Petition for Forbearance](#) from application of USF contribution obligations on broadband internet access transmission services pending comprehensive contributions reform.
- PRA comments [are due](#) November 27, 2017, on revisions to a currently approved information collection for certain carriers with high cost reporting obligations to file information about their locations that meet their broadband deployment obligations via USAC's electronic portal.
- NTCA and several of its members [discussed](#) the negative impacts of USF budget shortfalls on broadband infrastructure investments and consumer rates for broadband services. Kansas Rural Broadband Providers [discussed](#) how the shortfall in USF support caused by the high-cost budget is undermining their efforts to deploy broadband infrastructure and close the digital divide. Arctic Slope Telephone and GVNW [discussed](#) broadband reporting and the high-cost fund budget.
- AT&T [discussed](#) the switched access figures and trend [data](#) it submitted to the FCC, claiming CLECs exploit other arbitrage opportunities now that the transition to bill-and-keep is limiting such opportunities on the terminating end.
- Replies were filed by [NTCA and WTA, Sprint](#), and the [Minnesota Telecom Alliance](#) on the [Second FNPRM](#) on rural call completion.
- [Comments were filed](#) on the [Thirteenth Section 706 Report NOI](#). Replies are due October 6, 2017.
- [Petitions](#) for a Writ of Certiorari were filed seeking Supreme Court review of the 2016 D.C. Circuit Court [opinion](#) upholding the 2015 Open Internet [Order](#).
- [Replies were filed](#) on the [Second NOI](#) that explores methods by which reassigned telephone number data could be made available to callers to avoid making unwanted calls to consumers.

Other Key Upcoming Dates

- Oct. 5 - Comments due on NECA's [2018 Modification](#) of the Average Schedule Universal Service High Cost Loop Support Formula. Replies are due October 20, 2017. [Public Notice](#)
- Oct. 9 - Comments [due](#) on Gila River [Petition for Expedited Waiver](#) of the National Average Cost Per Loop freeze.
- Oct. 10 - Replies due on a list of 13 rate-of-return study areas identified as potentially having 100 percent overlapped by an unsubsidized competitor or combination of unsubsidized competitors. [Public Notice](#)
- Oct. 10 - Comments due on the Form 477 [FNPRM](#). Replies due October 24, 2017. [FR](#), [Order](#), [PN](#)

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USF Reform

- The FCC published [a Notice](#) in the Federal Register on September 26, 2017, seeking PRA comments on revisions to a currently approved information collection to meet the requirement that certain carriers with high cost reporting obligations file information about their locations that meet their broadband deployment obligations via USAC's electronic portal. It noted the Rate-of-Return Reform Order required all recipients of Phase II model-based support and RoR carriers to submit geocoded location data and related certifications to the portal, and the CAF Phase II Auction Order requires auction winners to report to the online portal locations to which they have deployed such networks. This information collection also addresses the new portal reporting requirements for carriers receiving Alaska Plan support, including their submission of fiber/microwave middle mile network maps, and recipients of CAF Phase II support that is awarded in partnership with New York's New NY Broadband Program. Comments are due November 27, 2017.
- Chairman Pai sent [letters](#) to Senators Gary Peters (D-MI) and Debbie Stabenow (D-MI) on September 13, 2017, in response to their letter urging the FCC to move quickly on the CAF Phase II auction. Pai noted the work done by the Commission this year on the Phase II auction, including the recent Public Notice seeking comments on the procedures to be used. He agreed it is important for the Commission to move quickly on this.
- NTCA and several of its members [met with](#) Commissioner Rosenworcel and her Legal Advisor on September 25, 2017, to discuss the negative impacts of USF budget shortfalls on broadband infrastructure investments and consumer rates for broadband services. They also discussed what might be done to expedite infrastructure deployment in rural areas through more efficient permitting processes and more streamlined environmental and other reviews. NTCA members discussed the continuing need for an effective and legally sustainable framework that will promote the advancement of universal service and the interconnection and seamless exchange of data across networks and services in a broadband-focused communications ecosystem.
- Kansas Rural Broadband Providers [met with](#) Chairman Pai and his Legal Advisor on September 21, 2017, to discuss how the shortfall in USF support caused by the high-cost budget is undermining their efforts to deploy broadband infrastructure and close the digital divide. They said continuous growth of the budget control mechanism that reduces individual USF disbursements to keep total support within the budget combined with ever-changing expense limitations have created significant regulatory uncertainty, and they urged Pai to direct the FCC to perform a full review of the high-cost budget before the end of this year. They also urged the FCC to take immediate action to address the shortfall using broadband reserve funds until the Commission completes its budget review and makes necessary adjustments to correctly size the high-cost budget. They asked for more details on the FCC's impending plan to begin maintaining USF funding within the U.S. Treasury, rather than in an account controlled by USAC, and discussed IXCs' refusal to pay KFN's tariffed rates for tandem switched transport access services.
- Arctic Slope Telephone Association Cooperative and GVNW [met separately with](#) Legal Advisors to Commissioners O'Rielly, Carr, Rosenworcel, and Clyburn on September 27, 2017, to express concern that Alaska Plan carriers do not currently have access to the HUBB reporting portal, and that this week access to the simulator module for Alaska carriers was suspended. They expressed support for maintaining at least the overall budget level of \$4.5 billion for the high-cost fund into 2018 pending further study of its appropriate size, and asked questions regarding the potential loss of a net interest annual accrual of \$53.5 million on all federal USF funds currently deposited in the bank. They also discussed the proper metric for broadband target speeds, including for carriers facing the unique challenges posed by the circumstances in Alaska.

