

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
The Uniendo a Puerto Rico Fund and the)	WC Docket No. 18-143
Connect USVI Fund)	
)	
Connect America Fund)	WC Docket No. 10-90
)	
ETC annual Reports and Certifications)	WC Docket No. 14-58

**PETITION FOR CLARIFICATION
OR, IN THE ALTERNATIVE, RECONSIDERATION**

WorldNet Telecommunications, Inc. (“WorldNet”) hereby respectfully requests that the Commission clarify or, in the alternative, reconsider its Order and Notice of Proposed Rulemaking released in this proceeding on May 29, 2018 (“Puerto Rico Funding Order”).¹ Specifically, WorldNet seeks assurance and/or clarification that it will be afforded an equivalent financial benefit as that afforded by the Commission to other Puerto Rico providers when it determined in the Puerto Rico Funding Order not to offset such advance payments against future support.

On October 4, 2017, the Commission issued an Order (“Hurricane Response Order”) establishing an option for Puerto Rico telecommunications providers to receive an emergency advance of up to seven months of high-cost support to assist with their immediate needs and anticipated large repair costs in restoring their communications networks after Hurricanes Irma and Maria.² The express contemplation in the Hurricane Response Order was that the Commission would later establish a schedule for offsetting advanced funds against future payments due.³

¹ *In the Matter of The Uniendo a Puerto Rico Fund and the Connect USVI Fund, Connect America Fund, ETC Annual Reports and Certifications*, WC Docket Nos. 18-143, 10-90 and 14-58, Order and Notice of Proposed Rulemaking, FCC 18-57 (rel. May 29, 2018) (“*Puerto Rico Funding Order*”).

² *In the Matter of Connect America Fund*, WC Docket No. 10-90, Order, FCC 17-129 (rel. Oct. 4, 2017) (“*Hurricane Response Order*”).

³ *See id.* at ¶ 14.

In the Puerto Rico Funding Order, however, the Commission revisited and reversed its plan to offset advance payments against future payments, finding that “conditions on the islands [of Puerto Rico and the U.S. Virgin Islands] have not improved sufficiently to justify reducing future support payments.”⁴ The Commission, accordingly, concluded that the emergency funds offered as advanced payments “should be considered a new, one-time source of high-cost support provided in the immediate aftermath of the hurricanes.”⁵

WorldNet seeks clarification and, if necessary, reconsideration of this Board determination because it is not clear where this leaves WorldNet, a Puerto Rico provider that did not elect to receive the advance payment of high-cost support. WorldNet was identified by the Commission in the Puerto Rico Funding Order as one of the Puerto Rico carriers that would ostensibly benefit from the Commission’s “no offset of advance payments” decision.⁶ But, WorldNet did not receive any advance payments that can be retroactively converted into a one-time source of high-cost support. To this end, WorldNet believes that there is seemingly an unintended hole in the Commission’s order that threatens to inequitably deny WorldNet the special financial assistance that the Commission extended to other Puerto Rico providers – a situation that puts WorldNet and its customers at an undue disadvantage and effectively denies Puerto Rico the full measure of financial relief that the Commission seemingly intended to provide.

WorldNet elected not to receive the advance payments based on its business judgment at the time and the express contemplation in the Hurricane Response Order that the advance of high-cost support payments would ultimately be offset against future payments (i.e., no additional

⁴ See *Puerto Rico Funding Order* at ¶ 10.

⁵ See *id.*

⁶ See *id.* WorldNet notes that the Puerto Rico Funding Order incorrectly identifies WorldNet as a mobile carrier. WorldNet provides service in Puerto Rico via fixed wireline and fixed wireless facilities.

funding).⁷ WorldNet respectfully asserts there is no rational basis for this election to distinguish or disqualify WorldNet from receiving the same level of special financial assistance that the Commission provided to other providers in Puerto Rico with its “no offset of advance payments” decision, nor does WorldNet believe this was the Commission’s intent. To this end, WorldNet suspects that the Commission’s failure to clearly address and make express provision for WorldNet’s unique situation in the Puerto Rico Funding Order was simple oversight. WorldNet, accordingly, urges the Commission to issue an order clarifying and establishing for WorldNet additional emergency funding equivalent to what was provided to other Puerto Rico providers pursuant to the “no offset of advance payments” decision.⁸

Respectfully submitted,

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⁷ Moreover, at that time, WorldNet was still dealing with the immediate aftermath of a devastating storm, which included, among many other things, round-the-clock efforts to restore emergency services to customers such as hospitals and fire departments and even trying to locate missing employees.

⁸ As reflected in the Appendix to the Hurricane Response Order, the total amount of WorldNet’s advance payment, had it elected to receive it, would have been \$171,885. For the reasons set forth above, WorldNet believes that a one-time disbursement to WorldNet in this amount is now appropriate.