



October 27, 2016

***Ex Parte Notice***

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**RE: *Universal Service Reform – Mobility Fund, WT Docket No. 10-208  
Connect America Fund, WC Docket No. 10-90***

Dear Ms. Dortch:

On Tuesday, October 25, 2016, the undersigned, on behalf of NTCA–The Rural Broadband Association (“NTCA”), together with Michael Romano, Senior Vice President – Industry Affairs and Business Development from NTCA – The Rural Broadband Association met with Sue McNeil, Paroma Sanyal, Charles Eberle, Jon Wilkins, Jim Schlichting and Margie Wiener from the Federal Communications Commission’s (the “FCC” or “Commission”) Wireless Telecommunications Bureau (the “Bureau”) to discuss the above reference matter.

As an initial matter, NTCA has long believed that it would be appropriate for the Commission to seek further comment on specific proposals and the effects on current deployments in rural areas in particular before reaching any final decision with respect to Mobility Fund reform. Much has changed in the wireless market since the Commission considered updating the Universal Service Support construct for wireless providers and subsequent experience with reverse auctions and High Cost Universal Service reform can and should shape reforms of this program going forward.

During the meeting, we discussed the use of Form 477 data to determine which census blocks are considered covered by alleged “unsubsidized competitors” and therefore might be deemed ineligible for Mobility Fund II support. NTCA has highlighted numerous times in other contexts the existence of known flaws in the 477 data that are likely to overstate actual coverage area. To ensure that support is not at risk in areas where it is still needed to serve consumers, it is essential that the Commission adopt a robust and accessible 477 data challenge process to confirm purported coverage.

NTCA also believes that a reasonable transition to Mobility Fund II is critical given the long-term nature of the investments that are currently supported. Subjecting recovery of investments in technologies and assets that enable mobile services today to flash-cut elimination of support or aggressively rapid support reductions will put services in rural areas at serious risk. It would also seem important to recognize that the GSM and CDMA networks are incompatible and supporting only one kind of network via a reverse auction could result in a total loss of service for existing consumers, including even the ability to dial 911. Although technology may eventually moot the issue,

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incompatibility concerns will remain for the foreseeable future – necessitating again a thoughtful, carefully designed transition.

NTCA further believes that coverage for the purposes of determining who should receive Mobility Fund II support should be determined by reference to actual geography rather than road miles or population-based metrics. Using the latter measures may leave the most rural areas, including ranches and farms, without the wireless broadband coverage necessary to take advantage of rapidly advancing agriculture technology. It would be better, and more accurately reflect actual wireless need in rural America, if the Commission measured served by actual geography covered.

Finally, it is important that the Commission carefully consider how much funding is necessary to achieve the professed goal of the Mobility Fund program. Rather than start from arbitrary figures based upon support levels as of a date certain (which themselves may be driven by prior regulatory decisions), funding levels should be set at a level commensurate with the “job to be done” and in careful balance with the broader universal service programs overseen by the Commission.

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/ Jill Canfield

Jill Canfield

Vice President, Legal & Industry

Assistant General Counsel

cc: Sue McNeil  
Paroma Sanyal  
Charles Eberle  
Jon Wilkins  
Jim Schlichting  
Margie Wiener