



October 12, 2018

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Room TW-A325
Washington, D.C. 20554

RE: **Ex parte filing** in WC Docket Nos. 10-90, 14-58, 07-135 and CC Docket No. 01-92

Dear Ms. Dortch:

On October 10, the undersigned from GVNW Consulting, Inc. (GVNW) and Eric Schmidt from Home Tel Co. (St. Jacob, Illinois) conducted separate *ex parte* meetings with Wireline Legal Advisor Arielle Roth and Legal Intern Kagen Despain from Commissioner O’Rielly’s office, and with Chief of Staff Travis Litman from Commissioner Rosenworcel’s office.

The *ex parte* meetings included our observations about ways to improve the competitive overlap process. We emphasized that the competitive overlap process should be structured to provide as many rural residents with quality broadband service as possible, and the possible benefits of more granular reporting. We also discussed briefly slide 5 from the Connect America Fund Phase II Auction Results from the Rural Broadband Auctions Task Force presentation at the FCC Open meeting of September 26, 2018. That slide indicated that only 0.25% of locations by speed tier was at a level of 10/1 Mbps – 25/3 Mbps, while almost half (46.75%) of locations by speed tier was shown as 25/3 Mbps – 100/20 Mbps.

As noted in the comments and replies from the Illinois RLECs, the burdensome aspects of the current process could be eliminated by replacing the Form 499 trigger with a “*substantiated assertion and associated data submission from a purported unsubsidized competitor.*” In a study area identified as being 100 percent overlapped, if the unsubsidized voice and broadband competitor(s) cited as the overlapping party does not file supporting data in the initial comment round of the proceeding, no further action need to be taken by the incumbent and the lack of filing of such data shall automatically trigger the final determination by the Commission that the tentatively identified overlap is null and void for that proceeding. Filing by the alleged over lapper in the reply round will not be permitted if the party did not participate in the comment round of the proceeding.

Maintaining adequate and sufficient federal universal service funding (FUSF) is required for implementation of all of the Commission’s universal service initiatives. As required by the

Commission's rules, this *ex parte* record is now filed in the above referenced dockets. If there are any questions, please call me on 503-612-4409.

Sincerely,

Filed ECFS

Jeffry H. Smith
President and CEO

Copy to

Arielle Roth, FCC
Travis Litman, FCC
Kagen Despain, FCC