

NECA's Weekly Federal Regulatory Summary

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

December 23, 2019 HIGHLIGHTS

- The FCC released items that were adopted at its December 12, 2019 [open meeting](#) including an [order on remand and declaratory ruling](#) that promotes continued investment in IP-based networks by clarifying a local exchange carrier partnering with a VoIP provider may assess end office switched access charges only if the carrier or its VoIP partner provides a physical connection to the last-mile facilities used to serve the end user.
- The Wireline Competition Bureau [granted](#) on its own motion a waiver of sections 54.901 and 54.903 of the rules to allow rate-of-return carriers to report their actual rates for consumer broadband-only lines to determine 2018 revenues on their FCC Form 509.
- The Rural Broadband Auctions Task Force, Wireline Competition Bureau, and Office of Economics and Analytics [authorized](#) CAF Phase II support for 669 winning bids. Additionally, they also [announced](#) they are ready to authorize CAF Phase II Auction 903 support for 2,121 winning bids.
- The Wireline Competition Bureau [announced](#) it is ready to authorize CAF Phase II funding for Hughes Network Systems in conjunction with the New York Broadband program.
- The Wireline Competition Bureau [granted](#) petitions filed by [Lake County, Minnesota](#), and [Northeast Rural Services](#) to relinquish their status as rural broadband experiments USF funding recipients in certain study areas.
- Oppositions to Aureon's [petition for reconsideration](#) of the access arbitrage [order are due](#) January 7, 2020; replies are due January 17, 2020.
- Members of the House Committee on Energy and Commerce [expressed](#) concern with the Commission's [recent announcement](#) to replace the Mobility Fund Phase II with a new 5G fund.
- The Senate [approved](#) the [Pallone-Thune TRACED Act](#) which now goes the President to be signed into law.
- The Department of Commerce [extended](#) the comment date on the [notice of proposed rulemaking](#) seeking comment on implementation of the supply chain executive order. Comments are now due January 10, 2020.
- The [House of Representatives](#) and [Senate](#) passed two FY 2020 funding bills ([HR 1865](#), [HR 1158](#)). HR 1158 includes provisions on the FY 2020 budgets for the FCC and National Telecommunications and Information Administration, among other things.

Other Key Upcoming Dates

- Jan. 6 - Replies [due](#) on the effectiveness of the [2012 tribal engagement further guidance](#), steps to assist parties with their engagement efforts, and on pending petitions for reconsideration.

Editor: [Shawn O'Brien](#) | Assistant Editor: [Libby Newson](#)

