



April 28, 2023

Ex Parte Notice

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

RE: *Connect America Fund, WC Docket No. 10-90; ETC Annual Reports and Certifications, WC Docket No. 14-58; Telecommunications Carriers Eligible to Receive Universal Service Support, WC Docket No. 09-197; Connect America Fund – Alaska Plan, WC Docket No. 16-271; Expanding Broadband Service Through the A-CAM Program, RM-11868*

Dear Ms. Dortch:

On Thursday, April 27, 2023, the undersigned on behalf of NTCA–The Rural Broadband Association (“NTCA”) spoke with Suzanne Yelen and Ted Burmeister of the Wireline Competition Bureau regarding matters in the above-referenced proceedings.

During the conversation, I highlighted three specific proposed updates of the Connect America Fund Broadband Loop Support (“CAF-BLS”) and High-Cost Loop Support mechanisms that NTCA submits are ready for and warrant adoption by the Federal Communications Commission (the “Commission”) based upon the record of these proceedings:

- (1) recalibrating the budget control mechanism (“BCM”) at the current level of demand;
- (2) recalculating the existing rule formulas for CAF-BLS deployment at 100/20 Mbps; and
- (3) offering a voluntary opportunity for CAF-BLS recipients elect to deliver at least 100/20 Mbps broadband to every serviceable location in their study areas on a time frame comparable to Broadband Equity, Access, and Deployment (“BEAD”) program commitments in exchange for relief from the BCM for five years.¹

¹ See, e.g., *Ex Parte* Letter from Michael R. Romano, Executive Vice President, NTCA, to Marlene H. Dortch, Secretary, Commission, WC Docket No. 10-90, *et al.* (filed Apr. 21, 2023), at 2-7; *Ex Parte* Letter from Michael R. Romano, Executive Vice President, NTCA, to Marlene H. Dortch, Secretary, Commission, WC Docket No. 10-90, *et al.* (filed Dec. 5, 2022), at 2-4; *Ex Parte* Letter from Michael R. Romano, Executive Vice President, NTCA, to Marlene H. Dortch, Secretary, Commission, WC Docket No. 10-90, *et al.* (filed Oct. 14, 2022), at 2-4; Comments of NTCA, WC Docket No. 10-90, *et al.* (filed July 18, 2022), at ii, 34-41.

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As a matter of process, I noted that the Commission had: (a) previously noted the potential need to revisit the BCM by 2024 and had sought comment on the potential implications of escalating standalone broadband demand on the BCM;² (b) identified in the most recent BCM waiver order a need “to consider CAF-BLS deployment obligations in light of changing speed needs and funding necessary to support deployment that will apply beginning in 2024;”³ and (3) in a notice of proposed rulemaking (“NPRM”) released less than one year ago, explicitly called for comment on “whether and how we should align the deployment obligations and required timeframes for deployment for CAF BLS carriers with any Enhanced [Alternative Connect America Cost Model (“ACAM”)] plan adopted by the Commission.”⁴

As a matter of substance, the Commission’s own observations in its call for comment in the NPRM on CAF-BLS matters provide a sound basis for near-term action to adopt these CAF-BLS updates; specifically, as the Commission stated, greater alignment between expectations for deployment and service levels between ACAM and CAF-BLS “would ensure similar deployment in areas served by carriers receiving support from an Enhanced ACAM Plan and those receiving support from CAF-BLS. In addition, such alignment would ease administration of the programs by minimizing the number of interim and final milestones in high-cost programs.”⁵ I further emphasized how action now to adopt the specific updates noted above is necessary as contemplated by the NPRM not only to ensure alignment with ACAM enhancements, but also to promote more effective coordination with the upcoming BEAD program. For these reasons, and for the many other reasons articulated in the well-developed record in these proceedings over time, NTCA reiterated that the Commission should therefore adopt the three updates identified above as part of an order in the near future.

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 Romano

Michael Romano

Executive Vice President

cc: Suzanne Yelen
Ted Burmeister

² *Connect America Fund, et al.*, WC Docket No. 10-90, *et al.*, Report and Order, Further Notice of Proposed Rulemaking and Order on Reconsideration, (rel. Dec. 13, 2018), at ¶¶ 97 and 200-202.

³ *Connect America Fund*, WC Docket No. 10- 90, Order (rel. May 10, 2022), at ¶ 12.

⁴ *Connect America Fund, et al.*, WC Docket No. 10-90, *et al.*, Notice of Proposed Rulemaking (rel. May 20, 2022), at ¶ 58.

⁵ *Id.*