

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

In the Matter of)
)
Connect America Fund) WC Docket No. 10-90
)
ETC Reports and Annual Certifications) WC Docket No. 14-58
)
Establishing Just and Reasonable Rates for Local Exchange Carriers) WC Docket No. 07-135
)
)
Developing a Unified Intercarrier Compensation Regime) CC Docket No. 01-92
)

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

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SUMMARY

WTA – Advocates for Rural Broadband (“WTA”) opposes the use of the CAF Phase II reverse auction mechanism in particular, and reverse auctions in general, in existing rural local exchange carrier (“RLEC”) service areas because they focus upon short-term support reductions at the expense of the existing and future broadband service needs of the affected customers and because they make future high-cost support too unpredictable to justify long-term broadband infrastructure investments. Moreover, the specific CAF Phase II auction procedures under consideration: (1) require a robust, fact-based challenge process rather than the proposed reliance upon incomplete and inaccurate FCC Form 477 data that fail to show the extent of actual “overlapping” and comparable service in the affected study areas; (2) disregard the economics and technology of the existing integrated networks serving RLEC study areas in order to auction off disaggregated and unrelated census areas; (3) employ weighting factors that focus only upon bare future service promises with no consideration of local presence, staffing, experience and investment factors relevant to the ability to keep such promises; (4) allow participation by any and all “eligible” entities whether they have had any prior interest or experience in the auctioned study area, including satellite service providers with incremental cost structures that preclude establishment of reasonable “market-based” support levels; (5) employ a descending clock auction process that wholly fails to consider the very different costs of serving the existing variety of rural study areas; (6) fail to include a transition plan capable of enabling losing RLECs to retain their existing employees and maintain their existing services and service quality until the auction winner is ready to furnish service, as well as to repay their outstanding broadband infrastructure loans;

and (7) suggest an every two-year reverse auction schedule that is way too frequent to enable long-term broadband infrastructure investment and cost recovery.

WTA reiterates its joint proposal with NTCA that the Commission limit the increase in customer broadband-only loop (“CBOL”) conversions for which a cost-based RLEC may receive the broadband-only portion of Connect America Fund – Broadband Loop Support (“CAF-BLS”) to 10 percent of that carrier’s voice lines as of December 31 of the prior year, with any such limit expiring through an absolute five-year sunset. WTA continues to reserve the right to modify this proposal if necessary to effectively address potential budget control mechanism (“BCM”) issues in light of changes to the high-cost support budget or the BCMs for cost-based RLECs after the ACAM II elections are made.

Finally, WTA reiterates its support for an equitable Tribal Broadband Factor that will encourage additional broadband deployment on those Tribal lands served by RLECs that elect to remain on cost-based Rate-of-Return support.

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

WTA – Advocates for Rural Broadband (“WTA”) hereby submits its reply comments with respect to the *Further Notice of Proposed Rulemaking* (“FNPRM”) portion of the Commission’s *Report and Order, Further Notice of Proposed Rulemaking, and Order on Reconsideration*, FCC 18-176, released December 13, 2018 in the captioned proceedings (“*Order*”). These reply comments are filed within the time period established in 84 FR 2132 (February 6, 2019).

WTA’s initial March 8, 2018 comments: (1) opposed the use of the CAF Phase II reverse auction mechanism in particular and most other potential reverse auction approaches in general to distribute high-cost support in existing rural local exchange carrier (“RLEC”) study areas that are claimed to be “entirely” or “almost entirely” overlapped by alleged “unsubsidized competitors”; (2) supported a reasonable transition mechanism to minimize adverse and unpredictable budget control mechanism impacts as consumers migrate to stand-alone broadband services; and (3) supported incorporation of a Tribal Broadband Factor into the high-cost support for cost-based Rate-of-Return carriers serving Tribal lands.