USF Reform

- The Wireline Competition Bureau issued an [order](#) on December 20, 2019, granting on its own motion a waiver of sections 54.901 and 54.903 of the rules to allow rate-of-return carriers to report their actual rates for consumer broadband-only lines to determine 2018 revenues on their FCC Form 509, rather than imputing revenues based on the maximum rate that would have been assessable pursuant to section 69.132. The Bureau said it previously granted a waiver of this rule, and because similar circumstances once more exist, an additional waiver will serve the public interest.
- The Rural Broadband Auctions Task Force, Wireline Competition Bureau, and Office of Economics and Analytics issued a [public notice](#) on December 20, 2019, announcing they are ready to authorize CAF Phase II Auction 903 support for the 2,121 winning bids identified in Attachment A of the public notice. They said, to be authorized to receive the total 10-year support amounts listed in Attachment A, the long-form applicants identified are required to submit acceptable irrevocable standby letter(s) of credit and Bankruptcy Code opinion letter(s) from their legal counsel for each state where they have winning bids that are ready to be authorized by the applicable deadline, which is 6:00 p.m., January 10, 2020.
- The Wireline Competition Bureau issued a [public notice](#) on December 20, 2019 announcing it is ready to authorize CAF Phase II funding for Hughes Network Systems in conjunction with the New York Broadband program. To be authorized to receive the total 10-year support amounts listed in Attachment A, Hughes is required to submit acceptable irrevocable stand-by letter(s) of credit and Bankruptcy Code opinion letter(s) from their legal counsel by January 10, 2020.
- The Wireline Competition Bureau, Rural Broadband Auctions Task Force, and Office of Economics and Analytics issued a [public notice \(news release\)](#) on December 16, 2019, authorizing \$89,184,858 in CAF Phase II Auction 903 support for 669 winning bids identified in attachment A of the public notice. They indicated they will soon post a state-level summary under the data tab on the Auction 903 webpage, with details on the support and obligations. The FCC authorized the first seven waves of funding in [May](#), [June](#), [July](#), [August](#), [September](#), [October](#), and [November](#) 2019.
- Chairman Pai [announced](#) on December 16, 2019, Jonathan McCormack will serve as a deputy director of the Rural Broadband Auctions Task Force. McCormack currently serves as an attorney advisor in the FCC's Office of Economics and Analytics.
- NTCA [met with](#) Commissioner Starks' legal advisor on December 13, 2019, to discuss the Rural Digital Opportunity Fund. NTCA asserted the current weighting proposals for the RDOF will fall short of achieving reasonable comparability, and suggested the FCC promote the deployment of the most capable services possible in the initial rounds of the RDOF auction, and then to turn to a Remote Areas program to address those areas still remaining unserved thereafter. NTCA discussed its RDOF weighting proposals, urged the FCC to recognize the benefits conferred by services providing symmetrical upload and download speeds through the adoption of a 15 point symmetrical bonus, and discussed the need for more forward-looking usage limitations than those proposed. NTCA also discussed steps the FCC should take to ensure greater accountability in the use of RDOF distributions. NTCA also met with [met with](#) Rural Broadband Auction Task Force, Wireline Competition Bureau and Office of Economics and Analytics staff to discuss the same issues.
- USTelecom, AT&T, CenturyLink, Consolidated, Frontier, Verizon and Windstream [met with](#) Wireline Competition Bureau and Rural Broadband Auctions Task Force staff on December 11, 2019, to discuss location count accuracy that USTelecom raised in its RDOF comments. They asserted there is a substantial risk that inaccurate location counts in a ten-year program create for all parties, both if the counts are too high as well as too low. They discussed the possibility of a hold harmless provision or of adjusting the location counts at a future point, and the associated challenges and benefits.
- USTelecom, AT&T, CenturyLink, Consolidated, Frontier, Verizon, and Windstream [met separately with](#) advisors to Chairman Pai and Commissioners O'Rielly, Carr, Rosenworcel and Starks on December 16, 2019, to discuss the Rural Digital Opportunity Fund. They asserted it is important for the Commission to use the RDOF to augment the installed fiber capacity of rural America. They also

recommended the Commission clearly define transition rules and responsibilities from the program's outset, improve location count accuracy, reform the letter of credit policy, modify speed tiers to promote competition and eliminate the subscription performance metric. They also reiterated that the auction should not be used as a means of fulfilling merger commitments or other federal and state regulatory commitments consistent with past Commission precedent.

