



December 16, 2015

***Ex Parte Notice***

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

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

Dear Ms. Dortch:

In the attached document, NTCA–The Rural Broadband Association, USTelecom, and WTA-Advocates for Rural Broadband submit suggested buildout obligations, speed objectives, and reporting requirements to the extent that the Federal Communications Commission (the “Commission”) adopts a “bifurcated approach” to reform of universal service mechanisms.

Thank you for your attention to this correspondence. Pursuant to Section 1.1206 of the Commission’s rules, a copy of this letter is being filed via ECFS.

Sincerely,

/s/ Michael R. Romano  
Michael R. Romano  
Senior Vice President – Policy

Enclosure

cc: Carol Matthey  
Suzanne Yelen

## RoR Build-Out Obligations and Speed Objectives

### ***Introduction/Premise***

Because ICLS and HCLS recover past investments and operating expenses, the ability for any given carrier to achieve the build-out obligations and speed objectives described below is contingent upon anticipated end user revenues and the projected level of support from the BUSS, excluding those BUSS funds received for support of broadband-only lines already in service as of 12/31/15.

### ***Build-Out Obligations and Speed Objectives***

1. **Build-Out Obligations:** Each RoR company shall be required to deliver the then-current 706 speed standard upon “reasonable request.” This standard is currently 25/3. If a RoR company cannot deliver 25/3 to a consumer, it shall be required to deliver 10/1 to that consumer if that would be a “reasonable request” instead. If 10/1 cannot be delivered, then the RoR company shall be required to deliver 4/1 to that consumer if *that* would be a “reasonable request.” (In other words, each RoR company shall be obligated to attempt to achieve at least a minimum level of service to every consumer where reasonable requests permit.)
2. **Speed Objectives:**
  - a. In addition, annually, each RoR company shall target, to the extent practicable, at least 10% of its BUSS support for that year toward a goal of delivering broadband at the then-current 706 broadband speed to “4/1 Unserved Locations” (i.e., those locations lacking even 4/1 broadband).
  - b. Consistent with the current framework, the then-current 706 speed standard will also be used (along with other relevant factors) to determine the presence of unsubsidized competition that is capable of meeting the goals of universal service. The process for determining the presence of such competitors shall be consistent with that identified in the *ex parte* filing of NTCA, ITTA, USTelecom, and WTA on July 16, 2015.

### ***Reporting and Accountability***

The “5-year plan” component of the existing 481 form shall be eliminated. In its place, a new Broadband Availability Report (BAR) shall be submitted as part of the annual Form 481 filing and include prior calendar year end data. In the BAR, each RoR company will be required to report:

1. the progress the RLEC made during the preceding year (on both a percentage basis and by reference to absolute number of locations) to reach its remaining 4/1 Unserved Locations;
2. the percentage of its total locations to which it delivers broadband as of year-end at: (a) the then-current 706 speed; (b) 25/3 (if the 706 speed is higher); (c) 10/1; and (d) 4/1; and
3. any factors that affected the ability to complete build-outs during the preceding year to 4/1 Unserved Locations (e.g., such factors may include that the company is already at 100% of locations served at 4/1 or greater, requests were not “reasonable,” the RoR company completed in the past few years a substantial new deployment that already significantly decreased the amount of 4/1 Unserved Locations, etc.).

Each company shall keep records necessary to support the company’s progress.