

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Connect America Fund)	WC Docket No. 10-90
)	
Connect America Fund Phase II Auction)	AU Docket No. 17-182

REPLY COMMENTS OF THE RURAL WIRELESS ASSOCIATION, INC.

RURAL WIRELESS ASSOCIATION, INC.

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SUMMARY

The Rural Wireless Association, Inc. (“RWA”) replies to the comments filed in response to the Federal Communications Commission’s (“FCC”) Public Notice seeking comment regarding competitive bidding procedures and program requirements for the Connect America Fund Phase II (“CAF-II”) auction (“Auction 903”).

RWA opposes the use of package bidding in the CAF-II Auction. Package bidding would benefit large carriers to the detriment of small wireless carriers and rural consumers, and would introduce unnecessary complexity into the CAF-II Auction. RWA urges the FCC to follow recent past precedent in both spectrum and universal service reverse auction proceedings and disallow the use of package bidding in the CAF-II Auction.

The Wireless Internet Service Providers Association (WISPA) joined RWA in its support for the FCC’s proposal to use census block groups containing one or more eligible census blocks as the minimum geographic area for auction bidding. RWA urges the FCC to adopt its proposal to use census block groups, rather than census tracts, as the minimum geographic bidding area for Auction 903.

RWA has expressed concern that the auction’s complexity, coupled with the FCC’s proposed anti-collusion rules, may limit its members’ participation. Other commenters shared RWA’s concern regarding the possible lack of access to necessary auction assistance. RWA urges the FCC to seriously consider its recommendations, and those offered by WISPA and the Rural Coalition, to address these issues. The inability to rely on a limited pool of experienced third parties could prevent many small and rural carriers from participating in Auction 903 – an unintended consequence the FCC should endeavor to avoid.

RWA is concerned that the presence of a “locations” gap will negatively impact Auction 903 and resulting broadband deployment. RWA joins Vantage Point in urging the FCC to allow successful CAF II bidders impacted by the “locations gap” that exists between the model-indicated locations and the actual number of locations within the CAF II eligible census blocks to utilize three forms of relief. The FCC should also expand the definition of “location” to better meet facts on the ground. Agricultural- and utility-based facilities not considered a "residence" or a "small business" should be counted as locations for the purposes of meeting deployment obligations.

Finally, the FCC should modify its proposed auction eligibility requirements and should not impose additional requirements on spectrum-based applicants.

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REPLY COMMENTS OF THE RURAL WIRELESS ASSOCIATION, INC.

The Rural Wireless Association, Inc. (“RWA”) replies to the comments filed in response to the Federal Communications Commission’s (“FCC” or “Commission”) Public Notice seeking comment regarding competitive bidding procedures and program requirements for the Connect America Fund Phase II (“CAF-II”) auction (“Auction 903”).¹

I. THE COMMISSION SHOULD NOT ALLOW PACKAGE BIDDING IN THE CAF-II AUCTION.

RWA opposes the use of package bidding in the CAF-II Auction. The use of package bidding would benefit large carriers to the detriment of small wireless carriers and rural consumers, and would introduce unnecessary complexity into the CAF-II Auction. The Commission has proposed “package bidding procedures that will give bidders the option to place bids to serve a bidder-specified list of census block groups....”² Further, the Commission also proposes that each census block group, in the list of census block groups comprising a bidder’s specified package bid, must be in the same state,³ and seeks comment on whether it “should set a limit on the total amount of implied support that may be included in a single package.”⁴

¹ [Public Notice](#), *Comment Sought on Competitive Bidding Procedures and Certain Program Requirements for the Connect America Fund Phase II Auction (Auction 903)*, AU Docket No. 17-182, WC Docket No. 10-90 (rel. Aug. 4, 2017) (*Public Notice*).

² *Public Notice* at ¶ 90.

³ *Id.* at ¶ 91.

⁴ *Id.*

RWA agrees with U.S Cellular that “the Commission should not adopt its proposal to provide Auction 903 bidders with a package bidding option. Instead, the Commission should permit only individual bids to serve locations in eligible census blocks within specified census block groups. Prohibiting auction participants from bidding on packages of bidder-specified lists of census block groups will help to realize the Commission’s objectives for an effective, competitive, and successful CAF-II auction...”⁵ For the reasons outlined below, RWA urges the Commission to follow recent past precedent in both spectrum and universal service reverse auction proceedings and disallow the use of package bidding in the CAF-II Auction.

a. Package Bidding Would Benefit Large Carriers to the Detriment of Small Wireless Carriers and Rural Consumers.

