



November 11, 2022

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

**Re: Future of Universal Service
Docket No. 21-476
*Notice of Ex Parte Presentation***

Dear Ms. Dortch:

On November 9, 2022, Godfrey Enjady (Mescalero Apache Telecom, Inc.), Doug Kitch (Moss Adams), Ardena Orosco (Councilwoman, Mescalero Apache Tribe), Brian Fickett (Tohono O'odham Utility Authority), Kevin Hamer (Akiak Holdings, LLC), Jerome Block and the undersigned met with Barbara Esbin, Bambi Krause, Sayuri Rajapakse, Lloyd Collier, Derik Goatson, and Jill Springer of the Consumer and Governmental Affairs Bureau, Office of Native Affairs and Policy, to discuss the need for policies to broadband-enabling infrastructure in Tribal regions.

The parties explained that generational funding opportunities provided for by COVID relief laws and the Infrastructure Investment and Jobs Act (IIJA) present unprecedented opportunities to deploy broadband infrastructure in Tribal regions. However, less clear is the provision of ongoing support that will enable the longer-term sustainability of those networks and the affordability of services offered over them. The parties expressed their concern that newly built networks in deeply rural areas such as Tribal lands will not be financially viable on an ongoing basis as the costs to operate those networks exceed amounts that can be reasonably recovered solely through end-user rates, thereby undermining clear Congressional intent to close the digital divide in Indian Country. The parties clarified the difference between programs that focus on the capital expense investments of initial deployments and the need for ongoing support to enable reasonably comparable services at reasonably comparable rates for users in rural and insular areas. The parties explained that the costs to deploy and operate advanced broadband networks in Tribal regions are significantly higher than average National costs. In support of these

presentations, the parties relied upon “[Evaluating the Critical Need for Broadband Sustainability Funding on Rural Tribal Lands](#),” an analysis authored by Mr. Kitch and Christopher S. Baron that explores these issues. The parties explained that various solutions may be considered by policymakers, including Tribal broadband factors that adjust support and/or buildout obligations for companies serving Indian Country.

The parties also discussed the value of partnerships between experienced incumbent providers and new entrants and described specifically the work of Mescalero Apache Telecom, Inc., to support a new Tribal broadband provider. The parties explained that various models and examples for partnerships and collaborations are available and referenced “[Partnership Opportunities in Rural Broadband Deployments](#),” an NTCA paper that features case studies and suggests avenues for incumbent and new entrants.

The parties also discussed pressing needs to develop broadband leadership among young people in Tribal regions, as well as the imperative to support workforce development efforts. In these regards the parties referenced “[Labor and Workforce Development in the Rural Telecom Sector](#)” and “[Broadband as a Bridge From Heritage to the Future](#),” NTCA papers that examine educational and leadership initiatives for rural and Tribal telecom efforts.

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 with ECFS.

Respectfully submitted,

s/ Joshua Seidemann

Joshua Seidemann

Vice-President Policy and Industry Innovation

cc: Barbara Esbin
Bambi Krause
Sayuri Rajapakse
Lloyd Collier
Derik Goatson
Jill Springer