

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

In the Matter of)
)
Connect America Fund) WC Docket No. 10-90
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Connect America Fund – Alaska Plan) WC Docket No. 16-271
)
The Uniendo Puerto Rico Fund and Connect USVI Fund) WC Docket No. 18-143
)
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Rural Digital Opportunity Fund) WC Docket No. 19-126
)
The Rural Digital Opportunity Fund Auction (Auction 904)) AU Docket No. 20-34
)

**REPLY COMMENTS
OF
WTA – ADVOCATES FOR RURAL BROADBAND**

WTA – Advocates for Rural Broadband (“WTA”) hereby submits its reply comments with respect to the *Public Notice* (Wireline Competition Bureau Seeks Comment on Leveraging the Broadband Serviceable Location Fabric for High-Cost Support Mechanism Deployment Obligations), WC Docket Nos. 10-90, 16-271, 18-143 and 19-126 and AU Docket No. 20-34, DA 24-77, released January 25, 2024 (“*HCS Locations Public Notice*”).

WTA is a national trade association that represents approximately 400 rural local exchange carriers (“RLECs”) that provide voice and broadband services to some of the most rural, remote, rugged, sparsely populated and expensive-to-serve areas of the United States. WTA members have long constructed and operated rural voice and broadband networks – very often as providers of last resort – in high-cost farming, ranching, mining, mountain, forest and desert areas, as well as on Native American reservations and other Tribal Lands. In addition to members that have opted into the new Enhanced Alternative Connect America Model (“Enhanced ACAM”) high-cost

support program, WTA has members that participate in the ACAM I and ACAM II programs, the Connect America Fund – Broadband Loop Support (“CAF-BLS”) and/or High-Cost Loop Support (“HCLS”) programs, and the Alaska Plan program. Given that Enhanced ACAM locations are being addressed under another Public Notice and that CAF-BLS deployment obligations are not addressed in or relevant to the *HCS Locations Public Notice* (the most recent CAF-BLS deployment term ended December 31, 2023), WTA’s focus in this proceeding is limited to the ACAM I, ACAM II and Alaska Plan programs and locations.

WTA agrees with NTCA that “Fabric location data should only be used on a mandatory basis to verify compliance with High-Cost USF buildout obligations in the context of newly created support programs (such as Enhanced ACAM).”¹

The existing ACAM I and Alaska Plan programs are scheduled to end as of December 31, 2026, and participants need to complete their build-out obligations by that date (and well before that date in Alaska and other areas where outdoor construction seasons end well prior to December). As the Wireline Bureau is aware, the planning and implementation of the necessary ACAM I and Alaska Plan facility deployments are well under way for it generally takes more than two years to complete the various engineering, design, permitting, environmental, financing, equipment acquisition, contracting, construction and other tasks necessary to deploy and test substantial broadband network facilities, particularly in areas with limited outdoor construction seasons. Mandating that Fabric data be used at this late date to adjust or verify the locations that must be served to comply with ACAM I and Alaska Plan buildout obligations would force participating RLECs to engage in eleventh hour reviews that are likely to cause disruptive delays

¹ Comments of NTCA – The Rural Broadband Association, WC Docket Nos. 10-90, 16-271, 18-143 and 19-126 and AU Docket No. 20-34, dated March 15, 2024 at p. 4.

and needs to modify locations and routes that will adversely impact the completion of ongoing deployment projects.

Moreover, updated Fabric data may not be relevant to some or all of the Alaska Plan service obligations because the numbers, characteristics and configurations of the locations to be deployed were separately negotiated on a carrier-by-carrier basis between individual Alaska RLECs and the Wireline Competition Bureau staff.

Finally, although the ACAM II program does not end until December 31, 2028, participants are also far along in the planning and construction of their ACAM II build-out obligations. For many RLECs (including ACAM I and Alaska Plan participants as well as ACAM II participants), broadband deployment is often divided into multiple separate stages or sectors on the basis of exchanges, trunk routes or other factors. Mandating Fabric use during the middle of a multi-stage deployment can be very disruptive if it requires review and modification of the locations required to be constructed in sectors that were thought to have been completed and thereby reduces the resources available for work in the yet-to-be-completed sectors.

WTA is well aware that the Commission is going to mandate the use of Fabric data as an integral part of the determination and verification of compliance with deployment obligations for the Enhanced ACAM program and other future high-cost Universal Service Fund (“USF”) programs such as those that succeed or replace the ACAM I, ACAM II, Alaska Plan, CAF-BLS and HCLS programs. In addition to this prospective use of Fabric data, WTA has no objection to the voluntary usage of Fabric data by willing ACAM I, ACAM II and Alaska Plan participants to adjust their deployment obligations to a more accurate grouping and number of existing and funded locations. This latter situation would not mandate the use of Fabric data but rather would enable the electing RLEC participants voluntarily to use Fabric data as well as other relevant and reliable

data to seek and substantiate revisions that would improve the accuracy of the number and configuration of their funded locations.

However, where the Wireline Bureau and RLECs use Fabric or other data to calculate a more accurate number of serviceable locations for a participant in an existing or future USF program and where such revised number is less than the number of locations in the support offer that the participant accepted, the Commission must not reduce the participant's support on a *pro rata* basis. For many RLECs, there should be no reduction at all because the major portion of the cost of broadband deployment is comprised of the overall basic network including central office, second mile facilities, and distribution trunks and lines with individual customer locations entailing relatively minor incremental costs. In other words, RLEC broadband networks are designed and constructed to serve areas rather than individual locations. Hence, the cost of constructing many RLEC broadband networks may not differ significantly whether such networks serve 5,000 locations or 4,500 locations (and is unlikely to decrease in cost by 10 percent if a 500-location adjustment is made to the originally estimated 5,000 locations). Even where reductions in locations may entail reduced costs, such reductions are not *pro rata* because RLEC service areas are not generally homogeneous areas with evenly distributed population clusters and terrain where the costs of serving individual customer locations are relatively equivalent. Rather, the service areas of many RLECs are large, with customer locations situated at widely varying and sometimes very remote distances from central offices, with irregular population distributions and clusters, and with mountains, deserts and other irregular terrain that significantly increase costs in certain areas and along certain routes. As a result, a *pro rata* decrease in support may be easy to calculate but will be very inaccurate due to the widely varying costs of the individual locations and areas that were removed from the listing of supported locations.

In sum, WTA opposes mandatory use of Fabric data to adjust supported locations or verify compliance with buildout obligations with respect to existing high-cost USF programs such as ACAM I, ACAM II and the Alaska Plan that are approaching their termination dates. WTA understands that Fabric data will be used prospectively as an integral part of the determination and verification of compliance with deployment obligations for the Enhanced ACAM program and other future high-cost USF programs. WTA does not oppose voluntary use of Fabric data by willing ACAM I, ACAM II and Alaska Plan participants to adjust their deployment obligations to a more accurate grouping and number of existing and funded locations, but opposes reduction of support on an inaccurate and unreliable *pro rata* basis in all existing and future situations when such adjustments result in a reduction of supported locations.

Respectfully submitted,
WTA – ADVOCATES FOR RURAL BROADBAND

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