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ICC

- The FCC published [a Notice](#) in the Federal Register on September 26, 2017, announcing the comments dates for the [Public Notice](#) that invited comments to update the record on ICC reform issues raised in the 2011 ICC Transformation FNPRM regarding the network edge for traffic that interconnects with the PSTN, tandem switching and transport, and transit. The Commission also seeks comment on other developments related to those issues that should be considered in the context of further ICC reform. Comments are due October 26, 2017; replies are due November 13, 2017.
- AT&T [met with](#) Wireline Competition Bureau staff on September 26, 2017, to discuss the switched access [figures and trend data](#) supplied by AT&T. AT&T claimed the figures demonstrate certain CLECs exploit other arbitrage opportunities now that the transition to bill-and-keep is limiting such opportunities on the terminating end. It asserted the Commission should promptly update the ICC rules as described in its July 31, 2017 [comments](#), while also granting AT&T's [Petition for Forbearance](#) from tandem and transport switched access and toll-free database dip charges.

Call Completion

- Reply comments were filed on September 25, 2017, on the [Second FNPRM](#) on rural call completion. [NTCA and WTA](#) reiterated their position that the record-keeping and reporting requirements should be retained at least until an effective alternative rural call completion solution, such as mandated compliance with current "best practices" and accompany certifications, can be adopted and implemented. They said rural providers' primary concern is that rescinding the record-keeping and reporting requirements before a realistic, effective substitute is identified will also mean rescinding the progress that has been made on rural call completion. [Sprint](#) asserted the comments confirmed: the existing rural call completion data collection, reporting, and retention rules are ineffective and should be eliminated; that any rural call completion problems have abated sharply; and that intercarrier compensation reform, competitive market forces, and cooperative industry efforts are the most effective means to address any on-going rural call completion issues. It said new regulations or mandated performance standards are unwarranted and unnecessary. The [Minnesota Telecom Alliance](#) supported maintaining the rural call completion reporting requirements in their current form until the Commission adopts other provisions that provide: quality of service standards for individual intermediate carriers; safe harbor or comparable incentives (or express obligations) for covered carriers to limit the number of intermediate carriers involved in the transmission of any individual call; and transparency to RLECs and rural customers. It said these reporting requirements and incentives or express obligations should be applicable to all rural areas, including areas served by both RLECs and rural CLECs. [Notice](#)

Broadband

- In addition to comments reported in a previous edition of *Regscan*, comments were filed on September 21, 2017, on the [Thirteenth Section 706 Report NOI](#) on the appropriate metrics and benchmarks by which to measure the deployment of both fixed and mobile services to evaluate the extent to which American consumers have access to advanced telecommunications capabilities. [The New Networks Institute](#) asserted every section 706 report has failed the public and ignored primary facts, and claimed the FCC and states have not held the companies accountable or enforced basic laws and regulations. NNI asserted this current FCC is captured by the industry, deciding to help and protect the phone and cable companies over the public. [ViaSat](#) urged the FCC to fully consider satellite broadband deployment in preparing its 2018 Section 706 Report. ViaSat opposed the adoption of any latency benchmark in the section 706 context, claiming the vast majority of internet traffic is not latency-sensitive, and said consumers do not view latency as a significant factor impacting the broadband experience. ViaSat also said the Commission should ensure that adequate spectrum is made available for satellite broadband networks to expand and grow with consumer demand. [All comments available to date](#). Replies are due October 6, 2017.

