



Advocates for Rural Broadband

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January 19, 2024

**VIA ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
45 L Street NE  
Washington, DC 20554

**RE: Connect America Fund, WC Docket No. 10-90  
Expanding Broadband Service Through the ACAM Program, RM-11868  
Deployment of Advanced Telecommunications Capability to All Americans, GN Docket No. 22-270  
Safeguarding and Securing the Open Internet, WC Docket No. 23-320**

Dear Ms. Dortch:

On Wednesday, January 17, 2024, Jerry Piper of Cambridge Telephone Company (Idaho), Kip Wilson of Direct Communications (Maine, Missouri, Louisiana, Idaho, Utah, Colorado, Oregon and Washington), and Derrick Owens and Gerry Duffy (by telephone) of WTA – Advocates for Rural Broadband (“WTA”) met with Lauren Garry, Legal Advisor to Commissioner Brendan Carr, to discuss some initial location concerns with respect to the Enhanced Alternative Connect America Cost Model (“E-ACAM”) program and to discuss some aspects of the Commission’s Section 706 and Open Internet proceedings.

WTA indicated that it is a national trade association that has approximately 400 rural local exchange carrier (“RLEC”) members, including the companies represented by Mr. Piper and Mr. Wilson.

Messrs. Piper and Wilson noted that their companies were finding significant discrepancies between the CostQuest-estimated locations in the Enhanced Alternative Connect America Cost Model (“Enhanced ACAM”) offers that were made by the Commission on August 30, 2023 (and that they accepted as of September 29, 2023) versus the actual locations in their service areas as of the August 30, 2023 offer date. The WTA members recognize that there will be challenge processes and true-ups before the final Enhanced ACAM locations as of the offer date are determined by December 2025.

WTA supports the Commission’s proposal in the Section 706 proceeding to increase the universal service speed to 100/20 Mbps for fixed broadband service, and commends the Commission for recognizing that higher long-term broadband speed goals are needed as both downstream and upstream speeds and usage continue to grow rapidly toward Gigabit levels. WTA emphasizes that high-speed broadband deployment is the prerequisite for achieving the other Section 706 goals (affordability, availability, adoption and equitable access), and that scalability is the key to keeping up with burgeoning broadband speed demands in an expeditious and economical manner.

WTA emphasized that scalability is such a critical factor with respect to evolving broadband speeds that it requires review and modification of the “technological neutrality” principle to consider long-term advantages and costs.

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A technology that has limited download or upload speeds or that cannot provide needed higher speeds without expensive and time-consuming reconstruction or reconfiguration is not equivalent or even reasonably comparable to a scalable fiber optic network that can be upgraded rapidly to higher and/or symmetrical speeds without substantial reconstruction cost. ‘Technological neutrality’ has increasingly become a device used by some service providers to lobby the Commission to limit the broadband speeds and services supported by the Universal Service Fund (“USF”) in order to obtain USF support for slower or limited services in the short term or to prevent scalable networks from receiving USF for readily upgradable services in either the short or long term.

WTA did not support or oppose the Commission’s pending proposal to reclassify Broadband Internet Access Service (“BIAS”) as a Title II telecommunications service. However, if the Commission reclassifies BIAS, WTA opposes the proposed forbearance from the imposition of USF contributions upon BIAS and other broadband telecommunications services and the proposed forbearance from the application of the negotiation and arbitration provisions of Sections 251 and 252 of the Communications Act to Internet Protocol (“IP”) interconnection.

Given that broadband deployment is the focus of the Commission’s High Cost, Schools and Libraries (“E-Rate”) and Rural Healthcare programs, it makes no sense to exempt broadband services from USF contributions. In fact, it appears to be unduly discriminatory to impose USF contributions upon other telecommunications service providers and their customers while exempting the broadband service providers and customers that benefit the most from current USF programs. Affordability issues can be minimized by exempting low-income program participants and by seeking statutory authorization, as proposed by Commissioner Carr, to impose USF contributions on the large edge service providers that both benefit substantially from broadband deployment and that impose major costs upon broadband networks.

Application of the Section 251 and 252 provisions to IP interconnection are necessary because RLECs and other small broadband service providers are subject to the same disparities in negotiating power that these provisions were adopted to address in the Regional Bell Operating Company (“RBOC”) and competitive local exchange carrier world of the mid-1990s. Some WTA members have had difficulty obtaining quality and affordable middle mile service from large carriers, while others have encountered indifference and take-it-or-leave-it offers when they attempted to negotiate IP interconnection arrangements with large carriers. It appears that some of the large broadband trunk providers may be threatening to require RLECs and other small providers to bear the cost of bringing their traffic to a couple of large urban traffic exchange points.

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,  
**WTA – ADVOCATES FOR RURAL BROADBAND**  
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cc: Lauren Garry