The Commission has stated its intention that the CAF-II framework be one that encourages participation by small carriers. Chairman Pai highlighted the importance of encouraging participation by smaller carriers, stating that whether carriers and other service providers seeking CAF-II support in Auction 903 “have two hundred customers or two million, we want them to join in our mission to connect all Americans.”⁶ But the Commission’s package bidding proposal threatens the Commission’s goal that the CAF-II auction be a process in which carriers of all types and sizes actively take part.

RWA agrees with U.S. Cellular that the Commission’s package bidding proposal “would enable large carriers to fashion package bids on a statewide basis, threatening to crowd

⁵ [Comments](#) of United States Cellular Corporation, AU Docket No. 17-182, WC Docket No. 10-90 (Sept. 18, 2017) (*U.S. Cellular Comments*).

⁶ *Public Notice*, Statement of Chairman Ajit Pai. Chairman Pai has stated that “[The Commission] expect[s] that this auction will attract companies that have never before received universal service funding. Among others, I’m thinking here about some small competitive providers and electrical co-operatives that want to bring fiber to neighbors currently on the wrong side of the divide. And fixed wireless providers that can efficiently serve remote areas. And satellite providers aiming to bring connectivity that’s comparable to land-based networks. This is an exciting opportunity.”

out smaller carriers and to block their efforts to win CAF-II funding for targeted rural service areas.”⁷ Rural carriers tend to be small businesses seeking to serve limited target areas near their traditional service areas, and generally lack both the resources and incentive to make large package bids. To the extent large carriers’ package bids include “sparsely populated rural areas,” RWA agrees that “smaller carriers targeting these sparsely populated areas would have difficulty competing against the package bids of larger carriers.”⁸

While such a result is obviously detrimental to rural carriers, it threatens to delay broadband deployment to rural consumers as well. Although large carriers *would* be required to deploy broadband to sparsely populated areas included in their package bids within the 10-year support term for CAF-II, RWA is concerned that large carriers would opt to first meet their build-out requirements by deploying in the more heavily populated eligible areas. As is typical, rural areas will be relegated to the back of the line. As a result, the use of package bidding would further delay advanced broadband deployment in rural areas.

Package bidding simply isn’t necessary to the ultimate success of Auction 903. Large carriers rarely, if ever, have difficulty out-bidding small, rural carriers at auction – the areas that they want, they’ll be able to get *with or without package bidding*. But utilizing package bidding will make it extremely difficult for RWA’s members and other similarly situated entities to have a meaningful opportunity to be successful in the CAF-II Auction.

⁷ *U.S. Cellular Comments* at p. ii.

⁸ *Id.* at pp. 6-7.

b. The Use of Package Bidding Would Unnecessarily Complicate the CAF-II Auction.

The Commission has recognized that the use of package bidding increases auction complexity⁹ – and does so to the detriment of small and rural bidders.¹⁰ As noted by U.S.

Cellular, package bidding drastically increases the number of bid possibilities, which raises the cost for bidders to evaluate their options and have a probability of success. It can also increase auction length, which imposes costs on both bidders and the Commission.¹¹

⁹ *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, [Notice of Proposed Rulemaking](#), GN Docket No. 12-268, ¶ 62 (rel. Oct. 2, 2012) (concluding that “[p]ackage bidding options generally complicate an auction”); *see also Implementation of Section 309(j) of the Communications Act – Competitive Bidding*, Second Report and Order, PP Docket No. 93-253, 9 FCC Rcd 2348, 2366, ¶ 102 (1994), quoted in [Comments of U.S. Cellular](#), GN Docket No. 12-268, GN Docket No. 13-185, at p. 40 n.183. (stating that “[c]ombinatorial bidding would ... add one more layer of complexity to implementing an auction.”).

¹⁰ *See Auction of H Block Licenses in the 1915-1920 MHz and 1995-2000 MHz Bands Scheduled for January 14, 2014, Notice and Filing Requirements, Reserve Price, Minimum Opening Bids, Upfront Payments, and Other Procedures for Auction 96*, [Public Notice](#), DA 13-1885, AU Docket No. 13-178, ¶ 131-133 (WTB 2013) (rejecting hierarchical package bidding and noting that “most [parties] oppose implementing any form of package bidding in Auction 96[,]” in part because package bidding would “add[] unnecessary complexity to the auction, which would be most felt by smaller bidders”).

