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March 12, 2018

VIA ECFS

Marlene H. Dortch
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Written Ex Parte Communication – Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, WT Docket No. 17-79

Dear Ms. Dortch:

General Communication, Inc. (“GCI”) hereby submits this written ex parte in support of the revisions to the Tribal notification process included in the draft Second Report and Order in the above-referenced proceeding.¹ Specifically, GCI commends the Federal Communication Commission (“FCC” or “Commission”) for clarifying when the initial 30-day period for a Tribal response to a Section 106 inquiry begins to run, and also for establishing a new procedure to address instances in which Tribal Nations or NHOs fail to respond to an applicant in a timely fashion.² A shorter, 45-day process for moving forward with construction in cases in which Tribal Nations or NHOs do not respond to applicants, along with clarifications surrounding the parameters of this process, will promote efficient buildout in Tribal areas, particularly with respect to rural and remote Tribal areas in Alaska.

In many instances, GCI has been the first provider of wireless services in Alaska Native communities and is proud to work closely with such Tribal Nations. More than 80,000 Tribal members make up the 229 Federally Recognized Tribes in the State of Alaska. In fact, for Federal support purposes, all of Alaska is considered a Tribal land. Unfortunately, deployment to these areas is sometimes delayed by the current Tribal review process on TCNS. While GCI appreciates the FCC’s prior efforts in developing TCNS, the existing process has resulted in delays due to applications slipping through the cracks, and despite good intentions, the process at times actually slows down the Section 106 review process. For instance, GCI has encountered situations where federally-recognized Alaska Native entities fail to respond to GCI’s requests and notifications and GCI is unable to seek confirmation of receipt or approval of such notifications. This results in a process whereby a provider’s hands are tied since it is unable to contact the appropriate Tribal representative to move a stalled application along.

¹ A copy of the draft Second Report and Order is available at <https://www.fcc.gov/document/proposed-rules-streamline-wireless-infrastructure-deployment> (last visited Mar. 12, 2018).

² See draft Second Report and Order, ¶¶ 95-105.



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Therefore, GCI has previously expressed support for the implementation of a “deemed granted” or “no objection” consideration if such notifications are not timely responded to by Tribal Nations, and applauds the Commission’s decision to adopt a process to allow applicants to move forward with desired construction plans in the event that Tribal Nations fail to respond to inquiries. GCI supports the FCC in its efforts to close the digital divide, and believes that the proposed draft Second Report and Order as highlighted herein will result in effective and efficient buildout by reducing barriers to infrastructure deployment, which will enable providers like GCI to continue to strive for optimized service in Alaska and other rural and underserved Tribal areas.

Sincerely,

/s/ Kara Leibin Azocar

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