

June 28, 2019

Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Connect America Fund
Docket No. 10-90**

Dear Ms. Dortch:

On Wednesday, June 26, 2019, Dave Duncan of the Iowa Communications Alliance, Ryan Boone of Premier Communications (Sioux Center, Iowa) and Tom Conry of Farmers Mutual Co-op Phone Co. (Harlan, Iowa) and the undersigned (collectively, the parties) met separately with (i) Preston Wise, Special Counsel to Chairman Ajit Pai, and (ii) Jesse Jachman, Nissa Laughner, Sue McNeil and Gilbert Smith of the Wireline Competition Bureau (WCB) (Mr. Conry did not participate in the meeting with the WCB).

In addressing the definition of the locations under the Alternative Connect America Cost Model (A-CAM), the parties expressed general support for the *Petition for Clarification or Declaratory Ruling* filed by Northeast Iowa Telephone Company and Western Iowa Telephone Corporation.¹ The parties also referred to the June 5, 2019, *ex parte* filing of NTCA–The Rural Broadband Association, which proposed changes to the HUBB FAQ and Guidance as published by the Universal Service Administrative Company (USAC).² These changes would address apparent discrepancies between the FAQ and Commission rules, which do not require separate equipment,

¹ *Connect America Fund: Petition for Clarification or Declaratory Ruling on the Definition of Location for Home Offices Under the Connect America Fund-Alternative Connect America Cost Model*, Docket No. 10-90 (May 6, 2019).

² *See, Connect America Fund: Ex Parte of NTCA-The Rural Broadband Association*, Docket No. 10-90 (Jun. 5, 2019).

facilities or an active subscription in order for the location to be counted for purposes of deployment obligations.³

In the meetings, the parties delineated various scenarios that are implicated by the current need to clarify the FAQ and reconcile it with applicable Commission rules. These include but are not necessarily limited to: business locations that occupy a separate structure on the same property at which a residential location exists, and at which a separate drop is deployed; separate business structures that may share a drop with a residential location, but likely have additional network or equipment needed to serve the separate business structure(s); and businesses in residential structures. For all scenarios, the discussion also addressed the Commission rules requiring service to be provided within 10 days.

To illustrate the various scenarios, the parties described typical agricultural applications which are becoming increasingly prevalent with precision agriculture. By way of example, a farmstead may utilize a connection at the house and separate connections at livestock and grain storage structures that are located on the same acreage. Broadband connections to livestock facilities, whether hog confinement operations, cattle barns or milking facilities, may be used for monitoring both the animals as well as climate, air quality and other conditions within the structure. In similar vein, broadband connections and IoT devices help grain silo management, reducing the risk of injuries while increasing operational efficiencies.⁴ For example, OSHA standards regulate the relative speed of feeding conveyors to bucket elevators; conveyors that run too fast can cause grain dust fires and explosions. Sensors can determine when speeds are approaching hazardous conditions, trigger alarms and stop the conveyor.⁵ Finally, the parties explained the precision agriculture can warrant a broadband connection to an equipment shed wherein a combine parks and uploads/downloads field data. Each of these applications can reside in a separate or shared facilities, and farms that raise both livestock and row crops may well undertake each endeavor under separate corporate entities for purposes relating not only to bookkeeping but also because each line of business is wholly distinct from the other.⁶

Other types of businesses conducted from residential properties are not uncommon in rural areas. NTCA members relate that businesses as diverse as “wrench shops” to insulation installers often

³ See, *Wireline Competition Bureau Reminds Connect America Phase II Model-Based Support Recipients of Upcoming Interim Deadlines*, WC Docket No. 10-90, Public Notice, DA 17-701 (rel. July 20, 2017), at fn. 1 (citing to 47 C.F.R. § 54.310(c) and *Wireline Competition Bureau Provides Guidance to Carriers Receiving Connect America Fund Support Regarding Their Broadband Location Reporting Obligations*, WC Docket No. 10-90, Public Notice, DA 16-1363 (rel. Dec. 8, 2016).

⁴ “Grain Dust Explosions Up, Injuries and Fatalities Decline,” Agriculture News, Purdue University (Feb 21, 2019) (<https://www.purdue.edu/newsroom/releases/2019/Q1/grain-dust-explosions-up,-injuries-and-fatalities-decline.html>, <https://www.nytimes.com/2012/10/29/us/on-us-farms-deaths-in-silos-persist.html>).

⁵ Jeanne Schweder, “The Internet of Things Inside Grain Operations,” Automation World (May 15, 2015) (<https://www.automationworld.com/article/topics/industrial-internet-things/internet-things-inside-grain-operations>).

⁶ These issues will likely be illuminated in additional detail as the Commission initiates the Precision Agriculture Task Force. See, *FCC Announces the Establishment of the Task Force for Reviewing Connectivity and Technology Needs of Precision Agriculture in the United States and Seeks Nomination for Membership*, Public Notice DA 19-568 (Jun. 17, 2019).

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occupy garages, machine sheds and other outbuildings in rural areas, many times on the same property as their residential location. These *bona fide* locations fit within the boundaries of the afore-mentioned Commission rules and should therefore be accommodated consistently within the guidance provided by the USAC FAQ.

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

Please do not hesitate to contact the undersigned should you have any questions or require additional information.

Respectfully,

s/Joshua Seidemann
Joshua Seidemann
Vice President, Policy

cc: Preston Wise
Jesse Jachman
Nissa Laughner
Sue McNeil
Gilbert Smith