- Senate and House Democrats [announced](#) their [economic agenda](#) entitled “A Better Deal: Universal High-Speed Internet” on September 28, 2017. They said the agenda proposes to bring high-speed, affordable internet to every American by investing \$40 billion in federal dollars to build the kind of broadband infrastructure that will finally connect communities that have been left behind by the big ISPs. They claimed the plan would also upgrade the nation’s critical safety infrastructure and create accurate maps of areas that lack adequate internet access in order to ensure rural Americans are not left out.
- NTCA [announced](#) on September 27, 2017, it has joined the Broadband Access Coalition in its effort to petition the FCC to authorize a licensed, point-to-multipoint fixed wireless service in the underutilized 3.7 – 4.2 GHz spectrum band. NTCA said the proposed licensing scheme and operating rules have the potential to enable high-speed broadband service in rural and other underserved areas. The BAC membership includes a group of more than 30 service providers, equipment vendors, trade associations, and non-profit public advocacy groups.
- Edison Electric Institute [met with](#) Commissioner Carr and his Legal Advisor on September 22, 2017, to discuss the nation's power grid. EEI urged the Commission not to take any actions in the wireline infrastructure proceeding which would negatively impact public safety and the provision of reliable electric service, or impair ongoing grid modernization and the growth of smart communities. EEI requested that the membership of the Broadband Deployment Advisory Committee be expanded to include more representation from electric companies and states so that pole attachment and broadband issues could be considered in a larger context. EEI claimed there was no need for the Commission to adjust the pole attachment timelines or rates, and asserted that lowering the rates would discourage electric company investment in smart infrastructure and telecommunications company investment in their own poles.
- AT&T met with [Chairman Pai](#) and Commissioners [Rosenworcel](#), [O’Rielly](#), and [Carr](#) and their Legal Advisors on September 26, 2017, to discuss AT&T’s efforts to prepare for and respond to Hurricanes Harvey, Irma, and Maria. AT&T discussed the challenges associated with the restoration of service in Puerto Rico, and the logistical issues associated with the transport of communications equipment and personnel to Puerto Rico in the aftermath of Hurricane Maria. AT&T also discussed spectrum issues at certain meetings.
- The Communications Workers of America [met with](#) Commissioner Rosenworcel and her Legal Advisor on September 20, 2017, to assert the rebuilding of storm-damaged infrastructure in Texas, Florida, Puerto Rico, the U.S. Virgin Islands and elsewhere underscores the importance of the existing copper retirement and section 214 service discontinuance rules. CWA claimed that proposed rules changes could allow incumbent carriers to abandon service to customers without any public oversight, leaving people without reliable voice connections and functionally equivalent services.
- GCI [met with](#) Wireless Telecommunications Bureau staff on September 21, 2017, to discuss issues it encounters when applying for local or municipal wireless infrastructure permits. GCI encouraged the FCC to move forward with removing barriers to infrastructure investment and deployment, reiterated its support for implementation of a shorter shot clock and the adoption of a deemed granted remedy, and discussed efforts towards resolving incomplete application issues.
- Uniti Fiber [met with](#) Commissioner Carr and his Legal Advisors, Legal Advisors to Chairman Pai and Commissioners Clyburn, O’Rielly, and Rosenworcel, and staff from the Wireless Telecommunications and Wireline Competition Bureaus on September 21 and 22, 2017, to discuss issues it encounters when attempting to install telecommunications facilities in the public rights-of way. Uniti Fiber said obstacles include delays associated with issuing the requisite permits, and claimed some municipalities demand excessive franchise fees for small-cell deployments.
- The Wireless Infrastructure Association [met with](#) Commissioner O’Rielly’s Legal Advisor on September 25, 2017, to discuss the FCC efforts to reduce regulatory barriers to wireless infrastructure deployment. WIA encouraged the FCC to streamline the siting process to enhance capacity on 4G networks and spur the deployment of next-generation 5G networks through its proceedings as well as

through the Broadband Deployment Advisory Committee. WIA also asked the FCC to reduce siting delay using its existing statutory authority under sections 253 and 332 of the Telecommunications Act. WIA also [met with](#) staff from the Wireless Telecommunications and Wireline Competition Bureaus on September 26, 2017, to discuss the same issues.

