



November 7, 2016

***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; Protecting and Promoting the Open Internet, WC Docket No. 14-28***

Dear Ms. Dortch:

On Thursday, November 3, 2016, the undersigned, on behalf of NTCA–The Rural Broadband Association (“NTCA”), met with Stephanie Weiner and Lisa Hone from the office of Chairman Tom Wheeler and Carol Matthey and Alexander Minard from the Wireline Competition Bureau regarding matters in the above-referenced proceedings.

Specifically, consistent with prior advocacy, NTCA discussed resolution of universal service fund (“USF”) budget concerns arising due to “oversubscription” for model-based support. *See Ex Parte* Letter from Michael R. Romano, Senior Vice President, NTCA, to Marlene H. Dortch, Secretary, Federal Communications Commission (the “Commission”), WC Docket No. 10-90 (filed July 28, 2016); Petition for Reconsideration and/or Clarification of NTCA, WC Docket No. 10-90, *et al.* (filed May 25, 2016) (“NTCA Petition”), at 12-14. NTCA observed that failure to achieve a prompt and thoughtfully designed resolution of budget concerns arising out of such oversubscription could both undermine model election efforts and have a significant punitive impact on non-model mechanisms – particularly the consumer rates for standalone broadband that are already highly likely to be negatively affected by insufficient USF support budgets. *See* NTCA Petition, at 2-9; *see also Ex Parte* Letter from Michael R. Romano, Senior Vice President, NTCA, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 10-90 (filed May 12, 2016) (identifying several options for addressing budget implications of model elections). Even as the Commission and the industry continue to examine potential options for addressing budget shortfalls on *both* sides of the USF mechanisms that support small carrier investments and operations, NTCA observed that, at minimum and above all else, any resolution of issues relating to model oversubscription: (1) must ensure calibration of buildout obligations to available model-based support to the extent that the increases that each model elector is slated to receive would be reduced; and (2) must not have an adverse impact of any kind now or in the future upon the hundreds of companies that did not elect model-based support but yet already face significant USF support reductions in 2017 due to “budget controls” that will hinder their ability to keep investing, to repay loans for investments already made, and to offer affordable, quality broadband services to consumers.

Marlene H. Dortch  
November 7, 2016  
Page 2 of 2

NTCA also discussed potential methods for putting into effect the measure enacted in the 2016 reform order that would place rural local exchange carriers on more equal footing with all other providers of broadband Internet access services with respect to USF contributions. NTCA urged a simple and straightforward means of implementing this measure on a prospective basis that would not introduce complexities in cost accounting or allocations.

Finally, NTCA discussed with Ms. Weiner and Ms. Hone specifically a circulating item that would address the current exemption provided to smaller operators from certain “enhanced transparency” requirements adopted in the 2015 Open Internet Order. NTCA urged the Commission to continue to provide an extension for smaller companies from these requirements, and as it may seek comment on such matters going forward, to take stock specifically of the burdens as noted on the existing record with respect to aspects of those requirements.

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: Stephanie Weiner  
Lisa Hone  
Carol Matthey  
Alexander Minard