- Sacred Wind, WISPA, AT&T, Nextlink, USTelecom, Midco, and Windstream [met with](#) staff from the Wireline Competition Bureau, Office of Economics and Analytics, and the Rural Broadband Auctions Task Force on December 11, 2019, to urge the FCC to add a new RDOF service tier at 50/5 Mbps and to modify service weightings to ensure that the RDOF delivers broadband to rural areas. They asserted they do not oppose favoring the gigabit tier but claimed it is unrealistic to expect fiber winners to close the digital divide through the RDOF program. They asserted other technologies that can readily provide 25/3 Mbps and 50/5 Mbps service are critical to reaching the high-cost areas in a cost effective way and should not be overly disadvantaged against gigabit service.
- Hughes Network Systems [met with](#) Chairman Pai's rural broadband advisor on December 16, 2019, to discuss the Rural Digital Opportunity Fund. Hughes asserted the record demonstrates that hybrid networks are growing in prominence and can be an important part of achieving the RDOF goals. Hughes also said the bidding tier structure should be technology-neutral and advance the FCC's goal of selecting the most efficient provider to serve each area. It also distributed a paper that examined the evolution of the technology, capacity, and use of the Hughes satellite network to serve its broadband customers.
- The Fiber Broadband Association filed a [letter](#) on December 16, 2019, on the RDOF. It asserted RVA, LLC recently released research showing that over the past 15 years the number of homes passed by all-fiber deployments has grown 1,000 times – from 50,000 in 2003 to almost 50 million today and shows there is a high-performance broadband urban/rural divide. FBA asserted it has proposed a RDOF weighting methodology to achieve the goal of bringing reasonably comparable broadband service to eligible areas within the budget for the program and urged its adoption.
- The National Rural Electric Cooperative Association [met with](#) Wireline Competition Bureau, Office of Economics and Analytics, and the Rural Broadband Auctions Task Force staff on December 17, 2019, to discuss the Rural Digital Opportunity Fund. NRECA recommended the Commission establish performance tiers and bidding rules to ensure that qualified bidders proposing the lowest weight, highest performance (and lowest latency) tier obtain funding to deploy and operate scalable, fiber-based networks capable of meeting the broadband service requirements within their authorized service areas for the full 10-year support term and beyond.
- NCTA, Charter Communications, Cox Communications, and Midcontinent Communications [met with](#) Wireline Competition Bureau, Rural Broadband Auctions Task Force and Office of Economics and Analytics staff on December 17, 2019, to discuss the Rural Digital Opportunity Fund. They asked the Commission to prioritize support to areas that do not have broadband at 10/1 Mbps speed and that have not previously received Connect America Fund support, avoid overbuilding by targeting support to areas that need it most, encourage participation by a wide range of providers, and take steps to ensure that Rural Digital Opportunity Fund participants are providing reasonable rates and access to poles.
- Corning, Inc. [met with](#) Chairman Pai's advisor on December 19, 2019, to discuss the Rural Digital Opportunity Fund. Corning discussed a change to the auction methodology for the RDOF support mechanism by which funds would be awarded to the highest tier bidder at the clearing round price, which it asserted would help close the digital divide, promote robust broadband services in rural areas, and facilitate the rollout of 5G service, while keeping RDOF funding within the Commission's budget. Corning also said if the Commission decides to award RDOF support to the winning bidder based on weights, it supports the Fiber Broadband Association's proposal that the weights be based on consumer value of Gigabit services compared to slower speed tiers and higher latency networks. Corning also met with Commissioners [Starks](#) and [Carr](#) and their advisors, and Commissioner [Rosenworcel's](#) advisor to discuss the same issues.

- Aristotle, GeoLinks and WISPA filed a [letter](#) on December 20, 2019, to provide additional information concerning the proposal that RDOF auction winners be able to provide and maintain performance bonds as an alternative to irrevocable letters of credit. They provided a document produced by The Surety & Fidelity Association of America comparing surety bonds with LOCs, which they said explains that performance bonds and LOCs “provide similar financial protection; however, contract surety bonds have an edge compared to LOCs and their effect on borrowing capacity, duration, coverage, cost, and claims and contractor prequalification.” They said because performance bonds tend to cost less, more RDOF support can be used for build-out.
- ViaSat, Auctionomics Inc., and Mehlman Capitol Strategies [met with](#) Wireline Competition Bureau, Office of Economics and Analytics and Rural Broadband Auctions Task Force staff on December 17, 2019, to discuss the Rural Digital Opportunity Fund. They urged the Commission to reject calls to increase the latency penalty imposed on satellite providers from the 25-point weight applied in the CAF Phase II auction and asserted imposing a 40-point or higher latency penalty in RDOF would give satellite providers virtually no chance of participating successfully in the auction. They also reiterated that the Commission should bolster the competitiveness of the RDOF auction by facilitating the use of hybrid technologies. They urged the Commission to amend its rules so that if a provider meets the Mean Opinion Score of four requirement for VoIP service and routes other latency-sensitive traffic over low-latency links that provide 100 ms of latency for 95 percent of all peak period measurements, it is deemed to satisfy the low latency threshold for bidding purposes, and no latency penalty at all should apply to a bid to provide that type of service in the auction.
- Viasat filed a [report](#) by Auctionomics on December 13, 2019, which responded to certain submissions filed in the RDOF proceeding on Auctionomics’ analysis of the CAF II auction as it relates to RDOF. Auctionomics asserted Viasat’s participation in the CAF II auction did not substantially displace terrestrial providers and Viasat’s participation and commitment to offer CAF II services had substantial efficiency benefits to consumers at zero net cost to the FCC. Auctionomics also claimed the CAF II auction provides an important lesson for the upcoming RDOF auction about the risk of using an excessive subtractive latency penalty, as proposed.
- WISPA filed a [letter](#) on December 18, 2019, to respond to NTCA’s December 16, 2019 [letter](#), which made several suggestions for the rural digital opportunity fund. WISPA said the Commission should reject NTCA’s proposals to add further accountability elements to the RDOF process, including adoption of a 500/100 Mbps tier, requiring more detailed propagation maps and plans indicating network coverage capabilities in the short-form application, and imposing reasonable subscription milestones to RDOF recipients.
- Frontier filed a [letter](#) on December 18, 2019, to supplement its October 2019 [petition](#) seeking a waiver of its obligation under the CAF Phase II model-based support program to provide at least 10/1 service by year-end 2019 to 80% of its covered locations in Utah, New Mexico and Arizona, and any associated withholding of support corresponding to a shortfall in meeting that deadline. Frontier provided e-mail correspondence from the Bureau of Indian Affairs providing evidence the BIA requested it stop work on fiber construction.
- Pineland Telephone filed a [supplement](#) on December 20, 2019, to its [petition](#) seeking reconsideration of the Commission’s [decision](#) to preclude A-CAM I carriers from electing A-CAM II support and obligations. Pineland also recommended an approach that would allow a portion of A-CAM I support to be netted against A-CAM II support. Pineland said the supplement incorporates the November 20, 2019 [ex parte](#) filed by West Carolina Rural Telephone Cooperative, which it said provided new data refining initial estimates on the budget impact, further showing how glide path companies would be handled were the petition to be granted, and demonstrating how granting of the petition would benefit rural customers across the country.
- The Wireline Competition Bureau issued an [order](#) on December 18, 2019, granting petitions filed by [Lake County, Minnesota](#), and [Northeast Rural Services](#) to relinquish their status as rural broadband experiments USF funding recipients in certain study areas. The bureau also granted NRS’s request for waiver of the rules, but only to the extent they provide for a draw on the letter of credit instead of permitting NRS to repay the full amount of disbursed support directly, and rejected Lake County’s request for waiver of the rules providing for full recovery of support.

