



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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DA 18-1019

Released: October 3, 2018

**WIRELINE COMPETITION BUREAU SEEKS COMMENT ON PETITIONS FOR
DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER FOR THE
PURPOSE OF BECOMING ELIGIBLE TO RECEIVE CONNECT AMERICA FUND PHASE II
AUCTION SUPPORT**

WC Docket No. 09-197

Comments Due: October 17, 2018

Replies Due: October 24, 2018

The Wireline Competition Bureau seeks comment on several petitions for designation as an Eligible Telecommunications Carrier (ETC), as described in the Attachment to this Public Notice. Each of the petitioners is a winning bidder of Connect America support through the Connect America Fund (CAF) Phase II auction (Auction 903).¹ To the extent that these petitions specifically include areas outside of CAF-eligible census blocks for which the petitioners' won support (bid areas), the Bureau will treat the petition as a request for Lifeline-only designation in those areas (although the petitioner will be obligated to provide Lifeline services throughout its designation area).²

Interested parties may file **comments on or before October 17, 2018** and **replies on or before October 24, 2018**. All pleadings must reference **WC Docket No. 09-197**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.³

Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.

Paper Filings. Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary,

¹ See *Connect America Fund Phase II Auction (Auction 903) Closes; Winning Bidders Announced; FCC Form 683 Due October 15, 2018*, AU Docket No. 17-182, WC Docket No. 10-90, Public Notice, DA 18-887 (RBATF, WTB, and WCB rel. Aug. 28, 2018) (*Auction 903 Closing Public Notice*); see also *Connect America Fund et al.*, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 5949 (2016).

² See, e.g., *Connect America Fund et al.*, Fourth Order on Reconsideration, 27 FCC Rcd 8814, 8821-22, paras. 19-20 (2012) (explaining that a Lifeline-only ETC designation does not enable a carrier to receive high-cost support and noting distinctions between the obligations of such carriers). Recipients of high-cost support, including recipients of CAF support awarded pursuant to Auction 903, must offer the Lifeline discount on all qualifying services in areas where an ETC receives high cost support, deploy a network capable of delivering service that meets the Lifeline program's minimum service standards, and commercially offer such service pursuant to its high-cost obligations. 47 CFR Part 54, Subparts D, K, L, M.

³ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, Office of the Secretary, Federal Communications Commission.

- *Hand or Messenger Delivery.* All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- *Commercial Overnight Mail.* Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- *U.S. Postal Service first-class, Express, and Priority mail.* US postal service mail must be addressed to 445 12th Street, SW, Washington D.C. 20554.

Additional Copies. Parties should send a copy of their filings to Nissa Laughner, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, SW, Room 5-B444, Washington D.C. 20554, or by e-mail to Nissa.Laughner@fcc.gov.

People with Disabilities: To request materials in accessible formats (Braille, large print, electronic files, audio format) for people with disabilities, send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 or (202) 418-0432 (TTY).

Permit but Disclose Ex Parte Communications. For the purposes of the Commission's *ex parte* rules, each petition submitted pursuant to section 214(e)(6) will be treated as initiating a permit-but-disclose proceeding under the Commission's rules.⁴ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies).⁵ Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation.⁶ If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum.⁷ Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b).⁸ In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable.pdf).⁹ Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

⁴ See 47 CFR § 1.1206.

⁵ *Id.* § 1.2016(b)(2)(iii).

⁶ *Id.* § 1.206(b)(1).

⁷ *Id.*

⁸ *Id.* § 1.1206(b)(2).

⁹ *Id.* § 1.1206(b)(2)(i); see also *id.* § 1.49(f).

For additional information on this proceeding, please contact Nissa Laughner (Nissa.Laughner@fcc.gov) of the Wireline Competition Bureau, Telecommunications Access Policy Division, (202) 418-7400.

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ATTACHMENT

Winning Bidder	Petitioner (if Assignee) ¹	Date Filed	State(s)	Number of Census Blocks ²	Number of Supported Locations
Commnet Wireless, LLC	NTUA Wireless, LLC	9/21/18	AZ, NM, UT	3,046	7,041
Fond du Lac Communications, Inc. (FDLCI)	N/A	9/13/18	MN	8*	13
Hankins Information Technology	N/A	9/27/18	CA	106	1083
Northern Arapaho Tribal Industries, Inc. d/b/a Wind River Internet	N/A	9/26/18	WY	138*	849
Red Spectrum Communications, LLC	N/A	9/12/18	ID	50*	185
Rural Electric Cooperative Consortium	Central Virginia Services, Inc. (CVSI)	9/24/18	VA	1,529	10,827
Rural Electric Cooperative Consortium	Gibson Connect, LLC	9/27/18	TN, KY	69*	336
Rural Electric Cooperative Consortium	PGEC Enterprises, LLC	9/27/18	VA	1,046*	5,287
Rural Electric Cooperative Consortium	BARC Connects, LLC	9/28/18	VA	276	1,734
Rural Electric Cooperative Consortium	Empower Broadband, Inc.	9/28/18	VA	166*	838

¹ Pursuant to the divide winning bid process established in the *Auction 903 Closing Public Notice*, winning bidders assigned certain winning bids to related entities. *Auction 903 Closing Public Notice*, DA 18-887.

² Consistent with the requirements specified for completion of the long-form application, we define the designated service area for the bid area based on the published list of CAF-eligible census blocks associated with the individual petitioner's winning bids, thus superseding any discrepancies in the petitions' descriptions of such areas. See Connect America Fund Phase II: Assignments - Assigned Census Blocks, https://auctiondata.fcc.gov/public/projects/auction903/reports/all_assigned_census_blocks. Cells marked with "*" seek designation outside the CAF-eligible census blocks as a Lifeline-only ETC.