¹¹ *U.S. Cellular Comments* at ¶ 10.

RWA has long opposed package bidding for these reasons,¹² and shares the concerns of other commenters regarding the complexity of the CAF-II auction.¹³ By introducing package bidding (and therefore needless complexity and increased auction participation costs) into Auction 903, the Commission will impair the ability of small and rural wireless carriers to compete at auction and further delay advanced broadband deployment in rural areas.

c. Commission Precedent Weighs Against Package Bidding.

The Commission has rejected package bidding in both spectrum auctions and in competitive bidding for universal service support, and should do so again in relation to Auction 903. In the recent 600 MHz Forward Auction (Auction 1002), the Commission decided “not...to incorporate package bidding procedures...because of the additional complexity that package bidding would introduce into the auction” and noted its agreement “with small carriers that package bidding could bring unnecessary complexity into an already complex auction.”¹⁴ In the Mobility Fund Phase I reverse auction (Auction 901), the Commission declined to permit

¹² See e.g., [Comments](#) of the Rural Wireless Association, Inc. and NTCA – The Rural Broadband Association, AU Docket No. 14-252, GN Docket No. 12-268 (Feb. 20, 2015) (stating “[t]he [Commission’s] decision against package bidding will increase [rural carriers’] participation and competition in the Incentive Auction, and improve wireless service to consumers as a result.”); see also [Letter](#) from Caressa D. Bennet, General Counsel, RWA, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 12-268, GN Docket No. 13-185 (Apr. 11, 2014) (stating “RWA opposes efforts to incorporate package bidding into the auction process because it would force small and rural carriers to bid on license areas that extend beyond the carriers’ service territories and are so large as to make participation in the auction all but impossible.”); see also *Service Rules for Advanced Wireless Services H Block – Implementing Section 6401 of the Middle Class Tax Relief and Job Creation Act of 2012 Related to the 1915-1920 MHz and 1995-2000 MHz Bands*, [Petition for Reconsideration](#) of the Rural Wireless Association, Inc., WT Docket No. 12-357 (Sept. 16, 2013) (stating that [t]o the extent the Wireless Telecommunications Bureau (“Bureau”) decides to also adopt combinatorial package bidding in Auction 96, particularly “Hierarchical Package Bidding” that could allow bidders to aggregate areas into a nationwide bid, the harm imposed on rural consumers would be grossly compounded.”).

¹³ *WISPA Comments* at p. 26, *Rural Coalition Comments* at p. 6, [Comments](#) of the American Cable Association, WC Docket No. 10-90, AU Docket No. 17-182 (Sept. 18, 2017).

¹⁴ *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, [Report and Order](#), FCC 14-50, GN Docket No. 12-268, ¶ 510 (2014).

package bidding because its absence would “simplify the bidding process.”¹⁵ RWA agrees with the Commission’s past conclusions that package bidding would: (1) not be consistent with the Commission’s goal of encouraging entry by providers that contemplate offering service on a localized basis; and (2) discourage bidders, particularly small or regional entities, from participation,¹⁶ and urges the Commission to forgo package bidding in Auction 903.

II. ADDITIONAL PARTIES JOIN RWA IN SUPPORTING ADOPTION OF CENSUS BLOCK GROUPS OVER CENSUS TRACTS AS THE CAF-II MINIMUM GEOGRAPHIC BIDDING AREA.

In its initial comments, RWA stated its support for the Commission’s proposal to use census block groups containing one or more eligible census blocks as the minimum geographic area for auction bidding.¹⁷ The Wireless Internet Service Providers Association (WISPA) joined RWA in its support for census block groups, stating that “census block groups should be the minimum geographic bidding units for the Phase II auction,” and that “[b]idders that desire to obtain support to serve larger geographic areas can simply be the low bidder for all census block groups for which they desire support... Census block groups can serve as building blocks for larger geographic areas, whereas establishing larger geographic bidding areas would shut out some targeted service models and thereby limit the bidding pool.”¹⁸ RWA agrees, and appreciates the Commission’s recognition that the use of census tracts would be “problematic for

¹⁵ See *Mobility Fund Phase I Auction Scheduled for September 27, 2012, Notice and Filing Requirements and Other Procedures for Auction 901*, [Public Notice](#), DA 12-641, AU Docket No. 12-25, ¶ 137 (WTB & WCB 2012) (declining to permit package bidding because the absence of package bidding “may simplify the bidding process”).

