

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

In the Matter of)
)
Connect America Fund: A National Broadband Plan for Our Future High-Cost Universal Service Support) WC Docket No. 10-90
)
ETC Annual Reports and Certifications) WC Docket No. 14-58
)
Telecommunications Carriers Eligible to Receive Universal Service Support) WC Docket No. 09-197
)
Connect America Fund – Alaska Plan) WC Docket No. 16-271
)
Expanding Broadband Service Through the ACAM Program) RM-11868
)

**REPLY COMMENTS
OF
WTA – ADVOCATES FOR RURAL BROADBAND
REGARDING
NOTICE OF PROPOSED RULEMAKING**

WTA – Advocates for Rural Broadband (“WTA”) hereby submits its reply comments with respect to the Notice of Proposed Rulemaking (“*NPRM*”) portion of the Commission’s Report and Order, Notice of Proposed Rulemaking, and Notice of Inquiry (*Connect America Fund et al.*), WC Docket Nos. 10-90, 14-58, 09-197 and 16-271 and RM-11868, FCC 23-60, released July 24, 2023 (“*Order/NPRM/NOI*”).

The size, characteristics and broadband needs of the rural service areas that will continue to depend upon sufficient Connect America Fund – Broadband Loop Support (“CAF-BLS”) and High-Cost Loop Support (“HCLS”) will not be determinable for some time after the September 29, 2023 Enhanced Alternative Connect America Cost Model (“EACAM”) election. Hence, WTA in its initial comments urged the Commission to monitor broadband deployment in the remaining

CAF-BLS/HCLS areas for at least one year before embarking upon the consideration of potential changes to CAF-BLS, HCLS and other legacy support mechanisms, deployment obligations, budgets and budget control mechanisms, and accounting procedures and allocations.

None of the other eight parties filing initial comments opposed a monitoring period of at least one year to allow the Commission to assess the continuing broadband and high-cost support needs of areas that elect to remain on CAF-BLS/HCLS support. In fact, four of the other eight commenters – namely, NTCA – The Rural Broadband Association (“NTCA”),¹ Rally Networks (“Rally”),² NCTA – The Internet & Television Association (“NCTA”)³ and WISPA – Broadband Without Boundaries (“WISPA”)⁴- agreed with WTA that the Commission should defer decisions regarding CAF-BLS and HCLS for at least a year to see how EACAM and federal and state grant programs impact broadband deployment and operations in various CAF-BLS/HCLS areas.

WTA disagrees with NCTA that EACAM and the “unprecedented dollars recently appropriated for broadband deployment” are likely, much less certain to “reduce substantially, or even eliminate” the need for legacy support mechanisms.⁵ It is not clear at this time whether Broadband Equity, Access and Deployment (“BEAD”) grants, Rural Utilities Service (“RUS”) ReConnect grants, and other federal and state grant programs will provide enough broadband deployment funding to achieve ubiquitous high-speed nationwide broadband, particularly in the rugged, remote, and sparsely populated rural areas served by many CAF-BLS/HCLS recipients (and long unserved by cable television operators). Likewise, WTA disagrees with WISPA that Section 54.319(d) of the Rules should be “expanded to eliminate CAF-BLS support in any census

¹*Comments of NTCA- The Rural Broadband Association*, WC Docket No. 10-90 *et al.*, September 18, 2023, at p. 2.

²*Comments of Rally Networks*, WC Docket No. 10-90 *et al.*, September 18, 2023, at p. 3.

³*Comments of NCTA – The Internet & Television Association*, WC Docket No. 10-90 *et al.*, September 18, 2023 (“NCTA Comments”), at p. 3.

⁴ *Comments of WISPA – Broadband Without Boundaries*, WC Docket No. 10-90 *et al.*, September 18, 2023 (“WISPA Comments”), at p.4.

⁵ *NCTA Comments*, at pp. 1-2.

block where *any* competitor has been awarded government funding of *any* kind to provide voice and broadband service”⁶ As the number of defaults and waiver requests by winners of the Rural Digital Opportunity Fund Auction I indicate, the grant of an authorization and funding to a new entrant that is the low bidder in a competitive bid proceeding does not guarantee that the proposed new network will actually be deployed and provide quality service.⁷

Rather than arguing with NCTA and WISPA over theoretical possibilities, WTA suggests that the Commission and industry monitor for a year or more the actual extent, if any, that EACAM and the various broadband construction grant programs change the need for CAF-BLS/HCLS support in the areas that continue to receive it. Any needed and feasible reforms can then be developed and targeted to actual broadband needs and conditions rather than political assumptions and talking points.

WTA does not disagree with the proposals advanced by rural telephone company entities such as the Concerned Rural ILECs, Vantage Point Solutions and TCA.⁸ However, it believes that the most productive, effective and efficient approach is to monitor broadband deployment in CAF-BLS/HCLS areas for at least a year to determine their continuing broadband deployment and support needs before considering specific CAF-BLS/HCLS changes.

⁶ *WISPA Comments*, at p.5.

⁷ The situation proposed by WISPA where an existing broadband service provider’s federal support would be eliminated and its ongoing broadband deployment and operations constrained because a new entity received a federal grant to overbuild it is wholly different and distinguishable from the BEAD situation where broadband construction grants will not be awarded to new entities to build new networks to serve areas where existing broadband service providers already have an enforceable commitment to extend or upgrade their operational networks.

⁸*Comments of The Concerned Rural ILECs, Comments of Vantage Point Solutions, and Comments of TCA Regarding Notice of Proposed Rulemaking* – all filed in WC Docket No. 10-90 *et al.* on September 18, 2023.

Therefore, at this time, WTA urges the Commission to monitor broadband deployment in CAF-BLS/HCLS areas for at least a year to determine their continuing broadband deployment and support needs before considering any specific CAF-BLS/HCLS changes.

Respectfully submitted,
WTA – ADVOCATES FOR RURAL BROADBAND

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