I

NEITHER THE CAF PHASE II MECHANISM NOR OTHER POTENTIAL REVERSE AUCTION DESIGNS WILL ADVANCE UNIVERSAL SERVICE GOALS IN AREAS WITH EXISTING CUSTOMERS, BROADBAND NETWORKS, INVESTMENT NEEDS AND LOAN REPAYMENT OBLIGATIONS

WTA opposes the proposed CAF Phase II reverse auction procedures in particular, as well as most potential reverse auction approaches in general, as ways for “determining” high-cost support for existing broadband networks and services in RLEC study areas that are asserted to be “entirely” or “almost entirely” overlapped by alleged “unsubsidized competitors.” Whereas the CAF Phase II mechanism auction conducted in July and August of 2018 may or may not ultimately prove successful in bringing sustainable broadband services for the first time to unserved areas, very different circumstances and complexities apply in RLEC study areas with existing broadband customers and networks, as well as outstanding broadband loans and related financial obligations that were incurred in response to previous Commission broadband deployment requirements and policies.

The major flaws of the CAF Phase II reverse auction mechanism in existing RLEC service areas are: (a) that it focuses upon short-term high-cost support reductions at the expense of the existing and future broadband service needs of the affected customers residing in the auctioned areas; and (b) that it makes future high-cost support too unpredictable to justify existing and future broadband infrastructure investments that entail lengthy 15-to-30 year useful lives, loan repayment terms and cost recovery periods. Moreover, the specific CAF Phase II auction procedures under consideration: (1) rely upon incomplete and inaccurate FCC Form 477 data that fail to show the extent of actual “overlapping” and comparable service in the RLEC study areas subjected to reverse auctions; (2) disregard the economic rationales and technical benefits of the existing integrated networks constructed and operated in RLEC study areas in order to auction off a

disaggregated checkerboard of separate census blocks or census block groups; (3) employ weighting factors that focus only upon bare promises of future service levels with no consideration of factors such as existing presence, staffing, experience and investment that are relevant to the ability to keep such promises; (4) open up reverse auctions to any and all “eligible” entities whether they have had any prior interest or experience in serving the auctioned study area, including satellite service providers with incremental cost structures that preclude auctions from arriving at “market-based” support levels; (5) employ a descending clock auction process that wholly fails to consider the very different costs of serving rural study areas located in a variety of farming, ranching, forest, desert, mountain and other remote and sparsely populated areas; (6) fail to include a transition plan capable of enabling RLECs that lose much or all of their existing high-cost support to retain their existing employees and maintain their existing services and service quality until the auction winner is ready to furnish service, as well as to repay outstanding Rural Utilities Service and other loans taken out to construct the broadband facilities for which their current high-cost support was intended; and (7) suggest an every two-year reverse auction schedule that is too frequent to encourage and enable broadband infrastructure investment that takes many years to plan, finance, construct, test and put into service, much less to repay loans and recover the costs thereof.

Challenge Process. WTA agrees with NTCA – The Rural Broadband Association (“NTCA”), the USTelecom Association (“USTelecom”), ITTA – The Voice of America’s Broadband Providers (“ITTA”), Vantage Point Solutions (“Vantage Point”) and the Concerned Rural LECs (“Concerned RLECs”) that a robust, fact-based challenge process must be conducted. Such process is needed to determine whether specific study areas actually have “overlapping” and comparable competitive services to the “entirely” or “almost entirely” degree that justifies

subjecting them to the costs and uncertainties of a reverse auction process that threatens to disrupt the existing services of customers and the ongoing and planned infrastructure investment projects of their service providers. As Chairman Pai has recently emphasized, Commission “decision-making should be based on rigorous analysis” which in substantial part “depends on accurate broadband deployment data.”¹

FCC Form 477 data does not meet either the “rigorous analysis” or the “accurate data” standard regarding the actual presence of “entirely” or “almost entirely” overlapping competitive services in existing RLEC study areas, and is not appropriate for use as the determinant whether a study area and its existing customers should be subjected to a reverse auction. Chairman Pai himself has recently stated that he is one of those who believe that the FCC Form 477 data collection program – which was established “way back in the year 2000 – during the heyday of dial-up Internet access . . . has started showing its age.”² Likewise, Commissioner Michael O’Rielly has emphasized

. . . the problem of relying on Form 477 data for purposes of providing USF subsidies – a use for which the data was never originally intended. While the flaws of such reliance are well-known, the Commission has inconsistently chosen to either rely on the data, as in the second A-CAM offer, or reject it, as in the case at hand, in the absence of a formal challenge process, claiming the latter would be burdensome and time-consuming for staff. . . . The Commission’s Form 477 Data problem is very real, and we don’t help matters by foregoing a meaningful challenge process for purposes of convenience.³

Commissioner Jessica Rosenworcel has also addressed the Form 477 issue recently, stating:

. . . Our broadband maps are woefully inadequate. They overstate coverage in too many areas and understate it in others. . . . So I think this agency needs to repair our maps and improve the data we use to make decisions.⁴

¹ Remarks of FCC Chairman Ajit Pai at USTelecom Forum on Reinventing Broadband Mapping,” Washington, DC (March 21, 2019).