¹⁶ *Comment Sought on Competitive Bidding Procedures for Broadcast Incentive Auction 1000, Including Auctions 1001 and 1002*, [Public Notice](#), AU Docket No. 14-252, GN Docket No. 12-268, FCC 14-191 (rel. Dec. 17, 2014).

¹⁷ [Comments](#) of the Rural Wireless Association, Inc., WC Docket No. 10-90, AU Docket No. 17-182, at pp. 1-2 (Sept. 18, 2017).

¹⁸ [Comments](#) of the Wireless Internet Service Providers Association, AU Docket No. 17-182, WC Docket No. 10-90, at pp. 2-3 (Sept. 18, 2017) (*WISPA Comments*).

small providers that may seek to construct smaller networks or expand existing networks because a larger minimal geographic area, like a census tract...may extend beyond a bidder's service territory, franchise area, or license area.”¹⁹ As such, the Commission should adopt its proposal to use census block groups, rather than census tracts, as the minimum geographic bidding area for Auction 903.

III. GIVEN THE COMPLEXITY OF AUCTION 903, THE COMMISSION SHOULD ADOPT ANTI-COLLUSION RULES THAT FACILITATE PARTICIPATION BY SMALL AND RURAL SERVICE PROVIDERS.

In its initial comments, RWA expressed concern that the auction's complexity, coupled with the Commission's proposed anti-collusion rules, may limit its members' participation. Other commenters shared RWA's concern regarding Auction 903's complexity and the possible lack of access to necessary auction assistance. WISPA, together with the American Cable Association and NTCA – The Rural Broadband Association, other trade associations that represent small broadband providers, recently submitted a letter expressing concerns over the complexity of the auction and the need for bidders to retain qualified consultants to assist them.²⁰ RWA agrees that the Commission should adopt a flexible interpretation of its anti-collusion rules and that, without such flexibility, “the complexity of the auction process, coupled with the finite number of qualified consultants capable of providing critical expertise on bids and bidding strategies in a first-ever reverse auction for subsidies, would deter would-be bidders from participating at all.”²¹

¹⁹ *Public Notice* at ¶ 13.

²⁰ See [Letter](#) from Ross Lieberman (ACA), Michael Romano (NTCA) and Stephen Coran (WISPA) to The Hon. Chairman Ajit Pai, *et al.*, AU Docket No. 17-182, WC Docket No. 10-90 (filed Sept. 15, 2017).

²¹ *WISPA Comments* at p. 5.

In its initial comments, RWA urged the Commission to specifically permit small business participants to retain, on an individual basis, the same attorneys that are retained by other bidders. The attorney is duty bound to ensure that he or she, as well as others whose services he or she utilizes, do not disclose or use the confidences or secrets of a client.²² This requirement should be sufficient to prevent waste, fraud and abuse of Universal Service Fund resources and protect the integrity of the auction process.²³

“To mitigate uncertainty involving activities that might raise concerns about prohibited communications while still ensuring that the opportunity for collusive behavior is minimized,” WISPA asked the Commission to adopt a “safe harbor” of conduct that will be deemed to not be a violation of the Commission’s anti-collusion rules.²⁴ Under WISPA’s approach, a bidder would not be in violation of the anti-collusion rules if its consultant does not advise another applicant bidding for the same census block group.

The “Rural Coalition,” a coalition that includes NTCA – The Rural Broadband Association, the National Rural Electric Cooperative Association, and the Utilities Technology Counsel, recommended that the Commission provide a safe harbor certification, “based on the attestation required by the State of New York – which will be the sole anti-collusion requirement for bidding to receive CAF Phase II support in New York because the Commission exercised

²² For example, members of the District of Columbia Bar are subject to [Rule 1.6\(a\)](#) which provides:

(a) Except when permitted under paragraph (c), (d), or (e), a lawyer shall not knowingly:

- (1) reveal a confidence or secret of the lawyer’s client;
- (2) use a confidence or secret of the lawyer’s client to the disadvantage of the client;
- (3) use a confidence or secret of the lawyer’s client for the advantage of the lawyer or of a third person.

District of Columbia Bar Rules of Professional Conduct, Rule 1.6(f) provides: “A lawyer shall exercise reasonable care to prevent the lawyer’s employees, associates, and others whose services are utilized by the lawyer from disclosing or using confidences or secrets of a client...”

