



October 10, 2017

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Connect America Fund, WC Docket No. 10-90  
Comments on Preliminary Determination of Rate-of-Return Study Areas  
100 Percent Overlapped by Unsubsidized Competitors

On August 11, 2017, the Wireline Competition Bureau ("Bureau") released its preliminary determination of rate-of-return study areas that are 100 percent overlapped by an unsubsidized competitor.<sup>1</sup> Vantage Point Solutions, a consultant for Winn Telephone Company ("Winn Tel"), files these comments to dispute the Bureau's preliminary determination.

In the Public Notice, the Bureau preliminarily determined Winn Tel's study area in Michigan (SAC:310737) is 100% overlapped by an unsubsidized competitor, CMSInter.Net LLC ("CMS"). As shown in a sworn statements by Wendy Judge, who made preliminary inquiries regarding CMS's service in Winn Tel's study area and found that CMS is unable to provide qualified service to all locations in at least 2 census blocks (260730003003045 and 260730003003046). Please see the following two sworn statements as evidence.

For the reasons set forth herein, Vantage Point Solutions on behalf of Winn Tel submits that the Bureau's determination is incorrect. This evidence indicates Winn Tel is not 100% overlapped by an unsubsidized competitor and not subject to the elimination of high-cost universal service as adopted in the 2011 USF/ICC Transformation Order.

Regards,

/s/ Heath Koth

Heath Koth  
Senior Financial Analyst  
Vantage Point Solutions

<sup>1</sup> Public Notice, DA 17-760, August 11, 2017

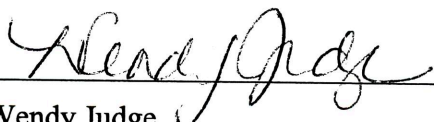
**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	WC Docket No. 10-90
Wireline Competition Bureau	)	
Publishes Preliminary Determination	)	
of Rate-of-Return Study Areas 100 Percent	)	
Overlapped by Unsubsidized Competitors	)	

**SWORN STATEMENT OF WENDY JUDGE**

I, Wendy Judge, being of lawful age and duly sworn, state as follows:

1. My name is Wendy Judge.
2. At 3:30 pm on 09/25/17, I called CMSInter. Net, LLC to inquire about getting service at 11402 S. Nottawa, Riverdale, MI 48877. I have attached my notes from my call with CMS Customer Service Representative, Brandon, and have labeled it "Attachment A."
3. I called the CMS Customer Service Representative number 1-800-962-7022.
4. I spoke with Brandon who informed me CMS could not provide internet service to my location.
5. This completes my Sworn Statement.

  
\_\_\_\_\_  
Wendy Judge  
Declarant

CMS  
18009627022

## Service Request Instructions and Call Notes

*Thank you for helping your local telecommunications company test competitor coverage. If you have any questions about this process, please contact Heath Koth at Vantage Point Solutions (heath.koth@vantagepnt.com, 605-995-1832).*

*Your goal is to inquire about securing service without broadcasting to the competitor this is part of a test. Take good notes while you are on the phone. After the call is completed, Vantage Point Solutions will type up your notes, have you sign an affidavit and file them with regulators.*

Date 9-25-17 Time 3:30p - Brandon  
11402 S. Nottawa, Riverdale

### 1. Opening

Let the customer service representative (CSR) know you are interested in getting wireless Internet service. They will probably ask for your name and address. Feel free to provide that information.

The CSR may indicate they **cannot** provide service in your area. If that is the case, complete this section:

☒ CSR indicated they **cannot** provide service in my area.

Reason given: \_\_\_\_\_  
\_\_\_\_\_

### 2. Identifying Options

Ask the CSR what Internet speed packages and prices they offer. Record what he/she tells you.

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**SWORN STATEMENT OF WENDY JUDGE**

I, Wendy Judge, being of lawful age and duly sworn, state as follows:

1. My name is Wendy Judge.
2. At 1:16 pm on 09/21/17, I called CMSInter. Net, LLC to inquire about getting service at 11300 Alfred's Way Riverdale, MI 48877. I have attached my notes from my call with CMS Customer Service Representative, Brandon, and have labeled it "Attachment A."
3. I called the CMS Customer Service Representative number 1-800-962-7022.
4. I spoke with Brandon who informed me CMS could not provide internet service to my location.
5. This completes my Sworn Statement.

  
\_\_\_\_\_  
Wendy Judge  
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CMS  
18009627022



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Date 9/21/17 Time 1:16 p - Brandon  
11300 Alfred's Way  
Riverdale

### 1. Opening

Let the customer service representative (CSR) know you are interested in getting wireless Internet service. They will probably ask for your name and address. Feel free to provide that information.

The CSR may indicate they **cannot** provide service in your area. If that is the case, complete this section:

☒ CSR indicated they **cannot** provide service in my area.

Reason given: \_\_\_\_\_  
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### 2. Identifying Options

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