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June 12, 2019

Via ECFS

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

**Re: WC Docket Nos. 10-90
Red River Rural Telephone Association dba Red River Communications
Notice of *Ex Parte***

Dear Ms. Dortch:

On Monday, June 10, 2019, Jeff Olson of Red River Rural Telephone Association dba Red River Communications, Tom Campbell of Olsen Thielen, & Co., Ltd., and John Kuykendall of JSI (collectively, “Red River Representatives”) met via conference call with Suzanne Yelen and Ted Burmeister of the Wireline Competition Bureau (“Bureau Representatives”). The purpose of the meeting was to discuss the negative impact to Red River’s Alternative Connect America Model II (“A-CAM II”) support offer due to incorrect Form 477 data inadvertently submitted by the City of Barnesville Municipal Telephone (“City of Barnesville”), an adjacent municipal ILEC broadband provider. The Red River Representatives sought guidance on how to rectify the situation so that Red River can receive a factually accurate A-CAM II offer.

During the meeting, the Red River Representatives discussed the attached letter provided to Red River by the City of Barnesville.¹ After the release of the A-CAM II offer, Red River investigated its competitive overlap and found that certain census blocks had been excluded from support due to fiber-to-the-home (“FTTH”) being reported in Red River’s study area by the City of Barnesville where the two ILECs are adjacent. Red River then reached out to the ILEC to inquire about the overlap. As explained in the letter, the City of Barnesville then realized that it had inadvertently overreported its FTTH broadband on its December 2017 Form 477 and subsequently revised its Form 477 filing.

¹ A copy of the letter was emailed to Bureau Representatives during the call and is now made part of the record by its submission to the Commission as part of this *ex parte* notice filing.

This inadvertent overreporting resulted in the exclusion of a significant portion of A-CAM II support for Red River. Specifically, if support for the census blocks which were erroneously indicated as FTTH by the City of Barnesville had not been excluded, Red River's A-CAM II offer would have been \$63,357,820 rather than \$46,116,220, a reduction of \$17,241,600. amount.

The Red River Representatives next explained that while they recognize that there is no "challenge" process in A-CAM II as there was in A-CAM I, both Red River and the City of Barnesville believe that the public interest necessitates that the Bureau address this specific situation. The participants then discussed specific recommendations made by the Red River Representatives and other options which should be considered to rectify the situation. The meeting concluded by the Red River Representatives urging the Bureau to modify Red River's A-CAM II offer to reflect the revised Form 477 data submitted by the City of Barnesville Municipal Telephone as expeditiously as possible.

Please direct any questions regarding the filing to the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "John Kuykendall". The signature is fluid and cursive, with the first name "John" being more prominent than the last name "Kuykendall".

John Kuykendall
JSI Vice President
301-459-7590
jkuykendall@jsitel.com

cc: Suzanne Yelen
Ted Burmeister

Attachment

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June 4, 2019

Via ECFS

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

Re: WC Docket Nos. 10-90, DA 19-372
Notice of *Ex Parte*

Dear Ms. Dortch:

The City of Barnesville Municipal Telephone SAC 361353 (the “Company”) has reviewed the competitive overlap data associated with offers of the latest version of the Alternative Connect America Cost Model (“A-CAM II”)¹ and found that the A-CAM II incorrectly shows the Company as providing competitive service in study areas served by an adjacent rate-of-return carrier. Specifically, the Company does not provide broadband service as an unsubsidized competitor in the study area served by the incumbent telephone companies (“ILEC”), Red River Communications (SAC 381631).

This discovery led the Company to revisit its Form 477 filings in which it found that it inadvertently had overreported its fiber-to-the-home broadband data outside of the existing ILEC study area including areas that the Company does not offer its broadband service. The Company has now revised its December 31, 2017 Form 477 and subsequent filings so that these filings no longer indicate that the Company offers service in adjacent ILEC area and urges the Wireline Competition Bureau (“Bureau”) to use this revised data to show that there is no competitive overlap by the Company for this ILEC.

The Company understands that unlike the offers for A-CAM I, there is no “challenge” mechanism for the Bureau to accept revised Form 477 data; however, the Company observes that in the

¹ See, Wireline Competition Bureau Announces Alternative Connect America Cost Model II Support Amounts Offered to Rate-of-Return Carriers to Expand Rural Broadband, Public Notice, WC Docket No. 10-90, DA 19-372 (rel. May 2, 2019) (“Public Notice”).

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context of the 2019 Broadband Deployment Report ("Report"), the Bureau made revisions to the report after it had already been submitted to the FCC Chairman due to a discovery that the Report contained overstated broadband deployment data² and believes that a similar process could be used in this case. Similar to what occurred with the Report, the Bureau by virtue of this letter, is now aware that A-CAM II contains overstated broadband deployment data which reduces support in areas served by this ILEC. Accordingly, it is in the public interest for the Bureau to make appropriate adjustments to A-CAM II to take into account the revised Form 477 data submitted by the Company and release revised A-CAM II offers to this ILEC.

Respectfully Submitted,



Guy Swenson, TEC Manager

² See, Revised Draft Broadband Deployment Report Continues to Show America's Digital Divide Narrowing Substantially, FCC New Release (rel, May 1, 2019).