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Open Internet

- [USTelecom and CenturyLink](#), [NCTA](#), [ACA](#), [Daniel Berninger of VCVX](#), CTIA (not available), AT&T (not available), [Tech Freedom](#) and VoIP Pioneers Jeff Pulver, Charles Giancarlo, and Scott Bannister (not available) filed Petitions for a Writ of Certiorari on September 29, 2017, seeking Supreme Court review of the 2016 D.C. Circuit Court [opinion](#) upholding the 2015 Open Internet [Order](#). Tech Freedom said review is necessary to determine whether the FCC has statutory authority to classify broadband as a common carrier service subject to Title II regulation. [All petitions available to date](#). filed Petitions for a Writ of Certiorari on September 28, 2017, seeking Supreme Court review of the 2016 D.C. Circuit Court [opinion](#) upholding the 2015 Open Internet [Order](#). [USTelecom and CenturyLink](#) said the FCC repudiated nearly two decades of bipartisan consensus, affirmed in the Brand X decision, on the appropriate regulatory classification of broadband under the Communications Act. [NCTA](#) claimed Congress never entrusted the Commission with the extraordinary authority to subject broadband providers to Title II. [ACA](#) said the case's legal implications are important and extend beyond the scope of the FCC's authority to regulate the internet. [Daniel Berninger](#) said the Order raises significant First Amendment concerns warranting review by the Court, claiming Supreme Court precedents demonstrate the First Amendment protects privately owned channels of communications. [Tech Freedom](#) said review is necessary to determine whether the FCC has statutory authority to classify broadband as a common carrier service subject to Title II regulation.
- AT&T [met with](#) staff from the Wireline Competition and Wireless Telecommunications Bureaus and the Office of General Counsel on September 25, 2017, to discuss arguments made in the Open Internet proceeding regarding the Administrative Procedure Act. AT&T said its white paper addresses arguments by Title II proponents that the APA imposes various substantive and procedural obstacles to restoration of a Title I regime for broadband internet access. AT&T claimed nothing in the APA requires the Commission to identify any post-2015 change in factual circumstances as a basis for restoring a Title I regime, to issue a new NPRM to specify the metrics to be used in a cost-benefit analysis of Title II regulation, or to stall this proceeding pending a new round of comments on the significance or not of informal complaints made public in response to FOIA requests.
- NCTA filed an [Opposition](#) on September 28, 2017, to the National Hispanic Media Coalition's [Motion](#) that seeks to make informal Open Internet complaint documents a part of the record and to set a pleading cycle for comment on them. NCTA claimed the Motion should not be granted because it is based on false premises that the informal complaint materials are "directly relevant" to this proceeding.
- The Free State Foundation met separately with [Commissioner O'Rielly](#) and his Legal Advisor and [Commissioner Carr's](#) Legal Advisor on September 25, 2017, to discuss open internet issues. Free State asserted broadband internet access services are Title I information services and not Title II telecommunications services under the text and structure of the Communications Act, and claimed the FCC does not possess authority to regulate ISPs as common carriers. Free State also claimed the Title II Order has curtailed broadband network investment and the FCC lacks authority under section 706 to regulate broadband ISPs' practices.
- The Web Foundation [met with](#) Chairman Pai and his Legal Advisor on September 25, 2017, to discuss open internet issues. It said the web has been a key space for innovation, economic growth, and freedom of speech, and these developments were only possible because the markets for access and content were separate. It also said rules to enforce the net neutrality principles have become necessary for these markets to continue following the virtuous circle of growth.

