Trump to Nominate Simington as FCC Commissioner

President Trump announced on September 15, 2020, his intent to nominate Nathan A. Simington to be an FCC commissioner. Simington is currently a senior advisor in the NTIA, specializing in network and telecommunications policy, and works on 5G security and secure supply chains, the American Broadband Initiative and is NTIA’s representative to the Government Advisory Committee of the Internet Corporation for Assigned Names and Numbers.
High Cost USF Support

PRA Comments on CAF II Eligible Locations Adjustment Process Due October 16

An FCC notice was published in the Federal Register on September 16, 2020, seeking Paperwork Reduction Act comments on a new information collection associated with the CAF II eligible locations adjustment process. This voluntary information collection addresses the requirements of the ELAP that facilitates the post-auction review of certain CAF Phase II support recipients’ defined deployment obligations (and associated support), on a state-by-state basis, in situations where the number of eligible locations within a state is less than the number of funded locations. **PRA comments are due October 16, 2020.**

Pai Responds to Congress on RDOF

Chairman Pai sent letters to seven members of Congress on September 1, 2020, to respond to their letter suggesting the FCC open up RDOF eligibility to communities that receive ReConnect or state broadband support. Pai said if a service provider has been given funding (federal and/or state) and is obligated to serve a specific area with at least 25/3 Mbps broadband, the FCC is not going to give more taxpayer funding to deploy a network in that area and asserted doing so would be an irresponsible use of limited taxpayer dollars.

Pai Responds to Capito on Frontier RDOF Challenge

Chairman Pai sent a letter to Sen. Shelley Moore Capito (R-W.Va.) on September 1, 2020, in response to her letter on Frontier’s RDOF auction challenge. Pai said after a review the Commission found concerns regarding the validity of Frontier’s filing, including its own admission it had misfiled its June 2019 data, errors in its challenge it sought to revise, and inconsistent explanations for its challenge. Pai said the Commission denied Frontier’s challenge regarding its deployment and declined to exclude those census blocks from consideration for eligibility for the auction.

ICC

NTCA Discusses 8YY Access Charge Reform

NTCA spoke with Chairman Pai’s economic advisor and Wireline Competition Bureau staff on September 14, 2020, regarding 8YY access charge reform. NTCA urged adoption of a default rule to preclude parties from unilaterally dictating changes to existing financial responsibilities for interconnection and transport. NTCA also urged the Commission to make explicit in any upcoming 8YY order that, in the absence of mutual agreement, no party may force a change to any RLEC’s existing interconnection points that define financial responsibility for interconnection and transport of calls pursuant to any tariff, contract, or other arrangement even if the ICC rates applicable under such vehicles may be altered by a Commission order. Additionally, NTCA discussed the reductions in access revenues that would arise out of any such transition and the importance of explicit alternative cost recovery mechanisms for RLECs.

Other Universal Service

Pai Responds to Congress on Lifeline

Chairman Pai sent letters to 15 members of Congress on September 3, 2020, to respond to their letter urging the Commission to provide unlimited voice minutes and mobile data to Lifeline recipients, with an increase in the basic support amount to offset any associated incremental costs, for the duration of the pandemic. Pai said the Commission has taken...
action to ensure the Lifeline program is as available as possible by waiving a number of Lifeline rules and has extended those waivers. Pai also said the Commission has partnered with other agencies to promote Lifeline awareness.

