

July 23, 2019

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St. SW  
Washington, D.C. 20554

**Re: USTelecom Ex Parte Notice, WC Docket No. 19-126, *Rural Digital Opportunity Fund*; WC Docket No. 10-90, *Connect America Fund*; WC Docket No. 19-195, *Establishing the Digital Opportunity Data Collection*; WC Docket No. 11-10, *Modernizing the FCC Form 477 Data Program***

Dear Ms. Dortch:

On July 19, 2019, Mary Henze of AT&T, representing the Broadband Mapping Coalition (Coalition) spoke via phone with Preston Wise, Special Counsel to Chairman Pai regarding the Draft Digital Opportunity Data Collection (DODC) item.<sup>1</sup> In her discussion with Mr. Wise, Ms. Henze elaborated on several issues raised during the Coalition's July 18 meeting regarding the Draft DODC:<sup>2</sup>

- The Draft is unclear on the timing and interrelationship between the development of the portal and due date for submission of shapefiles. The Commission should specify that it directs the Bureaus, in consultation with USAC, to carry out the implementation details of the new service area collection only after FNPRM comments and replies are filed. We presume that the Bureaus would then proceed (1) issuing an order designating the precise specifications for how the broadband coverage polygons, subject to the constraints laid out in the item, will be reported; (2) modifying (as needed) the list of fixed-broadband technologies that should be reported in the new collection; and (3) defining the GIS compatible file format(s) in which fixed providers will be required to submit their polygons. The first shapefile submissions cannot be made until the Bureau completes its work and would be due at the later of six months after the portal is ready or once GIS compatibility standards are decided upon.
- The Coalition urged the Commission to tentatively conclude that it must develop a robust dataset of residential and small business locations and their latitude and longitudes in order to support its location-based USF programs. The Coalition has not asked the Commission to require address level reporting and we support moving forward with reporting by polygon. However, polygons alone will not enable the Commission to target USF funding. It is only the combination of

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<sup>1</sup> *Establishing the Digital Opportunity Data Collection*, WC Docket Nos. 19-195, 11-10, Report and Order and Second Further Notice of Proposed Rulemaking, FCCCIRC 1908-02, at para 1 (Draft DODC).

<sup>2</sup> See Letter from B. Lynn Follansbee, Vice President, Policy & Advocacy, USTelecom to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 19-195, 11-10, 19-126, 10-90 (filed July 22, 2019).

granular service area polygons overlaid upon reliable geocoded location information that will give the Commission the ability to identify with precision whether there are locations in the areas not covered by polygons. Developing the parameters and the portal for polygon reporting will take time and the Coalition urged the Commission to adopt the location dataset or Fabric proposal as soon as possible so that it can be created in parallel with the implementation of polygon reporting.

- The Coalition also expressed concern that the Draft DODC item could be interpreted to give USAC substantial authority to decide many of the key implementation details,<sup>3</sup> to an extent that exceeds USAC's administrative role. The Commission should make clear in both the Report and Order and Second Further Notice of Proposed Rulemaking that the Bureaus (including the Wireless Telecommunications Bureau, which the item should include as a participating Bureau) are the entities charged with directing USAC on how to implement the program. In addition, the Commission should require the Bureaus to seek stakeholder input during the implementation in order to ensure that providers can comply with the processes and procedures established by the Bureaus/USAC without undue system changes or burdens.

Please contact me with any questions.

Sincerely,

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Mike Saperstein  
Vice President, Policy & Advocacy

cc: Preston Wise

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<sup>3</sup> See Draft DODC at paras. 15-20, 28-29, 76, 87-96.