[Back to Highlights](#)

ICC

- An [FCC notice](#) was published in the Federal Register on December 23, 2019, announcing oppositions to a [petition for reconsideration](#) filed by Aureon Network Services of the September 2019 access arbitrage [report and order](#) are due January 7, 2020. Replies are due January 17, 2020.
- The Ad Hoc Telecom Users Committee and SMGately Consulting [met with](#) Wireline Competition Bureau and Office of Economics and Analytics staff on December 16, 2019 to discuss the treatment of the originating end of an 8YY call the same as the terminating end of a sent paid call for access charge purposes. Ad Hoc recommended the Commission continue its policy of treating originating toll free the same as terminating sent paid. Ad Hoc also discussed how its members are adversely affected by the arbitrage and access stimulation schemes that have shifted to 8YY service and said the Commission can reduce, if not eliminate, the incentives to use 8YY traffic for such schemes by requiring equivalent access charge treatment for originating toll free and terminating sent paid traffic.
- Tekstar Communications filed a [letter](#) on December 11, 2019, to notify the FCC of its intent to cease any and all activity that would categorize the company as an access stimulator on or before January 10, 2020. Tekstar said after that date it will not meet any of the criteria of an access stimulating company as defined in the September 2019 [order](#), and said any and all revenue sharing agreements will be terminated. Tekstar also said it will also ensure it does not exceed the interstate terminating-to-originating traffic ratio criteria as defined in the order.

[Back to Highlights](#)

Broadband

- The House of Representatives [passed H.R. 4229](#), the Broadband Deployment Accuracy and Technological Availability Act on December 16, 2019, which requires the FCC to change the way broadband data is collected, verified, and reported. The House also [passed H.R. 4227](#), the Mapping Accuracy Promotes Services Act, which prohibits the submission to the FCC of broadband internet access service coverage information or data for the purposes of compiling an inaccurate broadband coverage map.
- The Senate [passed S. 1822](#), the Broadband Deployment Accuracy and Technological Available (DATA) Act, on December 19, 2019. The bill will require creation of a new national broadband map and among other things, requires the Commission to collect granular service availability data from wired, fixed wireless, and satellite broadband providers. It also will require creation of a process for consumers, state, local, and Tribal governments, and other groups to challenge FCC maps with their own data, and require the FCC to determine how to structure the process without making it overly burdensome on challengers.
- Members of the House Committee on Energy and Commerce sent [a letter](#) to Chairman Pai on December 19, 2019, to express concern with the Commission's [recent announcement](#) to replace the Mobility Fund Phase II with a new 5G fund. They said the design and execution of any new fund must be carefully constructed to succeed where MF II failed and while the new fund will replace MF II, the goals of MF II remain unmet. They said as the Commission moves forward, it is critical that areas that lack 4G LTE coverage-or any connectivity are not left behind in a rush to advance efforts to deploy 5G. They also asked for additional information on the 5G fund, including what safeguards will the Commission put in place to ensure that areas eligible for support are based on reliable coverage data, how the Commission will determine which services are eligible for support, what performance benchmarks will be required to qualify for support, and what steps will the Commission take to ensure that new services are sufficiently secure. They also discussed the recent [staff report](#) on the investigation into the MF II coverage maps, and said it confirms concerns raised by Congress that data

