

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Connect America Fund)	WC Docket No. 10-90
)	
Universal Service Reform – Mobility Fund)	WT Docket No. 10-208

REQUEST FOR EXTENSION OF CHALLENGE WINDOW

Pursuant to Section 1.46 of the Commission’s rules,¹ The Rural Wireless Association, Inc. (“RWA”)² hereby requests that the challenge window established in the Federal Communications Commission (“FCC” or “Commission”) Public Notice,³ in which the Rural Broadband Auctions Task Force, Wireline Competition Bureau, and Wireless Telecommunications Bureau (together, the “Bureaus”) adopted procedures for the Mobility Fund Phase II (“MF-II”) challenge process, be extended to allow for the Commission to rule on RWA’s Application for Review, being filed contemporaneously herewith, which requests that the Commission correct serious flaws in the challenge process. In the *Challenge Process Public Notice*, the Bureaus established a 150-day challenge process window that opens March 29, 2018 and closes August 27, 2018 during which challengers can submit data to establish the absence of qualified 4G LTE service in geographic areas where such service is presumed to

¹ 47 C.F.R. § 1.46.

² RWA is a Washington, DC – based trade association that ensures wireless carriers with fewer than 100,000 subscribers have a strong voice in our nation’s capital. RWA’s members have joined together to speed the delivery of new, efficient, and innovative communications technologies to underserved rural communities across the United States of America. RWA’s members are comprised of both independent wireless carriers and wireless carriers that are affiliated with rural telephone/broadband companies that are passionate about ensuring rural America is not left behind.

³ *Procedures For the Mobility Fund Phase II Challenge Process*, Public Notice, WT Docket No. 10-208, WC Docket No. 10-90 (rel. February 27, 2018) (“*Challenge Process Public Notice*”).

exist. RWA is not seeking to delay the opening of the challenge window. Rather, RWA is requesting that the window close 150 days after the Commission rules on RWA's Application for Review rather than 150 days from when the window opens on March 29, 2018.

While RWA recognizes that such extensions are not routinely granted, the extension requested herein is limited, will promote the public interest, and is warranted. Grant of RWA's request will give the Commission an opportunity to correct a significant flaw in the challenge process while at the same time ensuring that small rural carriers will have sufficient time to collect the data that is required to challenge the existence of 4G LTE service in certain rural areas throughout the country. At the same time, challengers in less rural areas of the country will not be delayed in conducting their own data speed measurements or engaging in the challenge process.

In the *Challenge Process Public Notice*, the Bureaus rejected arguments that a grid size of one square kilometer would create numerous problems and burdens for potential challengers seeking to collect speed data in Western states that are more sparsely populated and where roads are laid out directly on the borders of a one mile-by-one mile grid. Instead, the Bureaus chose to require measurements be taken in grid areas of one square kilometer, even though this will in many cases significantly increase the time and costs of data testing as challengers will be required to negotiate with property owners to obtain access to test sites located on private lands, a challenge process impediment which could be avoided in most instances if testing could occur on public roads at specified points around the perimeter of a particular grid area.

Furthermore, the Bureaus' decision to adopt a one square kilometer grid size was based on its belief that using a metric grid standard in place of an imperial grid standard

would yield more granular data and presumably better replicate consumers' experiences with signal coverage and data speeds.⁴ However, as detailed in RWA's Application for Review, reliance on square-kilometer grids in areas where there are no roads to provide access to test points will require challengers to use drones or crop dusters to reach otherwise inaccessible areas. In such cases, the data measurements obtained by challengers will almost certainly overstate the availability of 4G LTE service on the ground, where terrain and foliage can and do impede signal reception and data speeds. Accordingly, adopting a one mile grid standard that will allow for ground measurements to be collected around the perimeter of each grid will more accurately reflect consumer experience with wireless service availability in those rural areas.

As demonstrated in RWA's Application for Review, the Bureaus' decision to ignore the reality of how roads are laid out in rural areas has yielded a challenge scheme in which *thousands* of kilometer grid squares lack the necessary road coverage and will therefore be unmeasurable using drive tests. Using a one mile grid standard that reflects the reality of how roads are laid out in many rural areas would substantially ameliorate this problem and allow challengers to provide the Commission with a more accurate measurement of mobile wireless coverage in these areas. For this reason, extending the challenge process window as requested by RWA will give the Commission the opportunity to correct a fundamental flaw in the challenge process while at the same time ensuring that challengers in rural areas will have sufficient time to conduct the type of testing that will give the Commission a more accurate picture of the absence of mobile wireless coverage in many areas where such coverage is presumed to exist.

⁴ *Challenge Process Public Notice* at ¶¶ 22-25.

Based on the foregoing, the Bureau should grant the extension requested by RWA and modify the challenge window to close 150 days after the Commission rules on RWA's Application for Review rather than 150 days from when the window opens on March 29, 2018.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I have on this day of March 29, 2018, served a true copy of the foregoing document by electronic mail upon the following:

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