

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Connect America Fund	)	WC Docket No. 10-90
	)	
Alaska Connect Fund	)	WC Docket No. 23-328
	)	
Connect America Fund—Alaska Plan	)	WC Docket No. 16-271
	)	
Universal Service Reform—Mobility Fund	)	WT Docket No. 10-208
	)	
ETC Annual Reports and Certifications	)	WC Docket No. 14-58
	)	
Telecommunications Carriers Eligible to Receive Universal Service Support	)	WC Docket No. 09-197

**REPLY COMMENTS  
OF  
NTCA—THE RURAL BROADBAND ASSOCIATION**

NTCA—The Rural Broadband Association (“NTCA”)<sup>1</sup> hereby submits these reply comments discussing the response to the Further Notice of Proposed Rulemaking issued by the Federal Communications Commission (“Commission”) in the above-captioned proceedings.<sup>2</sup> The *FNPRM* seeks comment on implementation of Phase II of the Alaska Connect Fund (“ACF”). As discussed below, the record in response to the *FNPRM* supports a flexible approach to implementation of the ACF that accommodates the individualized circumstances faced by operators in a state that the Commission itself has long recognized as presenting unique challenges for Internet Service Providers. The record also supports deferring consideration of

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<sup>1</sup> NTCA is an industry association composed of approximately 850 community-based companies and cooperatives that provide advanced communications services in rural America and more than 400 other firms that support or themselves are engaged in the provision of such services.

<sup>2</sup> *Connect America Fund*, WC Docket No. 10-90, *et al.*, Report and Order and Further Notice of Proposed Rulemaking, FCC 24-116 (rel. Nov. 4, 2024) (“*ACF Order*” or “*FNPRM*” where appropriate).

several questions raised by the *FNPRM* until related mapping and other issues are resolved, and avoiding as well Tribal consent rules that may disturb existing, successful engagement practices.

As an initial matter, NTCA joins the Alaska Telecom Association (“ATA”) in stressing the need for flexibility with respect to implementation of the ACF.<sup>3</sup> As ATA has discussed at length,<sup>4</sup> and as the Commission itself has repeatedly acknowledged,<sup>5</sup> operators in Alaska face a situation unlike those in the lower 48 states – the challenges of building and maintaining networks in severe weather, the lack of density that drives up per-line costs, and middle mile access are exacerbated by a frequent lack of connected roadway systems and/or electrical facilities.<sup>6</sup> Moreover, the variability of geography, terrain, and climate within the state means each carrier faces different challenges, and thus implementation of the ACF should account for this and eschew formulaic “one-size-fits-all” obligations imposed on support recipients. Rather, it is critical that ACF implementation is pursued via a flexible approach, one that is tailored to the individualized circumstances of carriers facing the challenges of serving Alaska and that can

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<sup>3</sup> Comments of ATA, WC Docket No. 10-90, *et al.* (fil. Feb. 3, 2025) (“*ATA Feb. 2025 comments*”), p. 5 (“The ACF Order marks a critical step forward but executing on its vision for fixed and mobile carriers over the next ten years will require a sustained commitment to the provision of service in the state as well as the flexibility to make adjustments where necessary.”).

<sup>4</sup> *Id.*, pp. 5-7. See also Comments of ATA, WC Docket No. 10-90, *et al.* (fil. Jan. 16, 2024) (“*ATA Jan. 2024 comments*”), pp. 5-7.

<sup>5</sup> *ACF Order*, ¶ 4. See also *Connect America Fund*, WC Docket No. 10-90, *et al.*, Report and Order and Further Notice of Proposed Rulemaking, FCC 16-115 (rel. Aug. 31, 2016), ¶ 1 (“Given the unique climate and geographic conditions of Alaska, we find that it is in the public interest to provide Alaskan carriers with the option of receiving fixed amounts of support over the next ten years to deploy and maintain their fixed and mobile networks.”)

<sup>6</sup> *ATA Jan. 2024 comments*, p. 5 (stating that “the vast majority of remote Alaska is not connected to a unified roadway system or electric grid. As a result, most locations cannot be connected to communications hubs via fiber placed along highway or railway rights of way, and power must be generated locally, unconnected to a statewide or regional power grid.”).

pivot should it be determined that doing so is necessary to best meet the needs of consumers within a particular community.