collected for the MF II does not produce a reliable coverage map and expressed support for the report's recommendation that data specifications should include updated parameters to reflect better on-the-ground service. [Press release](#)

- Access Now, et al., filed a [letter](#) on December 19, 2019, to urge the Commission to implement critical reforms to broadband mapping and digital redlining, broadband pricing and affordability, and the Universal Service Fund. They said while the Commission has updated its broadband data collection regime, it must make more robust changes to accurately understand the state of broadband access and adoption in this country. They also said the Commission must collect data on the cost and affordability of broadband service, strengthen the Lifeline program, and reject proposals to adopt an overall cap on the USF.
- Xcel Energy Services, Georgia Power Company, Southern Communications Services, Alabama Power Company, and Southern Company [met with](#) legal advisors to Chairman Pai and Commissioners Rosenworcel and O'Rielly on December 11 and 12, 2019, to discuss the deployment of infrastructure for 5G and other wireless services. They asserted certain electric utilities have voluntarily implemented programs and partnerships to facilitate the colocation of small cells and other wireless communications facilities on utility-owned street lights. Xcel Energy Services, Georgia Power Company, and Southern Communications Services also met with [Wireline Competition Bureau and Wireless Telecommunications Bureau staff](#) and [Commissioner Stark's](#) advisor on December 12 and 17, 2019, to discuss the same issues.
- The USDA [announced](#) on December 18, 2019, it invested \$5.6 million in two high-speed broadband infrastructure projects to create or improve e-connectivity in West Virginia. The USDA said the Ohio Valley Industrial and Business Development Corporation will use this funding to construct a fiber-to-the-home network utilizing gigabit passive optical network technologies in rural West Virginia, and the service area includes 1,909 households, five educational facilities, one health care center and nine critical community facilities spread over 48 square miles in Wetzel County. The USDA also said the Tyler County Development Authority, Inc. will use ReConnect Program grant and loan funding to provide broadband service to underserved households, farms and businesses in Tyler County, and the funded service area includes 1,366 households, three educational facilities, one health care center and five critical community facilities spread over 26 square miles. The funding is through the [USDA's ReConnect Pilot Program](#)
- The Wireless Telecommunications Bureau issued a [public notice](#) on December 18, 2019, to announce the agenda for the 2.5 GHz Rural Tribal Priority Window workshop, which will be held on January 14, 2020. Issues to be discussed include spectrum opportunities, using the mapping tool to determine available spectrum, and rural Tribal window eligibility and procedures.
- An [FCC notice](#) was published in the Federal Register on December 18, 2019, announcing oppositions to petitions for reconsideration of the July 2019 [report and order](#) on the rural tribal priority window for the 2.5 GHz band are due January 2, 2020. Replies are due January 13, 2020. Petitions were filed by the [National Congress of American Indians](#), the [Hawaii Broadband Initiative](#), and [SHLB Coalition, et al.](#)

[Back to Highlights](#)

Robocalls

- The Consumer and Governmental Affairs Bureau issued a [public notice](#) on December 20, 2019, seeking to collect information for its first staff report on call blocking. The Commission seeks comment on a number of issues, including the availability and effectiveness of call blocking tools, the impact of FCC actions, the impact on 911 services and public safety, and any other information that may inform the Commission's analysis of the state of deployment of advanced methods and tools to eliminate illegal and unwanted calls. Comments are due 30 days after publication in the Federal Register; replies are due 60 days after publication. [News release](#)
- Sen. Roger Wicker (R. Miss.) [announced](#) on December 19, 2019, Senate approval of the [Pallone-Thune TRACED Act](#), and said it will now be sent to the President to be signed into law. The bill, among

other things, requires: carriers to offer call-authentication technology to everyone at no additional charge; opt-in or opt-out robocall blocking be offered at no additional charge to consumers; gives the FCC the ability to step up enforcement actions against unlawful robocalls with a longer statute of limitations and increased fines in certain cases; and helps the FCC and responsible carriers traceback and cutoff suspect phone companies that are responsible for sending vast numbers of unlawful robocalls.