- Writers Guild of America, West [met with](#) Commissioner Clyburn's Chief of Staff and Legal Advisor and Commissioner Rosenworcel's Legal Advisor on September 28, 2017, to express opposition to the plan to reclassify broadband internet access service as an information service under Title I. WGAW said its members have benefitted from net neutrality and the current Open Internet rules, and claimed the explosive growth of the online video market provides strong evidence that the current rules are working.
- The Independent Film and Television Alliance [met with](#) Commissioner Rosenworcel's Legal Advisors on September 21, 2017, to urge the Commission to maintain a regulatory framework governing broadband services that includes clear rules ensuring transparency, no blocking, no throttling, and non-discrimination, and a commitment to full enforcement to preserve and promote the open internet.

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Universal Service

- Reply comments were filed September 28, 2017, on NTCA and USTelecom's [Petition for Forbearance](#) from application of USF contribution obligations on broadband internet access transmission services pending comprehensive contributions reform. [ERTA](#) noted there were no oppositions filed to the Petition, and the three sets of comments filed expressed unanimous agreement that USF contribution reform is needed. ERTA said it is resigned to the fact that even though it would be the right thing to do and would be one way to eliminate current customer discrimination, comprehensive and fair USF contribution reform is not imminent, and thus forbearance is a common sense, temporary solution. [USTelecom and NTCA](#) noted all of the commenters agreed the disparate treatment amongst broadband internet access service providers when it comes to federal USF contribution assessments highlights the need for reform, and said commenters further agreed that forbearance is the most efficient way to resolve the current inequity. They asked the Commission to grant forbearance from USF contribution obligations pending comprehensive contributions reform for all RLEC-provided broadband internet access transmission services, whether offered on a tariffed or detariffed basis. [NASUCA](#) agreed with the Pennsylvania PUC that it is necessary to address the USF contribution issue, saying its position is that all carriers' broadband services should contribute to the USF, especially now that all the USF programs support broadband and support for voice service is being phased out. It noted the Commission referred the contribution mechanism question to the Federal-State Joint Board on Universal Service in 2014, and said the forbearance requested by NTCA and USTA, even though temporary, cannot reasonably be granted until the FCC has received the Joint Board's recommendations and comments thereon. [Public Notice](#)
- Chairman Pai sent a [letter](#) to Sen. Steve Daines (R-Mont.) on September 13, 2017, in response to his letter on the importance of broadband in delivering healthcare in rural areas. Chairman Daines also asked the FCC to initiate a proceeding to examine a rule change to add wireless connections as an option of the USF Rural Healthcare Program. Chairman Pai said he would bear this in mind as the Commission assesses how to proceed with the RHC program.
- The Wireline Competition Bureau released a [Public Notice](#) on September 29, 2017, granting, denying, and dismissing various petitions related to actions taken by USAC on the Connect America Fund, USF contributions, E-rate, and Lifeline. Petitions for reconsideration or applications for review of these decisions must be filed within 30 days of the Public Notice.
- USAC filed its [Semi-Annual Audit Recovery Report](#) for the Schools and Libraries Program on September 29, 2017, which summarizes the status of all outstanding audit findings.
- TracFone filed a [letter](#) on September 29, 2017, to express concern that the National Verifier, as presently envisioned, will not include an Automated Programming Interface which had been used to transmit Lifeline customer data to USAC. TracFone also reiterated its concern with a National Verifier migration policy for proving eligibility for the Lifeline program. TracFone claimed it is imperative the

Commission address these issues expeditiously so it and other providers can adjust their internal operations to implement the National Verifier for its December launch.

- Q LINK Wireless filed a [letter](#) on September 26, 2017, to express support for TracFone Wireless' [request](#) for the Commission to clarify that a units plan that allows, but does not compel, Lifeline consumers to use data at or above the required minimum requirements meets the minimum service standards as established in the Lifeline [Order](#). Q LINK said it raised the same issue in its 2016 [Petition](#) seeking reconsideration of the [Public Notice](#) that clarified ETCs do not meet the broadband minimum service standard with service offerings that decrement based on subscriber voice or broadband usage if decrementing results in the customer not having available at least the minimum required amount for the supported service.

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Misc.