²⁴ *WISPA Comments* at p. 5.

forbearance from applying its prohibited communications rule to the distribution of funds under the New York Broadband Program.”²⁵ For purposes of the New York Broadband Program, providers must comply with the following provisions and attest as follows:

(1) [T]heir applications—including the costs presented and grant amounts requested therein—have been developed independently, without collusion, consultation, communication, or agreement for the purposes of restricting competition...; (2) unless otherwise required by law, the costs presented and grant amounts requested... will not knowingly be disclosed by the applicant to any other applicant or to any competitor; and (3) no attempt has been made, or will be made, by the Applicant to submit or to not submit an application for the purposes of restricting competition....

RWA urges the Commission to seriously consider each of these recommendations.

The inability to rely on a limited pool of experienced third parties could prevent many small and rural carriers from participating in Auction 903 – an unintended consequence the Commission should endeavor to avoid.

IV. THE COMMISSION SHOULD ADDRESS THE “LOCATIONS GAP.”

RWA is concerned that the presence of a “locations” gap will negatively impact Auction 903 and resulting broadband deployment. The record in this proceeding indicates that the models used by the FCC do not accurately identify the number of actual locations in the field.²⁶ RWA joins Vantage Point in urging the Commission to allow successful CAF II bidders impacted by the “locations gap” that exists between the model-indicated locations and the actual

²⁵ [Comments](#) of the Rural Coalition, AU Docket No. 17-182, WC Docket No. 10-90, at p. 15 (Sept. 18, 2017) (*Rural Coalition Comments*).

²⁶ [Letter](#) from Larry Thompson, Chief Executive Officer, Vantage Point Systems, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90 (July 13, 2015); *see also* [Letter](#) from Dustin Johnson, Vice President of Consulting, Vantage Point Systems, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90 (Jan. 6, 2016); *see also* Letter from Michael Golob, Senior Vice President, Network Engineering Integration, Frontier Communications, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90 (Dec. 30, 2015); *see also* [Comments](#) of Vantage Point Solutions, WC Docket No. 10-90, at pp. 3-4 (Sept. 18, 2017) (*Vantage Point Solutions Comments*).

number of locations within the CAF II eligible census blocks to utilize three forms of relief.²⁷ In particular, the Commission should:

1. Allow carriers to deploy to 95% of the required number of locations without reducing support;
2. Allow carriers having service available to all actual locations in a census block to receive credit for having service available to all model-indicated locations within that census block; and
3. Allow carriers to reduce their deployment obligations with a commiserate support reduction.

The Commission should also expand the definition of “location” to better meet facts on the ground. The Commission’s current definition of “location” is not a good fit for the emerging realities of future wireless broadband deployment. RWA agrees that the “Internet of Things” will provide substantial benefits to rural areas.²⁸ Precision agriculture, livestock operations, and oil and gas development installations will all require connectivity.²⁹ To better account for that future, the FCC should allow agricultural-based and utility-based facilities not considered a “residence” or a “small business” to be counted as locations for the purposes of meeting deployment obligations.

V. THE COMMISSION SHOULD MODIFY ITS PROPOSED AUCTION ELIGIBILITY REQUIREMENTS AND SHOULD NOT IMPOSE ADDITIONAL REQUIREMENTS ON SPECTRUM-BASED APPLICANTS.

RWA appreciates the Commission’s efforts to construct a technology-neutral CAF-II auction that will help to ensure the deployment of broadband to rural and remote areas of the country, but is concerned that some of the Commission’s auction eligibility criteria impose greater burdens on spectrum-based applicants than others. The Commission proposes to require

²⁷ *Vantage Point Solutions Comments* at p. 1.

²⁸ *Vantage Point Solutions Comments* at p. 6.

²⁹ [Comments](#) of the Rural Carrier Coalition, WT Docket No. 14-170, GN Docket No. 12-268, RM-11395, WT Docket No. 05-211 (May 14, 2015) (noting the importance of wireless broadband to agriculture and energy production).

an applicant intending to use spectrum to submit additional information in its short-form application to show that the applicant is “reasonably capable” of meeting its public interest obligations.³⁰ RWA agrees with WISPA that “the Commission proposes only to subject an applicant proposing to use spectrum to this gating requirement, in contravention to the Commission’s stated desire to have technology neutral rules that promote participation by a broad range of bidders.”³¹

