



February 2, 2018

Notice of Ex Parte

Marlene Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: *Connect America Fund: Performance Measures for
Connect America High-Cost Universal Service
Support Recipients
Docket No. 10-90; DA 17-1085***

Dear Ms. Dortch:

On January 31, 2018, the undersigned, on behalf of NTCA–The Rural Broadband Association (NTCA) met with Suzanne Yelen, Christian Hoefly, Steven Rosenberg, Stephen Wang, and Roger Woock of the Wireline Competition Bureau (WCB). Alec MacDonnell and Cathy Zina (collectively, Staff) of the Commission joined the meeting by telephone.

NTCA referenced comments that it filed in the above-captioned docket on December 6, 2017. NTCA explained its agreement with the proposition that recipients of high-cost Universal Service support demonstrate their compliance with service obligations. NTCA reiterated that the statutory goal of "reasonable comparability" warrants testing protocols that are designed without compromises based upon the underlying technology of the network that is being tested. NTCA described the need for testing to occur at locations where there is an actual subscriber, and the importance of reasonable compliance measures that preclude providers from masking limited performance capabilities with respect to certain areas or at certain times.

NTCA explained the need to consider the potential administrative and financial impacts of testing obligations on small providers. These include hardware and software costs, as well as shipping or truck-rolling CPE to consumers; providing customer support to subscribers at testing locations; gathering and analysis of data; and addressing recalcitrance or attrition among testing subjects who do not engage the process fully.

NTCA reviewed its proposal to limit testing locations to the lesser of five (5) percent or 50 locations per state, and discussed with Staff whether a minimum number of test locations is appropriate for providers with relatively few subscribers. NTCA also illuminated its prior

Marlene H. Dortch

February 2, 2018

Page 2 of 2

comments regarding network traffic loads, including the effect of certain overheads on standard speed measurements. For these reasons, it is important that speed measures and determination of provider compliance reflect engineering and service realities based upon industry standards, although the Commission is urged to note that such reasonable variances should not be confused with an individual provider's structural inability to meet normative service standards.

Finally, NTCA reaffirmed its position that opportunities for private entities, whether statewide networks, engineering, or management consulting firms, to aid in the conduct of testing should not be foreclosed. Rather, even if a central testing administrator is identified, other third-parties should be permitted full and complete opportunity to develop, market and sell solutions and testing oversight services in the marketplace.

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 with ECFS.

Respectfully submitted,

By: /s/ Joshua Seidemann
Joshua Seidemann
Vice President of Policy

cc: Suzanne Yelen
Christian Hoefly
Alec MacDonnell
Steven Rosenberg
Stephen Wang
Roger Woock
Cathy Zina