- The Senate [approved](#) a motion on September 28, 2017, to invoke cloture (to end a debate) on President Trump's re-nomination of Chairman Pai to be a Commissioner of the FCC for a term of five years, starting from July 1, 2016. The Senate is scheduled to conduct a final vote on the re-nomination on October 2, 2017.
- The FCC released the following items that were adopted at its September 26, 2017 [Open Meeting](#): a [Report](#) analyzing the state of competition in the mobile wireless industry; a [Report and Order and FNPRM](#) to update and streamline rules on the licensing of next generation non-geostationary, fixed-satellite service systems; an [NPRM](#) seeking comment on revisions to the wireless hearing aid compatibility annual reporting requirement; an [NOI](#) seeking comment on the provision of 911 by enterprise communications systems that serve businesses, hotels, educational institutions, and government entities; an [NPRM](#) proposing to eliminate rules requiring certain broadcast and cable entities to maintain paper copies of FCC rules; an [NPRM](#) proposing to amend the rules to allow for use of auctions to assign certain toll free numbers and other means to modernize the administration and assignment of toll free numbers; and a [Notice of Apparent Liability](#) for Forfeiture regarding an unlicensed radio station.
- Reply comments were filed September 26, 2017, on the [Second NOI](#) that explores methods by which reassigned telephone number data could be made available to callers to avoid making unwanted calls to consumers. [CTIA](#) said the Commission should proceed cautiously as it considers any new database requirements, especially when other, more effective solutions are available. It claimed commenters agree the 2015 TCPA Order represents the root cause of increased TCPA liability exposure resulting from calls unintentionally made to reassigned numbers, and it encouraged the Commission to adopt one or more safe harbors and revisit the 2015 TCPA Order to resolve issues raised in the record. CTIA said to the extent the Commission moves forward with any of the proposals in the Second NOI, the Commission should first consult with the NANC to address any potential impacts to the numbering system and carriers' operations. [CenturyLink](#) agreed with those commenters that expressed concern about the feasibility of establishing a comprehensive reassigned number database that would be widely used, and suggested the FCC should instead consider more targeted measures to provide meaningful relief to this problem, including adopting a safe harbor from liability under the TCPA for good faith actors using commercially available call validation tools. [Neustar](#) said the Commission should leverage existing commercial solutions to tackle the problem of reassigned phone numbers rather than create a new database, and should establish a safe harbor to encourage callers to take advantage of such solutions. [Comcast](#) supported the Commission's efforts to advance the creation of a comprehensive resource for tracking telephone number reassignments, in conjunction with efforts to explore appropriate interim relief and broader reforms to the TCPA regulatory regime. It claimed because voice providers already track disconnection and reassignments, establishing such a database would not be unduly burdensome for providers. [ATIS](#) said each of the four alternatives for a database in the Second NOI has technical and operational challenges, and it recommends the Commission not move forward with implementation of these options. ATIS claimed there may be other solutions already

available to assist legal robocallers with TCPA compliance that would not require a new industry database or Commission rules, and it believes a careful comparison of the costs and functionality of a contemplated government-mandated database with those of existing private sector solutions is warranted before displacing these private sector tools with a costly and complex government-mandated one. ATIS also recommended providing a safe harbor for legitimate callers under the TCPA. [All reply comments available to date.](#)

