February 15, 2018

Ex Parte

Ms. Marlene H. Dortch Secretary

Federal Communications Commission

445 12th Street, SW Washington, DC 20554

Re: Connect America Fund – Alaska Plan, WC Docket No. 16-271

Connect America Fund, WC Docket No. 10-90

Universal Service Reform, WT Docket No. 10-208

Dear Ms. Dortch:

On February 5, 2018, Mary Ann Pease, Tom Brady, Chuck Schumann, all associated with Pacific Dataport and Bruce Kraselsky, Space Partnership met with Jose Albuquerque, Jim Schlichting, Kirk Burgee, Ena Dekkanic, Chelsea Fallon, Jennifer Gilsenan, Nese Guendelsberger, Kerry Murray, Karl Kensinger, Sue McNeil, Matthew Collins, Stacy Ferraro, and Dana Schaeffer of the FCC. On February 6, 2018 we met with the Wireline Competition Bureau, Anna Holland, Matthew Warner (and others). On February 7th, we met with the Chief Legal Advisor to the Commission, Amy Bender.

In the meeting, we reviewed the attached powerpoint and provided an update and overview of the Pacific Dataport AURORA IV satellite project with a targeted delivery date of 3rd Qtr. 2020.

Pacific Dataport Inc., (PDI) is currently seeking financing for a Ka band high throughput satellite whose primary service area is Alaska.    Since the goal of the project is to bring significant middle mile broadband capacity with a price point below $500, we need to understand how this capacity will be viewed by the FCC in relation to the requirements placed on the recipients of USF funding in the Alaska Plan and CAF II.  In the Commission Report and Order on the Alaska Plan, the only mention of **satellite backhaul was in the context that it “may limit the performance of broadband networks as compared to terrestrial backhaul.”**Today’s high throughput Ka band satellites have significantly changed what geosynchronous satellite can deliver with the PDI engineering design able to deliver more than 20 Gbps of forward broadband capacity (9 Gbps return) at prices below $500 per Mbps.

Because of the amount of this capacity and its price point, we would appreciate clarification from the respective Bureaus on how the AURORA IV project providing competitively priced middle mile facility would be viewed in light of the requirements in paragraph 52 and paragraph 102 of the FCC Report and Order.

* Would AURORA IV be considered new backhaul that the wireline carriers must report on Form 481, triggering a requirement to employ this capacity within 12 months since those locations served by satellite would now be capable of supporting 10x1 or 25x3 Mbps service with a 150GB usage allowance?
* For wireless carriers, would this be considered “newly available backhaul” prompting revised performance commitments?  In addition, since paragraphs 61 and 62 speak in detail to review of carrier’s performance plans, would the presence of the Ka band high throughput satellite capacity outlined above constitute a situation where “such limiting conditions have changed” or “such conditions have improved” and trigger the actions contemplated by the Commission in those paragraphs on changing the carrier performance obligations.

These clarifications to the Alaska Plan are necessary to understand **how the Commission would view new high capacity geosynchronous satellite facilities, as that cost competitive infrastructure was not anticipated as part of the Alaska Plan middle mile.**

**Concluding points:**

We would greatly appreciate clarification on the following issues as discussed in our meeting:

* Will geosynchronous satellite facilities providing multiple gigabits per second of satellite capacity priced well below current middle mile prices (<$500 Mbps):
  1. Be considered new middle mile facilities, the same as terrestrial
  2. Trigger a review of performance plans of both wireline and wireless carriers
  3. Change the performance obligations of carriers served only by satellite
* Paragraph 25 of the FCC Report and Order for the Alaska Plan

*“We direct the Bureau to work with carriers that seek to participate in the Alaska Plan to include objective metrics for determining when backhaul is available* **at a price point** *that would enable the carrier to offer 10/1 Mbps service.”*

* + What is the price point and has a price determination been made by the FCC?

 If you have any questions regarding this submission, please contact the undersigned.

Respectfully submitted,

Mary Ann Pease

Chuck Schumann

Tom Brady