- Charter sent a [letter](#) to Chairman Pai on December 13, 2019, to provide an update on implementation of the STIR/SHAKEN call authentication framework across its network. Charter said it has now fulfilled its commitment to complete the implementation of the STIR/SHAKEN framework by the end of this year and have taken the further step of now exchanging signed and authenticated customer call traffic end-to-end with Comcast. Charter also said it, along with some of its industry peers, have been working to develop a STIR/SHAKEN Policy Administrator, and claimed this will streamline the information sharing process by establishing a uniform language for exchanging call authentication information and acting as an intermediary between providers.

[Back to Highlights](#)

Universal Service

- The FCC issued a [public notice](#) on December 16, 2019, announcing Chairman Pai appointed six members to the USAC board of directors. The new members are: Amber Gregory, Arkansas State Library; Beth Choroser, Comcast; Dr. Daniel A. Domenech, AASA, The School Superintendents Association; Matt Gerst, CTIA; Jeffrey Jay Waller, Alaska Office of the Attorney General; and Stephanie Polk, CenturyLink.
- Cross Telephone [met with](#) Wireline Competition Bureau staff on December 10, 2019, to urge the FCC to act on its [request for review](#) of a USAC appeal decision. Cross claimed the audit report incorrectly concluded expenses for Cross' purchase of DS1 transport service from its affiliate, MBO Video, should have been excluded from Cross' high cost program reports and instead should have been reported as interexchange plant and related expenses. Cross asserted USAC's decision incorrectly treats Cross' expenses for the purchase of transport service from a third party as the cost for use of Cross' own asset.
- The December 2019 [report and order](#) which made permanent making permanent the E-Rate category two budget approach it [adopted in 2014](#) to fund internal connections was [published](#) in the Federal Register on December 20, 2019. The order is effective January 21, 2020, except for amendments to sections 54.502(d) and (e) and 54.313(d), which are delayed
- The Wireline Competition Bureau issued a [public notice](#) on December 19, 2019, to announce E-Rate program category two budget multipliers and funding floor amounts for FY2020, pursuant to the recent [report and order](#) which made permanent the E-Rate category two budget approach it adopted in 2014 to fund internal connections.
- The FCC placed an [item on circulation](#) on December 20, 2019, entitled ""E-Rate Program Amortization Requirement; Modernizing the E-Rate Program for Schools and Libraries."
- The Wireline Competition Bureau issued two public notices on December 18, 2019, to announce the launch of the National Lifeline Verifier in nine and three states, respectively. In the first [notice](#), the Bureau announced the launch for all new enrollments in Alabama, Arkansas, Louisiana, Maryland, Massachusetts, New Jersey, Oklahoma, South Carolina, and Washington. The Bureau said starting January 22, 2020, ETCs in these states will be required to use the National Verifier's eligibility determination process for all consumers applying for Lifeline service and must cease using legacy eligibility processes for prospective Lifeline subscribers. The second [notice](#) announced the soft launch in California, Oregon and Texas, effective December 20, 2019. The Bureau said the National Verifier will operate in these three states by using state eligibility data to validate ETCs' claims for federal

Lifeline support and will perform reviews of state eligibility information and documentation to ensure that state eligibility determinations are made in accordance with the rules.