- CenturyLink and Citizens Telecommunications Company of Minnesota filed a Joint Opening [Brief](#) with the Eighth Circuit on September 27, 2017, in the proceeding reviewing the Business Data Services [Order](#). They said they support the majority of the conclusions the Commission reached in the Order, except for the FCC's selection of a 2.0 percent X-factor to govern annual reductions to regulated BDS rates. They asked the court to hold unlawful, vacate, enjoin, and set aside the BDS Order's 2.0 percent X-factor as arbitrary, capricious, and otherwise contrary to law.
- The FCC issued a [Public Notice](#) on September 27, 2017, extending the deadline for filing FY 2017 regulatory fees from 11:59 PM, September 26, 2017, to 11:59 PM September 29, 2017, for regulatees affected by Hurricane Maria in Puerto Rico and the U.S. Virgin Islands. This extension was already granted to those affected regulatory fee payors in Florida, Puerto Rico, the U.S. Virgin Islands, and portions of Texas, Louisiana, Alabama, and Georgia affected by Hurricanes Harvey and Irma. For all other regulatory fee payors, *i.e.*, those not affected by Hurricanes Harvey, Irma, or Maria, the previously announced window remains in effect.
- NASUCA filed late [comments](#) on September 25, 2017, on the [NPRM](#) that proposes to amend rules to prohibit carriers from misrepresenting themselves when placing telemarketing sales calls to consumers and placing unauthorized charges on their phone bills (slamming and cramming). NASUCA supported the proposed new section 64.2401(g), and suggested the cramming prohibition should extend to all providers of voice communications, regardless of technology, including wireless and interconnected VoIP. NASUCA also supported the proposed new paragraph 64.1120(a)(1)(i)(A), saying in its experience, misrepresentations on sales calls are a long-standing source of legitimate complaints. It also suggested the Commission make clear that its rules do not preempt state efforts to address slamming and cramming.
- The FCC [published](#) in the Federal Register on September 26, 2017, the [NPRM](#) on creating a uniform set of procedural rules for certain formal complaint proceedings delegated to the Enforcement Bureau and currently handled by its Market Disputes Resolution Division and Telecommunications Consumers Division. The NPRM proposes to streamline and consolidate the procedural rules governing formal complaints filed under section 208, pole attachment complaints filed under section 224, and formal advanced communications services and equipment complaints filed under sections 255, 716, and 718. Comments are due October 26, 2017; replies are due November 13, 2017.
- The Wireline Competition Bureau issued a [Public Notice](#) on September 29, 2017, announcing PriceWaterhouseCoopers, LLP, the LNP Transition Oversight Manager, will host the 21st Local Number Portability Administrator Transition Outreach and Education Plan webcast on October 11, 2017. Parties may register for the TOEP webcast by visiting this [link](#). The Bureau also announced the mechanized user follow-up session on contingency rollback planning is scheduled for October 3, 2017, which will be hosted by the TOM. Interested parties may register for the mechanized user focused session by visiting this [link](#). The Bureau said materials from the July 12, 2017, and August 16, 2017, contingency rollback sessions and other LNPA transition reference documents are available at this [link](#).
- The North American Portability Management filed a [letter](#) on September 29, 2017, to provide a summary of the NAPM's status updates to the FCC on the transition of the current LNPA, Neustar, to the new LNPA, Telcordia d/b/a/ iconectiv. NAPM said it will continue to file updates of this report with the FCC at the end of each month until the transition is complete.

Upcoming Filing Dates

- Oct. 2 - Comments due on the [Notice of Inquiry](#) on potential opportunities for additional flexible access in spectrum bands between 3.7 and 24 GHz, particularly for wireless broadband services. Replies are due November 1, 2017.
- Oct. 2 - PRA comments due on a revision of a currently approved information collection associated with auctions for USF support. The Commission is revising the currently approved information collection to remove the information collection requirements that apply specifically to bidding for Mobility Fund Phase I and Tribal Mobility Fund Phase I support, and to retain only those information collection requirements that apply generally to applicants seeking to participate in competitive bidding for universal service support. [Notice](#)
- Oct. 5 - Comments due on NECA's [2018 Modification](#) of the Average Schedule Universal Service High Cost Loop Support Formula. Replies are due October 20, 2017. [Public Notice](#)
- Oct. 6 - Replies due on a [Thirteenth Section 706 Report Notice of Inquiry](#) on the appropriate metrics and benchmarks by which to measure the deployment of both fixed and mobile services in order to evaluate the extent to which American consumers have access to advanced telecommunications capabilities.
- Oct. 9 - Comments due on Gila River Telecommunications' [Petition for Expedited Waiver](#) of the National Average Cost Per Loop freeze decision and its two submissions of revised information for the same purpose. [Public Notice](#) Replies are due October 24, 2017.
- Oct. 10 - Replies due on a list of 13 rate-of-return study areas identified as potentially having 100 percent overlapped by an unsubsidized competitor or combination of unsubsidized competitors. [PN](#)
- Oct. 10 - Comments due on the [FNPRM](#) that seeks comment on how to collect better and more accurate information on Form 477. Replies due October 24, 2017. [FR](#), [Order](#), [PN](#)
- Oct. 10 - Comments due on the [Public Notice](#) seeking data, information, and comment for the Commission's Nineteenth Report on the status of competition in the market for the delivery of video programming. Replies due November 9, 2017.
- Oct. 13 - Replies due on the [NPRM](#) that proposes to amend rules to prohibit carriers from misrepresenting themselves when placing telemarketing sales calls to consumers and placing unauthorized charges on their phone bills (slamming and cramming). [Notice](#)
- Oct. 16 - PRA comments on a revised information collection associated with the Business Data Services [Order](#). The information collection reforms the business data services/special access regulations for incumbent and competitive LECs. [Notice](#)
- Oct. 16 - PRA comments due on an extension of a currently approved information collection implementing the statutory obligations of section 222 regarding CPNI. [Notice](#)
- Oct. 18 - Replies due on the proposed application and bidding procedures for the auction, including how interested parties can qualify to participate in the auction, how bidders will submit their bids, and how the FCC will process bids to determine the winners and support amounts. [Public Notice](#)
- Oct. 20 - Replies due on NECA's [2018 Modification](#) of the Average Schedule Universal Service High Cost Loop Support Formula. [Public Notice](#)
- Oct. 23 - PRA comments due on information collections relating to Telecommunications Reporting Worksheets and Related Collections, FCC Forms 499-A and 499-Q. [Notice](#)