**Comments Filed on National Lifeline Association Petition**

In addition to comments listed in a previous edition of *Washington Watch*, comments were filed on September 14, 2020, on the National Lifeline Association’s petition requesting the FCC waive the Lifeline mobile broadband minimum service standard increase and voice support phasedown scheduled to take effect on December 1, 2020. **CTIA, NARUC and Free Press** urged the Commission not to make any changes to the mobile broadband minimum service standard until it has completed its state of the Lifeline marketplace report. The **Oregon PUC** supports the waiver request relative to the phasedown of Lifeline support for voice services and also asked the Commission to consider the effects of increasing minimum service standards not only on mobile BIAS, but on fixed BIAS as well. **Replies are due September 21, 2020.** [public notice](#)  |  [all comments available](#)

**Comments also filed by:**
- TracFone
- StandUp Wireless, et al.
- National Consumer Law Center, et al.
- TruConnect

**PRA Comments on Form 499 Information Collection Due October 16**

An FCC [notice](#) was published in the Federal Register on September 16, 2020, seeking Paperwork Reduction Act comments on an extension of an information collection associated with FCC Forms 499-A and 499-Q, which are used to calculate FCC regulatory fees for interstate telecommunications providers. **PRA comments are due October 16, 2020.**

**Wireline Bureau Denies Requests for Review of USAC RHC Funding Decisions**

The Wireline Competition Bureau issued an [order](#) on September 15, 2020, addressing requests for review of USAC decisions filed by Windstream, ABS Telecom and Gary Speck, and **Burke Center-West Austin Street, et al.** on rural health care competitive bidding requirements.

**Siyeh Responds to FCC on Post-Transaction Rates**

Siyeh Communications filed a [letter](#) on September 15, 2020, to respond to the Commission as to: the access rates for both 3 Rivers and SiyCom following the transfer of the Browning, Montana exchange from 3 Rivers to SiyCom; and the proposed plan regarding adjusting base period revenues between 3 Rivers and SiyCom post-transaction for purposes of calculating CAF ICC support. Siyeh asserted rate levels and CAF ICC are matters best left until after the transaction closes. Siyeh also said, post-consummation of the transaction: 3 Rivers will continue to manage the network and bill and collect for services rendered as an agent of SiyCom; and access rates charged to long distance companies and end users will continue to be the same as before the transaction closed.

**Broadband**

**Wireless Bureau Announces Accepted Rural Tribal Priority Window Applications**

The Wireless Telecommunications Bureau issued a [public notice](#) on September 15, 2020, announcing it has accepted 157 rural tribal priority window applications, which are listed in attachments A and B. Petitions to deny the applications are due October 15, 2020;
oppositions to a petition to deny are due October 26, 2020. Replies to oppositions are due November 2, 2020. news release

Supply Chain

Replies Filed on Supply Chain FNPRM

In addition to reply comments listed in a previous edition of Washington Watch, replies were filed on September 14, 2020, on the FNPRM on how the FCC should integrate sections 2, 3, 5 and 7 of the Secure Networks Act into its supply chain proceeding. NTCA asserted once the covered list has been published, providers need an appropriate amount of time to replace any equipment or services contained on the list that reside in their network. Secure Network Coalition proposed the Commission establish a program management office to manage and facilitate the program's execution. Blue Danube Systems asserted the replacement effort must ensure the network remains operational, all installed replacements should be the newest available equipment, and equipment should be LTE-compatible and upgradeable to 5G. Huawei asserted any Commission rules adopted must also comply with the Secure Networks Act. FR | all replies available

Unbundling

USTelecom, INCOMPAS, et al. Offer Compromise Proposal on Dark Fiber Transport

USTelecom, INCOMPAS, et al. filed a letter on September 14, 2020, submitting a compromise proposal with respect to dark fiber transport. They urged the Commission to adopt this proposal, concurrently with the August 5, 2020 compromise proposal with respect to unbundled DS0 loops, DS1 loops, DS3 loops and operation support systems. USTelecom and INCOMPAS also spoke with Wireline Competition Bureau staff on September 10, 2020, regarding the NPRM on unbundling and the compromise proposal on unbundled dark fiber transport.

Regulatory Fees

FCC Releases Fiscal Year 2020 Regulatory Fee Fact Sheets

In addition to FY 2020 regulatory fee fact sheets listed in a previous edition of Washington Watch, the FCC issued fact sheets on September 14, 2020, on entities exempt from payment of regulatory fees and international and satellite services.