As WISPA notes, the Commission is not proposing to require an applicant proposing to use fiber to demonstrate that it has access to rights-of-way or utility poles for the 10-year CAF Phase II support term. In some areas, access to such infrastructure may be more limited or more difficult to obtain than spectrum, and therefore more probative of the applicant’s ability to provide acceptable service. Establishing a hurdle for one class of applicants – those that rely on spectrum – would potentially exclude a would-be participant that might fall just short in meeting Commission staff’s interpretation of the subjective “reasonably capable” test in a given case, and include a bidder that does not have to even demonstrate access to any infrastructure access rights. RWA supports WISPA’s proposed remedy to address this disparity – the establishment of a safe harbor for any applicant proposing to use any licensed or unlicensed bands that historically have been used to provide the performance tier selected.³²

RWA opposes the Rural Coalition’s proposal to require providers proposing to use spectrum to submit propagation maps with their short-form application.³³ Imposing such a requirement on spectrum-based providers goes against the Commission’s commitment to a technology-neutral auction. Further, even if the Commission were to consider similar

³⁰ *Public Notice* at ¶ 37.

³¹ *WISPA Comments* at p. 14.

³² *Id.* at p. 15.

³³ *Rural Coalition Comments* at p. 16.

submissions from all applicants, doing so as part of the short form, rather than long form, application review is premature.

RWA also supports WISPA's suggested clarifications and modifications to the Commission's proposals for spectrum-based auction applications.³⁴ The Commission specifically proposes that "an applicant (i) identify the spectrum band(s) it will use for last mile, backhaul, and any other parts of the network; (ii) describe the total amount of uplink and downlink bandwidth (in megahertz) that it has access to in such spectrum band(s) for last mile; (iii) describe the authorizations it has obtained to operate in the spectrum, if applicable; and (iv) list the call signs and/or application file numbers associated with its spectrum authorizations."

First, the Commission should make clear that an applicant can propose to use more than one spectrum resource for last-mile, backhaul, and other parts of the network, and can combine wireline, wireless, and satellite resources in its application. Second, the Commission should clarify that an applicant can rely on leased spectrum as well as licensed and unlicensed spectrum. Third, the Commission should infer the renewability of licenses and spectrum leases (the latter for the duration of the lease term and any contemplated renewals or extensions) in considering spectrum-based proposals. Fourth, the Commission should add the words "if applicable" at the end of clause (iv) to make clear that unlicensed spectrum (which does not have call signs or application file numbers) can be used, consistent with the Commission's decision to permit an applicant to rely on unlicensed spectrum and clause (iii) of the Commission's proposed spectrum-based auction application.³⁵

Finally, RWA agrees that the Commission should make a number of additions to Appendix B, which lists the spectrum the Commission "anticipate[s] could be used for the last

³⁴ *Public Notice* at ¶ 39.

³⁵ *WISPA Comments* at pp. 15-18

mile to meet Phase II obligations.”³⁶ The Commission should make clear that Appendix B is not exhaustive and that an applicant can propose to use other spectrum bands if it can demonstrate that it can satisfy the public interest obligations. The Commission also should include further examples by adding the following frequency bands to its non-exhaustive list of spectrum bands: (1) TV White Space (Unlicensed);³⁷ 902-928 MHz (Unlicensed); 3650-3700 MHz (Licensed); 5250-5350 MHz and 5470-5725 MHz (Unlicensed); 37000-37600 MHz (Licensed); 57000-71000 MHz (Unlicensed); 70/80/90 GHz (Licensed).³⁸

VI. CONCLUSION

RWA appreciates the Commission’s efforts to construct a technology-neutral CAF-II auction that encourages the participation of small and rural service providers. RWA agrees with the Commission’s proposal to use census block groups, rather than census tracts, as the minimum geographic bidding area for Auction 903. For the reasons stated above, RWA urges the Commission to: (1) prohibit package bidding in Auction 903; (2) adopt anti-collusion rules that facilitate, rather than limit, Auction 903 participation by small and rural service providers; and (3) address the “locations gap.” RWA also urges the Commission not to impose additional auction eligibility requirements on spectrum-based applicants.

³⁶ *Id.*; see also *Public Notice* at ¶ 40.

³⁷ See also [Comments](#) of Microsoft Corporation, AU Docket 17-182, WC Docket No. 10-90, at pp. 5-6 (Sept. 18, 2017) (urging the Commission to include unlicensed white space spectrum in Appendix B’s list of eligible spectrum).

³⁸ *WISPA Comments* at pp. 17-18.

Respectfully submitted,

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