



February 28, 2017

***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:

On Friday, February 24, 2017, the undersigned, on behalf of NTCA–The Rural Broadband Association (“NTCA”), spoke via telephone with Amy Bender, legal advisor to Commissioner Michael O’Rielly, regarding matters in the above-referenced proceeding.

During the conversation, NTCA expressed the urgency of action by the Federal Communications Commission (the “Commission”) with respect to two key outstanding universal service reform issues: (1) the need for a technical correction to or clarification of the Capital Investment Allowance adopted in last year’s reforms; and (2) the continuing adverse effects upon consumers arising out of application of the “rate floor” policy.

NTCA’s advocacy with respect to each issue was consistent with prior filings. *See Ex Parte* Letter from Michael R. Romano, Sr. Vice President, NTCA, to Marlene H. Dortch, Secretary, Commission, WC Docket No. 10-90 (filed Feb. 3, 2017). NTCA further noted that each issue is the subject of a pending petition for reconsideration, and that the Commission could therefore act immediately with respect to each of them. *See* Petition for Reconsideration and/or Clarification of NTCA, WC Docket No. 10-90, *et al.* (filed May 25, 2016), at 22-23 (highlighting the potentially drastic consequences for operators to the extent that investment exceeds the cap established by the allowance and the chilling effect such an interpretation would have on broadband infrastructure investment); Petition for Reconsideration of NTCA, *et al.*, WC Docket No. 10-90 (filed Aug. 4, 2014), at 10-11 (asking the Commission to review the methodology by which the rate floor is set and to “consider staying implementation of additional phase-in steps mandated by the Order pending full consideration of alternative rate floor calculation options in the context of a reconsideration proceeding or, if necessary, a further rulemaking proceeding.”)

Marlene H. Dortch

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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 –

Industry Affairs & Business Development

cc: Amy Bender