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FILED VIA ECFS

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

Re: **Broadband VI, LLC**
The Uniendo a Puerto Rico Fund and the Connect USVI Fund,
WC Docket No. 18-143
Ex Parte Presentation

Dear Ms. Dortch:

As the Commission is aware, Broadband VI, LLC (“Broadband VI”) has actively participated in this proceeding¹ and has put forward a comprehensive proposal to establish a process for Stage 2 support for the Connect USVI Fund.² In its Reply Comments and its November Letter, Broadband VI described the difficulty in identifying and verifying “locations” in the U.S. Virgin Islands because many residences were destroyed in the 2017 hurricanes, many residents relocated from the U.S. Virgin Islands after the hurricanes, and the U.S. Virgin Islands’

¹ See *The Uniendo a Puerto Rico Fund and Connect USVI Fund, et al.*, Order and Notice of Proposed Rulemaking, FCC 18-157, WC Docket Nos. 18-143, 10-90 and 14-58 (rel. May 29, 2018) (“*Connect USVI Fund NPRM*”).

² See Letter from Michael Meluskey, CTO and Founder, Broadband VI, to Marlene H. Dortch, FCC Secretary, WC Docket Nos. 18-143, 10-90 and 14-58 (filed Nov. 9, 2018) (“November Letter”). See also Letter from Stephen E. Coran, Counsel to Broadband VI, to Marlene H. Dortch, FCC Secretary, WC Docket Nos. 18-143, 10-90 and 14-58 (filed Feb. 13, 2019); Letter from Stephen E. Coran, Counsel to Broadband VI, to Marlene H. Dortch, FCC Secretary, WC Docket Nos. 18-143, 10-90 and 14-58 (filed March 7, 2019). Broadband VI’s proposals remain limited to the Connect USVI Fund and should not be construed to apply to the Uniendo a Puerto Rico Fund.



use of a unique “estate” address system.³ These challenges overlay the deficiencies of using a single dataset, such as addresses, to pinpoint “locations.”⁴

Broadband VI appreciates that the Commission uses “locations” as a baseline metric to value support levels in the Connect America Fund (“CAF”) and that effort should be made to do the same with respect to Stage 2 of the Connect USVI Fund, despite the inherent and unique difficulties extant in the U.S. Virgin Islands. To that end, Broadband VI recommends adoption of the following process to determine the number and physical site of “locations” in the U.S. Virgin Islands without unduly delaying the Stage 2 application process and the award of Connect USVI Fund support.

First, the Commission should establish an initial estimate of the number of “locations” based on the best available and publicly accessible information. Broadband VI believes that this is the number of “occupied households” estimated by the 2010 Census Bureau estimate.⁵ It must be noted, however, that this data pre-dates the 2017 hurricanes that caused significant change in the number of residential and small business structures and the number of residents. Broadband VI is not aware of any reliable post-hurricane estimate that is publicly available. Further, as with many datasets, the Census data does not identify the location of a “location” at an address or within the boundaries of a parcel.⁶ As such, this first estimate should be considered an initial proxy for “locations” and used merely as a baseline, and should not be used to determine Stage 2 support or to reduce support if the actual number of “locations” is subsequently determined to be less than the number of “occupied households” in the 2010 Census Bureau estimate.

Second, following the allocation of Stage 2 support – preferably conducted pursuant to the process and criteria proposed by Broadband VI – the Commission should require Connect USVI Fund recipients to undertake a comprehensive analysis of the number and location of “locations” using a multi-step methodology similar to the “Broadband Serviceable Location

³ See November Letter at 3-4.

⁴ See Letter from B. Lynn Follansbee, USTelecom Vice President – Law and Policy, to Marlene H. Dortch, FCC Secretary, WC Docket Nos. 11-10 and 10-90 (filed March 21, 2019) (“USTelecom Letter”) (“Addresses are important, but an address does not provide the actual geographic location of where service is deployed or is needed.”).

⁵ As of the 2010 Census, there were 43,214 occupied housing units in the U.S. Virgin Islands. See https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=DEC_10_DPVI_VIDP4&prodType=table (last visited March 18, 2019). For purposes of this initial estimate, which likely overstates the number of current “locations,” Broadband VI believes the Commission should not include businesses. Census information does not distinguish between small businesses that can expect to purchase retail broadband access and larger enterprises that can be expected to enter into service level agreements.

⁶ See USTelecom Letter.



Fabric” pilot program described USTelecom Letter.⁷ This approach relies inputs from providers that is integrated into a process that relies on “multiple data sources, scoring routines, and managed visual review” to create a “fabric” that “will give a high level of certainty in most cases.”⁸ Managed crowdsourcing visual review would yield a higher level of confidence in “areas of the country where data is scarce or conflicting such that a person will need to review the available data to provide additional confidence.”⁹ Broadband VI has received proposals from two firms that estimate the cost to conduct such an analysis in the U.S. Virgin Islands to be about \$20,000. Results would be reported to the Commission in the first annual milestone report and available to Connect USVI Fund recipients to help ascertain “locations” for build-out. The cost of the location “fabric” should be reimbursable from Connect USVI Fund support.

The outcome of the multi-step, verifiable “fabric” approach would likely yield a number of “locations” that is less than the estimate of occupied households used at the outset. However, unlike the CAF Phase II process that will establish a process for resolving “location” discrepancies that may require the recipient to accept reduced support, the process for the U.S. Virgin Islands should be used to geocode “locations” in the HUBB reporting system and to determine whether the recipient is meeting its build-out milestone percentages. However, because the initial estimate of “occupied households” is an inherently inaccurate estimate of “locations,” recipients should not be required to return support if the actual number of locations is less than the proxy established in the first phase of the process described above.

With this approach in place, the Commission can quickly conduct a process to determine the provider or providers that will receive Connect USVI Fund support. With the 2019 hurricane season beginning June 1, Broadband VI respectfully asks the Commission to quickly implement these proposals and the process described in the November Letter.

⁷ See *id.* at 2-4.

⁸ *Id.* at 2.

⁹ *Id.*



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Pursuant to Section 1.1206 of the Commission's Rules, this letter is being filed electronically via the Electronic Comment Filing System in the above-referenced proceeding.

Respectfully submitted,

/s/ Stephen E. Coran

Stephen E. Coran

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