In addition, NTCA joins ATA and GCI Communication Corp (“GCI”) in expressing the need for a “data-driven” process to implementation of the ACF that resolves certain open issues – issue that underly many of the questions in the *FNPRM* – before proceeding further. As GCI states, “there are still many moving parts, including critical clarifications and gatekeeping decisions, that require resolution to ensure the ACF is a success.”<sup>7</sup> Much of the *FNPRM* is dedicated to determining support amounts “where more than one mobile provider had been receiving support for overlapping service areas,”<sup>8</sup> yet resolution of this issue turns in substantial part upon mapping data that, as ATA notes, will not be available until October 2025.<sup>9</sup> Without access to this mapping data, stakeholders are unable to assess fully the ramifications of many of the questions raised by the *FNPRM*. Moreover, with the *ACF Order* only recently adopted Alaska carriers have had little time to assess its implications for their operations, and thus understanding additional proposed changes to the ACF would be nearly impossible. In addition, the implications of the Broadband Equity, Access, and Deployment program for the state of Alaska – in particular where funds will be deployed – remain an open question not likely to be resolved in the near term. Yet this is a consideration that factors into answering many of the questions raised by the *FNPRM*. As ATA states, “[m]oving forward in a data-driven fashion is

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<sup>7</sup> Comments of GCI, WC Docket No. 10-90, *et al.* (fil. Feb. 3, 2025), p. 2. (“These and other outstanding questions make it premature for the Commission to evaluate and structure a competitive process to eliminate duplicate support.”).

<sup>8</sup> *FNPRM*, ¶ 194.

<sup>9</sup> *ATA Feb. 2025 comments*, p. 7. *See also* Comments of the Alaska Remote Carrier Coalition (“ARCC”), WC Docket No. 10-90, *et al.* (fil. Feb. 3, 2024), p. 35 (pointing to “the continuing need for mapping refinement to achieve an equitable outcome for all parties at a reasonable cost.”).

critical to understanding the public interest benefits and corresponding tradeoffs of any proposal.”<sup>10</sup> At present, stakeholders have neither the necessary data nor a full understanding of what the *ACF Order* means for their operations, and thus further consideration of the proposals found in the *FNPRM* should be held in abeyance for now.

Finally, NTCA joins ATA in asking the Commission to “avoid new prescriptive requirements”<sup>11</sup> with respect to Tribal consent for ACF recipients and instead keep in place what is an already effective engagement process within the state of Alaska. As ATA notes, its members take seriously their Tribal engagement responsibilities and have been successful in forging partnerships with Tribal entities across the state.<sup>12</sup> ATA points to “commercial practices in use today between Alaska Native entities and providers that functionally accomplish [the *FNPRM*’s] same goals.”<sup>13</sup> Moreover, nothing found in the record compels upsetting these existing engagement processes and mandating in their place more prescriptive consent provisions that could needlessly create confusing, time consuming, and expensive delays in connecting those in need of the benefits of the ACF. The Commission should instead leave in place a Tribal engagement regime that is effective at accommodating the complexities of Alaska’s Tribal landscape.

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<sup>10</sup> *ATA Feb. 2025 comments*, p. 8.

<sup>11</sup> *Id.*, p. 12.

<sup>12</sup> *Id.*, pp. 13-14.

<sup>13</sup> *Id.* See also ARCC, p. 26 (“In Alaska, ‘tribal consent’ takes the form of conventional commercial agreements between telecom service providers and indigenous owners of real property, usually via an easement or lease agreement. A conventional market-based approach is fair to all parties and is consistent with [the Alaska Native Claims Settlement Act], which extinguished unresolved indigenous land claims in perpetuity. If a tribal entity does not want a telecom service provider present, or does not desire to receive its service, it does not need to enter into an agreement with the company.”).

Respectfully submitted,



By: /s/ Michael R. Romano  
Michael R. Romano  
Executive Vice President  
[mromano@ntca.org](mailto:mromano@ntca.org)

By: /s/ Brian J. Ford  
Brian J. Ford  
Vice President – Federal Regulatory  
[bford@ntca.org](mailto:bford@ntca.org)

4121 Wilson Boulevard  
Suite 1000  
Arlington, VA 22203