

June 21, 2017

Filed Via ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: *Connect America Fund*, WC Docket No. 10-90

Dear Ms. Dortch:

On Monday, June 19, 2017, Lynn Merrill of Monte R. Lee & Company; and Derrick Owens and Gerry Duffy representing WTA – Advocates for Rural Broadband (“WTA”) met with Lisa Hone, Alexander Minard, Ryan Palmer and Jesse Jachman of the Wireline Competition Bureau, to discuss the Rate of Return Path challenge process that will determine whether or not possible “unsubsidized competitors” will be treated as being present in certain census blocks, and the suggested form that WTA had previously developed and submitted to address the evidentiary burdens of that challenge process.

WTA explained that the Excel spreadsheet comprising its Attachment A was intended to be the mechanism for an entity to list each of the particular census blocks in the specific geographic area in which it is offering service and in which it claims to be an “unsubsidized competitor,” and to make the basic claim that it can offer service (currently or within 10 business days) to at least the required minimum percentage of “locations” in each specified census block. See *In the Matter of Connect America Fund et al.*, Report and Order, Order and Order on Reconsideration, and Further Notice of Proposed Rulemaking, WC Docket Nos. 10-90 and 14-58 and CC Docket No. 01-92, 31 FCC Rcd 3087 (2016) (“*Rate-of-Return Reform Order*”) at par. 122.

Attachment B requires prospective “unsubsidized competitors” to provide evidence that they offer voice services meeting the requirements the Commission has established. *Rate-of-Return Reform Order*, at par. 128, 131.

Attachments C and D require the “additional evidence” that prospective “unsubsidized competitors” are required to submit in order to meet their evidentiary burdens of showing they are providing 10/1 Mbps fixed terrestrial broadband services to at least the minimum percentage of “locations” (*i.e.*, housing units) in each claimed census block. For cable television companies and other wireline entities, this “additional evidence” is likely to consist primarily of network maps and diagrams; for Wireless Internet Service Providers (“WISPs”) and other fixed wireless entities, it is likely to require the types of tower, antenna and terrain information traditionally required to calculate reliable radio service contours, plus descriptions of backhaul arrangements, in order to demonstrate the ability of such entities to maintain actual 10/1 Mbps service under the applicable conditions. *Rate-of-Return Reform Order*, at par. 122, 124, 131.

Attachment E was included to give prospective “unsubsidized competitors” an option to present “additional evidence” that they deem to be relevant and that was not required by the other attachments.

WTA is attaching a copy of the ex parte letter that it filed regarding this matter on October 24, 2016, and that included a copy of its suggested form and instructions.

Pursuant to Section 1.1206(b) of the Commission's Rules, this submission is being filed for inclusion in the public record of the referenced proceeding.

Respectfully submitted,

/s/ Gerard J. Duffy

Gerard J. Duffy
WTA Regulatory Counsel
Blooston, Mordkofsky, Dickens, Duffy & Prendergast, LLP
2120 L Street NW (Suite 300)
Washington, DC 20037
Telephone: (202) 659-0830
Email: gjd@bloostonlaw.com

Attachment: WTA *Ex Parte* Letter in WC Docket No. 10-90, dated October 24, 2016

cc: Lisa Hone
Alexander Minard
Ryan Palmer
Jesse Jachman