² *Id.*

³ Statement of Commissioner Michael O’Rielly, Connect America Fund, *Order on Reconsideration*, WC Docket 10-90, FCC 18-187, released December 31, 2018.

⁴ Statement of Commissioner Jessica Rosenworcel, Connect America Fund, *Report and Order*, WC Docket 10-90, FCC 19-8, released February 15, 2019.

WTA agrees with NTCA and USTelecom that the use of FCC Form 477 data to show the nature and extent of the actual voice and broadband service that an entity provides in an area is inherently inaccurate and unreliable. First, FCC Form 477 counts an *entire* census block as being served with a particular level of broadband service by a reporting entity if such entity merely advertises (but does not necessarily even provide) that service level to any single location in the census block.⁵ Second, entities report their provision of voice service on FCC Form 477 on a state basis only -- that is, Form 477 data gives no indication whether an overlapping “unsubsidized competitor” provides voice service in a particular census block or study area, including critical 911 and E911 voice services to summon assistance in emergencies.⁶ Third, as ITTA points out, there is no independent validation or verification process for Form 477 data.⁷ Whether or not filing entities intend to file accurate FCC Form 477 data and believe that they are doing so, Vantage Point has described a number of situations where FCC Form 477 data is clearly and substantially inaccurate due to major reporting errors, the termination of service after reports relied upon by the Commission were filed, and provably incorrect claims that certain voice or broadband services are being provided within an area.⁸ WTA members – some of whom are wireless Internet service providers (“WISPs”) themselves – report that it is common for WISP services not to be actually available in areas where FCC Form 477 data and/or WISP advertisements claim they are – sometimes during periods of substantial seasonal foliage; other times year round. In fact, the Wireless Internet Service Providers Association (“WISPA”) has admitted in comments filed with the Commission that line-of-sight, foliage and other transmission and reception issues mean that “it

⁵ NTCA Comments, p. 3; USTelecom Comments, p. 5.

⁶ NTCA Comments, pp. 3-4.

⁷ ITTA Comments, p. 4 n.12.

⁸ Vantage Point Comments, pp. 3-8.

is not possible to determine with any certainty what potential customers will be or would be readily served using fixed wireless technology until an on-site technical assessment is made”⁹ and that they “often cannot determine with certainty whether [their] service is ‘available’ until a skilled installer is working on the potential customer’s premises.”¹⁰

WTA agrees with NTCA that a robust, facts-on-the-ground-based challenge process provides the only means to ensure that existing voice and broadband customers residing in rural areas suspected of being entirely or almost entirely “competitively overlapped” do not suffer a loss or degradation of their current services and will continue to have access to voice and broadband services “reasonably comparable” in quality and price to those available in urban areas.¹¹ Given that FCC Form 477 data is not only incomplete and inaccurate but also wholly fails to address the statutory “reasonable comparability” considerations of Section 254(b) of the Communications Act, a rigorous, fact-based challenge process must require entities claiming to be “unsubsidized competitors” to bear the burden of proving that they can actually provide reliable and reasonably comparable voice and 25/3 broadband service to the requisite 100, 99 or 95 percent of the locations in a study area where they claim to provide “entirely” or “almost entirely” overlapping service. By avoiding unnecessary reverse auctions that disrupt investment and service deployment to the detriment of existing customers and other interested parties, the benefits of a rigorous challenge process outweigh the administrative burdens imposed upon the Commission’s staff to conduct such a process.

Affected study areas. With respect to existing voice and broadband networks and existing customers, the primary goal of any reverse auction or other high-cost support redistribution process

⁹ “Comments of the Wireless Internet Service Providers Association, WC Docket No. 11-10, dated October 10, 2017, at p. 11.

¹⁰ *Id.*, at p. iii.

