

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of _____)
Connect America Fund _____)
_____) WC Docket No. 10-90

**PETITION FOR
TEMPORARY WAIVER OR EXTENSION OF MARCH 1, 2017
HIGH COST UNIVERSAL SERVICE BROADBAND PORTAL FILINGS**

WTA – Advocates for Rural Broadband (“WTA”) hereby requests a temporary waiver or extension of the March 1, 2017 deadlines: (a) for recipients of Connect America Fund Alternative Connect America Cost Model (“CAF A-CAM”) support to file in the High Cost Universal Service Broadband (“HUBB”) portal all new qualifying locations to which they made broadband service available in the prior calendar year (2016); and (b) for recipients of Connect America Fund – Broadband Loop Support (“CAF-BLS”) to file in the HUBB portal all qualifying locations to which they newly made qualifying broadband service available between May 25, 2016 and December 31, 2016. These filing deadlines were most recently set forth in the Wireline Competition Bureau’s Public Notice (*Wireline Competition Bureau Provides Guidance To Carriers Receiving Connect America Fund Support Regarding Their Broadband Location Reporting Obligations*), WC Docket No. 10-90, DA 16-1363, released December 8, 2016. WTA requests that both of these March 1, 2017 deadlines be extended until December 31, 2017.

WTA is a national trade association representing more than 325 rural telecommunications providers offering voice, broadband and video-related services in Rural America. WTA members are generally small rural local exchange carriers (“RLECs”) that serve some of the most rugged, remote and/or sparsely populated areas of the United States. They are small companies that typically serve 2,000 to 3,000 access lines, with typical staffs of 10 to 20 full-

time employees, and are the providers of last resort to significant portions of their rural service areas.

All of WTA's members will be recipients of either CAF A-CAM support or CAF BLS support. As of the present February 17, 2017 date, it is WTA's information and belief that both the CAF A-CAM and the CAF-BLS filing requirements with respect to the HUBB portal are subject to Office of Management and Budget ("OMB") review under the Paperwork Reduction Act ("PRA"), and that is not yet clear when OMB action will occur. Even if full OMB approval were to be issued today, there would be only seven (7) business days remaining for WTA members to make the new and unfamiliar (and very likely complicated) filings in the HUBB portal.

The HUBB filing requirements constitute a major burden for small companies like WTA members, particularly when the HUBB system is new and unfamiliar and when the filing period may be compressed into a few days. The typical 10-to-20 full-time employee staff of WTA members is comprised of managers, customer service, bookkeeping/accounting, and maintenance and installation personnel. Many employees wear several hats, and very few have the flexibility to drop all of their ongoing operational duties to focus on a major, first-time HUBB filing. Most WTA members have been working to gather the requisite geocoded location information, but still would find it very difficult and disruptive to have to file it with the HUBB during the short time remaining before the looming March 1, 2017 deadline.

Section 1.3 of the Rules permits the Commission's rules to be waived for good cause shown. The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest. *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990). In addition, the Commission may take into

account considerations of hardship, equity, and the effective implementation of public policy on an individual basis. *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), *cert. denied*, 409 U.S. 1027 (1972).

Good cause exists for grant of the requested temporary waiver or extension. First, WTA is not requesting permanent waiver, elimination or reduction of the obligations of its members and other RLECs to file the geocoded CAF A-CAM or CAF-BLS location information. It is merely requesting that the current March 1, 2017 filing deadline be postponed until December 31, 2017.

Second, the requested postponement will not impair the Commission's or the Universal Service Administrative Company's ("USAC's") ability to administer either CAF A-CAM support or CAF-BLS support. The revised CAF A-CAM support offers and associated build-out obligations were just recently accepted as of January 19, 2017, and compliance with the first interim build-out milestone of Rule 54.311(d) is not due for four (4) years. Implementation of CAF-BLS is also still in its early stages – in fact, until the Rule 54.319(d) challenge process regarding alleged unsubsidized competitors is completed at some time in the future, it will not be clear which census blocks served by a Rate of Return ("RoR") Path carrier contain locations that qualify for CAF-BLS support and are subject to the HUBB filing requirement.

Third, the small size of the RLEC members of WTA make compliance with the current March 1, 2017 deadline a substantial hardship, particularly if the filing window is now shortened to seven business days or less. Even for those RLECs that have been able to collect and compile all of the requisite geocoded location information with no errors, it will still be a difficult task for the RLEC's employees to enter this information into the new and unfamiliar HUBB portal within seven business days or less, while keeping up with their ongoing service obligations. And in the

likely event that errors and omissions are discovered while filing, it will be onerous or impossible to send employees out into the field immediately to investigate discrepancies and obtain the correct data. Postponing the filing date to December 31, 2017 will make it much easier for RLEC employees to learn the HUBB portal system, and to get complete and correct geocoded information filed in timely fashion without disrupting the day-to-day service operations and obligations of their small companies.

Finally, it is not clear at this time whether and when OMB approval for the HUBB filings will be obtained. It is uncertain whether it will be obtained before the current March 1, 2017 deadline, or even whether it will be obtained within weeks or months thereafter. Re-scheduling of the HUBB filing deadline to December 31, 2017 should establish a realistic date certain, avoid the need for further postponements due to CAF A-CAM and/or CAF-BLS implementation delays or OMB action delays, and still provide the geocoded location information before it is needed by the Commission and USAC for their administration of the CAF A-CAM and CAF-BLS programs.

WHEREFORE, the above premises considered, the Commission is respectfully requested to temporarily waive or extend until December 31, 2017 the current March 1, 2017 deadlines for HUBB submission of geocoded location data by CAF A-CAM and CAF BLS recipients.

Respectfully submitted,
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