- NTCA [met with](#) Wireline Competition Bureau staff on December 17, 2019, to discuss options to implement requirements that contemplate the submission of personally identifiable information by employees of NTCA members in connection with the Lifeline Representative Accountability Database. While NTCA expressed support for Commission action to address concerns about fraud in the use of universal service resources, it discussed the justifications for some level of differentiated treatment as between employees of eligible telecommunications carriers and independent contractors or agents in collecting such information.
- The Wireline Competition Bureau issued an [order](#) on December 20, 2019, granting a request from SI Wireless to relinquish its ETC status in Tennessee, effective January 6, 2020.
- An [FCC notice](#) was published in the Federal Register on December 19, 2019, announcing oppositions to petitions for reconsideration of the August 2019 rural health care [order](#) are due January 3, 2020. Replies are due January 13, 2020. Petitions were filed by [USTelecom](#), the [state of Alaska](#), [Alaska Communications](#), the [SHLB Coalition](#), and [the North Carolina Telehealth Network Association and Southern Ohio Health Care Network](#).
- The SHLB Coalition [met with](#) Wireline Competition Bureau staff on December 18, 2019, to discuss its [petition for reconsideration](#) of the rural health care order. SHLB asserted applicants in the Healthcare Connect Fund and the Telecommunications program should be treated equally. It also expressed concern that the current USAC dataset appears unable to separate certain consortia shared costs between their rural and non-rural components and that the Commission has delegated rate-setting authority to USAC, which it says does not have the expertise to engage in setting rates prospectively.
- The Wireline Competition Bureau issued a [public notice](#) on December 19, 2019, to announce the release of the list of the eligible minimum geographic areas and associated annual reserve prices and location counts for Puerto Rico and the U.S. Virgin Islands for Stage 2 fixed support. The Bureau said they are providing the list to give applicants an opportunity to conduct due diligence in advance of preparing applications
- The FCC released a [public notice](#) on December 19, 2019, announcing a [petition for reconsideration](#) of the September 2019 the Uniendo a Puerto Rico and Connect USVI Funds [report and order](#) has been filed by Viya. Oppositions to the petition will be due 15 days after this public notice is published in the Federal Register, and replies to oppositions will be due 10 days after the time for filing oppositions has expired.

[Back to Highlights](#)

Misc.

- The FCC released the following items that were adopted at its December 12, 2019 [Open Meeting](#): an [order on remand and declaratory ruling](#) that promotes continued investment in IP-based networks by clarifying that a local exchange carrier partnering with a VoIP provider may assess end office switched access charges only if the carrier or its VoIP partner provides a physical connection to the last-mile facilities used to serve the end user; an [NPRM](#) on the rules for the 5.9 GHz band and proposing to make the lower 45 MHz of the band available for unlicensed operations and to permit Cellular Vehicle to Everything (C-V2X) operations in the upper 20 megahertz of the band; an [NPRM](#) proposing to designate 988 as the 3-digit number for a national suicide prevention and mental health crisis hotline; an [NPRM](#) on removing the existing non-federal allocations in the 3.3-3.55 GHz band as a step towards potential future shared use between federal incumbents and commercial users; and [two enforcement actions](#) on [unlicensed broadcasting](#).
- The House of Representatives [passed H.R. 4998](#), the Secure and Trusted Communications Networks Act on December 16, 2019, which prohibits certain federal subsidies from being used to purchase communications equipment or services posing national security risks, and to provide for the

establishment of a reimbursement program for the replacement of communications equipment or services posing such risks.

- The FCC issued an [erratum](#) on December 17, 2019, to the November 2019 [report and order](#) on supply chains. The erratum made corrections to paragraph 175 of the order.
- The Department of Commerce [published](#) a notice in the Federal Register on December 20, 2019, announcing an extension of the comment date on the [notice of proposed rulemaking](#) seeking comment on implementation of the May 15, 2019 [executive order](#) which prohibited any transactions involving information and communications technology or services designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary. Comments are now due January 10, 2020.
- An [FCC notice](#) was published in the Federal Register on December 20, 2019, announcing the Office of Management and Budget has approved, for a period of three years, a new information collection associated with FCC Form 5633, application to participate in the toll-free number auction.
- The Wireline Competition Bureau, in conjunction with the Office of Economics and Analytics, issued a [public notice](#) on December 20, 2019, to announce that on December 20, 2019, Somos released a [public notice](#), announcing the winning bidders in the auction of certain toll free numbers in the 833 code. The Bureau said the public notice provides information regarding the winning bids, final payments, default payments, and assignment of toll free numbers won in the auction. Final payments are due by 6pm on January 8, 2020, and late payments, which are subject to a late payment fee, are accepted not later than 6pm on January 15, 2020.
- The Wireline Competition Bureau issued a [public notice](#) on December 17, 2019, seeking comments on Twilio's application for authorization to obtain NANP telephone numbers directly from the numbering administrators for its iVoIP service. The Bureau also issued a [public notice](#) on Voice Application Network's similar application. Comments are due December 31, 2019.
- The [House of Representatives](#) and [Senate](#) passed two FY 2020 funding bills ([HR 1865](#), [HR 1158](#)) on December 17, 2019. HR 1158 includes provisions on the FY 2020 budgets for the FCC and National Telecommunications and Information Administration, among other things. The Senate [passed](#) the same bills on December 19, 2019.
- The FCC issued a [public notice](#) on December 18, 2019, to announce the January and February, 2020, meetings of the North American Numbering Council. The January meeting will be held on January 13, 2020, at 2 p.m., and the NANC will consider and vote on the recommended technical requirements document for the reassigned numbers database. The February meeting will be held on February 13, 2020, at 2 p.m., and the NANC will consider and vote on the recommendations for the fee structure and pricing for users of the reassigned numbers database.
- Chairman Pai [announced](#) on December 20, 2019, the appointment of Dr. Monisha Ghosh as the FCC's Chief Technology Officer. She was previously with the National Science Foundation, and is a Research Professor at the University of Chicago.