¹¹ NTCA Comments, pp. 7-8.

should be that no existing customer will suffer a loss or degradation of service. If any sort of reverse auction process is ultimately adopted, WTA agrees with ITTA that the “winner” of any such reverse auction must be required to serve all – that is, 100% -- of the locations within the auctioned unit.¹² And if a reverse auction process is adopted, WTA also believes that only study areas that are 100% overlapped by the actual voice and 25/3 broadband services of “unsubsidized competitors” should potentially be subject to it. An “almost entirely” overlapped area means that some existing customers do not have the choice of an alternative service. For a 5,000 customer study area, the difference between 99% overlap (4,950 customers) and a 95% overlap (4,750 customers) is 200 customers; for a 3,000 customer study area, the difference between 99% overlap (2,970 customers) and a 95% overlap (2,850 customers) is 120 customers. Whereas service changes or losses affecting 200-to-250 customers or 120-to-150 customers may or may not be deemed to pose a problem or significant hardship in some urban areas, they certainly constitute a substantial and disquieting service disruption in a 3,000-to-5,000-customer rural study area. Therefore, WTA urges that the “overlap” standard with respect to any reverse auction process be 100%, and in no event less than 99%.

The “less than 50%” and “even less than 50%” overlap standards proposed by WISPA and NCTA – The Internet & Television Association (“NCTA”)¹³ are ridiculously low, and demonstrate a lack of regard for the existing voice and broadband customers that would be affected. NCTA members have a long record of declining to extend their networks outside the corporate limits of population centers into more sparsely populated rural areas. And, as noted above, WISPA’s members have significant line-of-sight and foliage problems, and generally cannot tell whether they can serve a customer until they send a technician and reception equipment to the customer’s

¹² ITTA Comments, pp. 6-7.

¹³ WISPA Comments, p. 3; NCTA Comments, p. 2 n.5.

location. Hence, the WISPA and NCTA proposals serve as effective admissions that their members do not and cannot offer comparable and competitive services in anything approaching an “entire” or “almost entire” RLEC study area and that their real goal is merely to gain their members a short-term competitive advantage in portions of some rural areas by throwing existing RLEC services and investment plans into disarray. The WISPA and NCTA alternatives should be rejected because they threaten the current and future service and service quality of existing customers in the affected “50%” study areas – almost half of which customers would not have any alternative service option, much less a reasonably comparable one.

Eligible Areas. As stated in WTA’s initial comments, RLECs build and maintain integrated networks to serve their entire study areas for a variety of technical, economic and customer relations reasons. It makes no sense to disaggregate RLEC networks into multiple census blocks or census block groups that have virtually no relation to telecommunications network designs and exchange boundaries. Therefore, WTA agrees with NTCA that, should a reverse auction mechanism be implemented, such auctions should be conducted for entire study areas. Winning bidders should be required to serve the entire study area, including all current customers that desire service, while any incumbent RLEC losing a reverse auction for its study area should be relieved, at its request, of its Eligible Telecommunications Carrier (“ETC”) status and obligations .

Public Interest Obligations. WTA agrees with NTCA that, if a reverse auction mechanism is implemented, any and all entities that apply to bid in such auctions should be required to make a detailed, upfront (*i.e.*, pre-auction) showing of their financial and technical ability to construct and operate the specific voice and broadband networks that they propose.¹⁴ In addition, WTA reiterates the proposals in its initial comments that when existing broadband networks and services are

¹⁴ NTCA Comments, pp. 10-11.

already in place and customers have selected their existing service arrangements, there must be weighting factors that reflect not only proposed services, but also existing presence, facilities and customer service operations, and the ability to upgrade and keep up with foreseeable increases in customer demand and broadband service needs.

Eligibility to Participate. WTA agrees with the Concerned RLECs that the only entities that should be eligible to participate in a reverse auction for an RLEC study area are the RLEC itself and the one or more unsubsidized competitors that have demonstrated during the challenge process that they actually can serve the requisite percentage of study area locations.¹⁵ There is no evidence that “more auction participants are more likely to lead to market-based support levels” (*Order* at ¶191). In fact, given the oft-repeated Commission observation that there is no business case for serving many rural areas, it is very important for an entity that accepts high-cost support and build-out obligations to have a demonstrably substantial interest and experience in serving the area for which it will receive support. Hence, it would be normally expected -- rather than surprising -- that only one or two serious and interested entities would apply for high-cost support for an auctioned rural study area, and should raise serious concerns if a group of speculators with no prior connection to a rural study area lined up to bid for its high-cost support. Moreover, as WTA noted in its initial comments, there was very substantial participation by satellite service providers in the CAF Phase II reverse auction. Whereas rural customers that want satellite broadband service can generally get it now, allowing satellite providers that have little or no incremental costs to serve additional customers and locations within their footprint area to compete in “open” reverse auctions against local terrestrial service providers raises a clear danger that high-cost support in at least some study

¹⁵ Comments of The Concerned Rural LECs, p. 13.

areas will be driven down close to the \$0.00 level of satellite incremental costs rather than to any sort of “market-based” support levels.

