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March 5, 2020

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, DC 20554

Re: WC Docket No. 18-89
PS Docket No. 19-351
PS Docket No. 19-352

Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this is to provide you with notice of oral ex parte presentations in connection with the above-captioned proceedings. On March 5, 2020, Monica Akin, general counsel of NE Colorado Cellular, Inc., d/b/a Viaero Wireless ("Viaero") and undersigned counsel met with Joseph Calascione (telephonically) in Commissioner Carr's office. Ms. Akin also met with Joel Miller in Commissioner O'Rielly's office.

We discussed the Commission's ongoing efforts to develop a mechanism for replacing and removing equipment provided by covered companies. Viaero reported that it has already reached out to three major vendors to discuss the costs of replacing all of the covered equipment in its network. Quotes received to date have so far proven to be higher than initial estimates and one vendor is not able to offer a full end to end solution at this time.

In over thirty years of operating its network, through multiple upgrades in technology, Viaero has substantial experience in upgrading and changing out network equipment, including acting as a vendor for other carriers. The process to overbuild and then remove covered equipment is substantial, and is not susceptible to a one size fits all set of requirements and deadlines. Because new equipment operates differently, the entire network has to be re-engineered and designed in order to replicate the current coverage and performance. In addition to the engineering and design phase, the service provider will need to register the new equipment and microwave paths with the FCC. Once engineering and design work is completed, each tower must undergo structural analysis to be sure the wind load and weight of new equipment can be safely added to towers, without requiring tower modifications. Viaero noted that the existing equipment can't be removed until the new network is fully functional and operational, which requires double equipment at each tower, until such time as that portion of the network can be transitioned over and the new equipment put into commercial

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service. Based on its preliminary analysis, which has already begun, as many as 10% of Viaero's towers may need structural modifications.

Prior to equipment being installed, the necessary governmental approvals and permitting will need to be in place to install the equipment. Once equipment is delivered and installed on the tower by a tower crew, there is an integration and optimization process that involves various levels of testing to ensure the network operates properly, followed by coordination with local PSAPs to obtain approvals for 911 functionality before commercial operation can begin. Upon commercial operation, Viaero will cut over its old network, and where necessary, change out customer premise equipment and devices.

Viaero plans to build out and turn up sites in clusters or deployment phases across the network. Once a cluster is fully optimized and put into commercial service, Viaero will send out a tower crew to remove the existing equipment from those sites within that cluster. This requires a second site visit and tower climb. Once the entire network is complete, the switching center, or cores, can be decommissioned.

Viaero also noted that in the Colorado mountains, the tower climbing season is short, and other circumstances beyond its control can cause delays. The floods in Nebraska last year significantly restricted the amount of time that Viaero could access many of its sites for needed repairs and upgrades. While these steps are not all inclusive of what is required to replace an existing network, they are provided to illustrate what all will be required to complete this task.

Finally, equipment vendors have not made it clear to Viaero that they will be able to deliver the turnkey solution for this network replacement within the timelines that may be imposed. Accordingly, Viaero is requesting the Commission to actively engage with all affected carriers to develop milestones, incentives, and individual plans to remove covered equipment within their networks at the earliest possible date. Each service provider's network may require separate review to complete this replacement and removal process, all while addressing the need to provide rural citizens with high-quality services on a continuing basis during this replacement period.

If you have any questions or require any additional information, please contact undersigned counsel directly.

Sincerely,



David A. LaFuria
Counsel for N.E. Colorado Cellular, Inc.
d/b/a Viaero Wireless

cc: Meeting attendees