- Oct. 23 - Comments due on the sufficiency of budgets for Category Two services under the E-rate program. Replies are due November 7, 2017. [Public Notice](#)
- Oct. 24 - Replies due on Gila River Telecommunications' [Petition for Expedited Waiver](#) of the National Average Cost Per Loop freeze decision and its two submissions of revised information for the same purpose. [Public Notice](#)
- Oct. 24 - Replies due on the [FNPRM](#) that seeks comment on how to collect better and more accurate information on Form 477. [FR, Order](#)
- Oct. 26 - Comments due on the [NPRM](#) proposing to streamline and consolidate the procedural rules governing formal complaints filed under section 208, pole attachment complaints filed under section 224, and formal advanced communications services and equipment complaints filed under sections 255, 716, and 718. Replies are due November 13, 2017. [FR](#)
- Oct. 26 - Comments due on updating the record on ICC reform issues raised in the 2011 ICC Transformation FNPRM regarding the network edge for traffic that interconnects with the PSTN, tandem switching and transport, and transit. Replies are due November 13, 2017. [Public Notice](#), [Notice](#)
- Oct. 27 - Nominations due for six members for the USAC Board of Directors. [Public Notice](#)
- Nov. 1 - Replies due on the [Notice of Inquiry](#) on potential opportunities for additional flexible access in spectrum bands between 3.7 and 24 GHz, particularly for wireless broadband services.
- Nov. 7 - Replies due on the sufficiency of budgets for Category Two services under the E-rate program. [Public Notice](#)
- Nov. 9 - Replies due on the [Public Notice](#) seeking data, information, and comment for the FCC's Nineteenth Report on the status of competition in the market for the delivery of video programming.
- Nov. 13 - PRA comments due on an extension of a currently approved information collection on the application for Mobility Fund Phase I Support, FCC Form 680. [Notice](#)
- Nov. 13 - PRA comments due on a revised information collection associated with new forms for the Lifeline program for consumer enrollment and certification, recertification, and one-per household verification. This revision also implements the transition to payment of the Lifeline reimbursement to ETCs based on data from USAC's NLAD database. [Notice](#)
- Nov. 13 - Replies due on updating the record on ICC reform issues raised in the 2011 ICC Transformation FNPRM regarding the network edge for traffic that interconnects with the PSTN, tandem switching and transport, and transit. [Public Notice](#), [Notice](#)
- Nov. 13 - Replies due on the [NPRM](#) proposing to streamline and consolidate the procedural rules governing formal complaints filed under section 208, pole attachment complaints filed under section 224, and formal advanced communications services and equipment complaints filed under sections 255, 716, and 718. [FR](#)
- Nov. 14 - PRA comments due on an extension of a currently approved information collection on actual speeds and performance of fixed and mobile broadband connections delivered to consumers by ISPs. [Notice](#)
- Nov. 27 - PRA comments due on revisions to a currently approved information collection to meet the requirement that certain carriers with high cost reporting obligations file information about their locations which meet their broadband deployment obligations via USAC's electronic portal. [Notice](#)

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