Auction Design. WTA reiterates its initial comments that a multi-round descending clock auction like the CAF Phase II mechanism would wreak havoc in an auction where individual RLEC study areas serve very different types of areas (including farming, ranching, forest, mining, desert and mountain areas) with very different cost characteristics and where the services of existing customers can and will be disrupted if the final clearing point percentage is too low for support to be provided for many existing study areas. Whereas the CAF Phase II mechanism appears to have resulted in a significant number of unserved areas remaining unserved, what happens to the existing customers and services of a study area that requires substantially more high-cost support than that associated with the final clearing point percentage?

Transition for Incumbent Provider. When an RLEC does not win a reverse auction and loses most or all of its existing high-cost support, there is no effective way to limit the loss of critical employees who are likely to leave to seek more promising long-term positions elsewhere. It will be equally difficult for such RLECs to obtain the loans and credit necessary to replace existing facilities, much less to upgrade or extend them. Hence, there is no ready and effective way for the Commission or RLECs to ensure that existing customers will not suffer loss or degradation of their voice service and broadband services prior to the deployment of service to their locations by a winning reverse auction bidder.

WTA agrees with NTCA that any future Commission reverse auction mechanism should include a 10-year “wind-down” mechanism for elimination of a losing RLEC’s high-cost support.¹⁶ Such a transition mechanism would help to protect the service of existing customers

¹⁶ NTCA Comments, p. 13.

until they would have the assurance of access to reasonably comparable and sustainable service alternatives, would allow lenders and investors to recover substantially more of the costs of RLEC broadband networks that were constructed in response to Commission rules and policies, and would minimize adverse impacts upon the Rural Utilities Service loan programs and those of private lenders and investors,

Frequency of Auctions. WTA agrees with NTCA and ITTA that a bi-annual reverse auction process is unreasonable and unworkable.¹⁷ That WISPA supports auctions every two years¹⁸ speaks for itself in demonstrating the apparent WISP focus upon disrupting the businesses and finances of existing RLEC service providers rather than making long-term investments to serve rural customers. As WTA indicated in its initial comments, nothing would undermine the predictability of any service provider's support or its ability to fund and make long-term investments more than having to go through the same reverse auction process every two years. Moreover, if the Commission were to adopt service and build-out milestones similar to the Year 3-to-Year 6 reports required for CAF Phase II auction winners, the bi-annual auctions would occur before the winners of the previous auction were required to meet and report their compliance with their Year 3 milestones, much less to complete their entire six-year build-out obligations. WTA agrees with NTCA that, if the Commission adopts any reverse auction alternative, such auctions should not be conducted any more frequently than once every ten years.¹⁹ A ten-year interval will provide a modicum of predictability and stability for cost-based RLECs that is at least minimally comparable to that enjoyed by the RLECs that could elect Alternative Connect America Cost Model ("ACAM") support.

¹⁷ NTCA Comments, p. 14; ITTA Comments, p. 13.

¹⁸ WISPA Comments, pp. 2-3.

¹⁹ NTCA Comments, p. 14.

II

A REASONABLE TRANSITION MECHANISM SHOULD BE ADOPTED TO MINIMIZE ADVERSE AND UNPREDICTABLE BUDGET CONTROL MECHANISM IMPACTS AS CONSUMERS MIGRATE TO STANDALONE BROADBAND SERVICES

Connect America Fund – Broadband Loop Support (“CAF-BLS”) for customer broadband-only loop (“CBOL”) service adoptions is closely interrelated with questions regarding the size and growth of the budget control mechanisms (“BCMs”) and their impacts upon broadband investment and the predictability of high-cost support flows.