[Back to Highlights](#)

Upcoming Filing Dates

- Dec 24 - PRA comments due on an extension of a currently approved information collection associated with FCC Form 833, application to participate in a toll-free number auction. [FR](#)
- Dec. 24 - PRA comments due on an extension of a currently approved information collection associated with numbering resource optimization- phase 3. [FR](#)

- Dec. 31 – Comments due on [Twilio's](#) and [Voice Application Network's](#) application for authorization to obtain NANP telephone numbers directly from the numbering administrators for its iVoIP service.
- Jan. 2 - Oppositions due to petitions for reconsideration of the July 2019 [report and order](#) on the rural tribal priority window for the 2.5 GHz band. Replies are due January 13, 2020.
- Jan. 3 – Oppositions due on petitions for reconsideration of the August 2019 rural health care [order](#) filed by [USTelecom](#), the [state of Alaska](#), [Alaska Communications](#), the [SHLB Coalition](#), and [the North Carolina Telehealth Network Association and Southern Ohio Health Care Network](#). Replies are due January 13, 2020 [FR](#)
- Jan. 6 - Replies due on the effectiveness of the FCC's [2012 tribal engagement further guidance](#), steps the FCC can take to assist parties with their engagement efforts, and refreshing the record on pending petitions for reconsideration that were filed on the tribal engagement obligation reporting. [public notice](#)
- Jan. 6 - Replies due on the [FNPRM](#) on proposals to amend the FCC's schedule of regulatory fees for FY 2020. [FR, order](#)
- Jan. 7 – Oppositions due on Aureon Network Services' [petition for reconsideration](#) of the September 2019 access arbitration [report and order](#). Replies are due January 17, 2020. [FR](#)
- Jan. 10 - Comments due on Department of Commerce [notice of proposed rulemaking](#) seeking comment on implementation of the May 15, 2019 [executive order](#) which prohibited any transactions involving information and communications technology or services designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary. [notice notice](#)
- Jan. 13 - PRA comments due on a revision of a currently approved information collection associated with FCC Form 477, Local Telephone Competition and Broadband Reporting. The revisions to the information collection are necessitated by the August 2019 [report and order](#) on the new Digital Opportunity Data Collection. [notice](#)
- Jan. 13 – Replies due to oppositions petitions for reconsideration of the August 2019 rural health care [order](#) filed by [USTelecom](#), the [state of Alaska](#), [Alaska Communications](#), the [SHLB Coalition](#), and [the North Carolina Telehealth Network Association and Southern Ohio Health Care Network](#) [FR](#)
- Jan. 17 – Replies due to oppositions to Aureon Network Services' [petition for reconsideration](#) of the September 2019 access arbitration [report and order](#). Replies are due January 17, 2020. [FR](#)
- Jan. 20 – Replies due to oppositions to petitions for reconsideration of the July 2019 [report and order](#) on the rural tribal priority window for the 2.5 GHz band.
- Jan. 27 - PRA comments due on a revision of a currently approved information collection associated with tariffing rules. The revisions to the information collection are necessitated by the access arbitration [order](#). [notice](#)

[Back to Highlights](#)

Editor: [Shawn O'Brien](#) | Assistant Editor: [Libby Newson](#)