WTA understands that that there is substantial demand by existing, new and former customers of its members and other RLECs for CBOL service. WTA has no desire to limit or slow CBOL service adoption. However, WTA is aware that unexpectedly rapid CBOL adoption can increase the size and growth of the BCMS, and that such growth can revive the predictability and sufficiency problems that plagued the cost-based RLEC sector during recent years.

Therefore, WTA joined with NTCA to propose that the Commission limit the increase in the number of CBOL conversions for which a cost-based RLEC may receive the broadband-only portion of CAF-BLS support to 10 percent of that carrier’s voice lines as of December 31 of the prior year, with any such limit expiring through an absolute sunset at the earlier of December 31, 2024 or the date on which the five-year budget review contemplated in paragraph 97 of the *Order* is completed. This proposal is prospective only, does not limit actual CBOL adoptions, and continues to provide support equivalent to that for voice and voice/broadband lines for new CBOL lines above the 10 percent annual conversion limit.

Finally, WTA noted that the impact of the proposed 10% limitation on annual CBOL conversions and the related BCM impacts may change somewhat – perhaps, significantly -- depending upon the number and characteristics of the current cost-based RLECs that elect to take

the proposed new ACAM II offer of model-based support that will be made by the Commission. WTA reserved the right to modify the CBOL proposal if such is needed to more effectively address potential BCM issues in light of changes to the high-cost support budget or the BCMs for cost-based RLECs after the ACAM II elections are made.

III

THE COMMISSION SHOULD ESTABLISH A TRIBAL BROADBAND FACTOR FOR CARRIERS SERVING TRIBAL LANDS

The inclusion of an equitable Tribal Broadband Factor for cost-based RLECs serving Tribal lands does not appear to be controversial or likely to generate significant opposition. WTA reiterates its support for a Tribal Broadband Factor for RLECs serving Tribal areas that elect to remain on cost-based Rate-of-Return support. These RLECs and their customers should have access to a Tribal Broadband Factor comparable to that of RLECs receiving model-based support – specifically, a reduction of the \$42.00 per month per line funding threshold for CAF-BLS in Tribal areas by 25 percent to \$31.50 in order to encourage additional broadband deployment on Tribal lands.

IV

CONCLUSION

WTA opposes the use of the CAF Phase II reverse auction mechanism in particular and reverse auctions in general in existing RLEC service areas because they focus upon short-term support reductions at the expense of the existing and future broadband service needs of the affected customers and because they make future high-cost support too unpredictable to justify long-term broadband infrastructure investments. Moreover, the specific CAF Phase II auction procedures under consideration: (1) require a robust, fact-based challenge process rather than the proposed

reliance upon incomplete and inaccurate FCC Form 477 data that fail to show the extent of actual “overlapping” and comparable service in the affected study areas; (2) disregard the economics and technology of the existing integrated networks serving RLEC study areas in order to auction off disaggregated and unrelated census block areas; (3) employ weighting factors that focus only upon bare future service promises with no consideration of local presence, staffing, experience and investment factors relevant to the ability to keep such promises; (4) allow participation by any and all “eligible” entities whether they have had any prior interest or experience in the auctioned study area, including satellite service providers with incremental cost structures that can preclude establishment of reasonable “market-based” support levels; (5) employ a descending clock auction process that wholly fails to consider the very different costs of serving the existing variety of rural study areas; (6) fail to include a transition plan capable of enabling losing RLECs to retain their existing employees and maintain their existing services and service quality until the auction winner is ready to furnish service, as well as to repay their outstanding broadband infrastructure loans; and (7) suggest an every two-year reverse auction schedule that is way too frequent to enable long-term broadband infrastructure investment and cost recovery.

WTA reiterates its joint proposal with NTCA that the Commission limit the increase in CBOL conversions for which a cost-based RLEC may receive the broadband-only portion of CAF-BLS support to 10 percent of that carrier’s voice lines as of December 31 of the prior year, with any such limit expiring through an absolute five-year sunset. WTA continues to reserve the right to modify this proposal if necessary to effectively address potential BCM issues in light of changes to the high-cost support budget or the BCMs for cost-based RLECs after the ACAM II elections are made.

Finally, WTA restates its support for an equitable Tribal Broadband Factor that will encourage additional broadband deployment on those Tribal lands served by RLECs that elect to remain on cost-based Rate-of-Return support.

Respectfully submitted,
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