

July 24, 2017

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

Re: **WC Docket No. 10-90, Connect America Fund**

***Ex Parte Filing***

Dear Ms. Dortch:

On July 20, 2017, Governor Stephen Lewis of the Gila River Indian Community (Community) and counsel for the Gila River Telecommunications, Inc. (GRTI) met with Commissioner Michael O’Rielly to discuss the impact of the Federal Communications Commission’s operating expense limitation rule on the Community and GRTI. As Governor Lewis explained in the meeting with Commissioner O’Rielly, the \$93,000 per month loss of support to GRTI as a consequence of this rule has caused GRTI to reduce its buildout plans for broadband to serve the Community.

In response to a question from Commissioner O’Rielly regarding certain non-regulated, wireless revenues that the Community receives as part of a partnership it has with Verizon Wireless, GRTI explained that the Commission has the information as part of an earlier filing of GRTI’s financial statement in this record. GRTI also provided the attached resolution from the Gila River Indian Community, which is the sole shareholder of GRTI, that directs GRTI to transfer funds earned from the Verizon partnership to the Gila River Indian Community in a timely manner.

Pursuant to Section 1.1206 of the Commission’s rules, a copy of this letter is being filed via ECFS. Please contact the undersigned with any questions.

Sincerely,

Gregory Guice  
Akin Gump Strauss Hauer & Feld  
1333 New Hampshire Ave, NW  
Washington, D.C. 20554  
(202) 887-4565



# GILA RIVER INDIAN COMMUNITY

## SACATON, AZ 85147

### RESOLUTION GR-85-12

#### **A RESOLUTION APPROVING THE ESTABLISHMENT OF A PROCEDURE FOR GILA RIVER TELECOMMUNICATIONS, INC. TO REQUEST AND RECEIVE CAPITAL PROJECT FUNDING FROM THE GILA RIVER INDIAN COMMUNITY**

**WHEREAS,** the Gila River Indian Community Council (the "Community Council") is the governing body of the Gila River Indian Community ("Community"); and

**WHEREAS,** the Community has the power to establish and charter corporations and other business entities for various purposes to benefit the Community and its members; and

**WHEREAS,** Gila River Telecommunications, Inc. ("GRTI"), is a tribal corporation organized under the laws of the Community and wholly-owned by the Community; and

**WHEREAS,** pursuant to Resolution GR-38-12 (April 4, 2012), the Community Council directed GRTI to: (i) transfer all cash held in unregulated money market funds from GRTI to the Gila River Indian Community Treasurer ("Community Treasurer"), and (ii) transfer any future profits from the Verizon Partnership with GRTI to the receipt of the Community Treasury; and

**WHEREAS,** the Economic Development Standing Community ("EDSC") and the Government and Management Standing Committee ("G&MSC") directed GRTI to: (i) prepare a sixty day budget to fund GRTI's on-going capital projects; and (ii) submit the sixty day budget to the Community Treasurer for review and approval of funding; and

**WHEREAS,** on April 24, 2012, GRTI transferred all of its unregulated money market funds to the Community and submitted a sixty day budget to the Community Treasurer, which was approved for funding; and

**WHEREAS,** EDSC and G&MSC also directed GRTI to submit to the Community Treasurer a capital budget, detailed by project and amount, for purposes of funding GRTI's capital projects from July 1, 2012 through September 30, 2012; and

**WHEREAS,** EDSC and G&MSC believe that it is in the best interest of the Community to establish a permanent procedure for GRTI to request and obtain funds from the Community for GRTI's annual capital project requirements.

**NOW THEREFORE BE IT RESOLVED,** that the Community Council hereby establishes the following procedure for GRTI to request funds from the Community to fund GRTI's annual capital project requirements:

1. On or before July 1<sup>st</sup> of each year, GRTI shall submit to EDSC and G&MSC a capital project budget for the coming fiscal year and for the next four (4) fiscal years.
2. EDSC and G&MSC will review and provide input regarding the proposed capital budget, and thereafter will forward the proposed capital budget to the Community Council for consideration and approval.
3. Upon Community Council approval of the GRTI capital budget, GRTI shall submit written quarterly requests to the Community Treasurer for funding on a quarterly basis. The submission dates will be the first business day in March, June, September, and December of each year.
4. The quarterly requests for funding shall include specific amounts for each project to be funded for that quarter.

**BE IT FURTHER RESOLVED**, that the Verizon Partnership profits shall be included in the Community's General Fund to support the operation of the Government.

**BE IT FINALLY RESOLVED**, that the Governor, or in his absence, the Lieutenant Governor, is authorized to take the necessary steps to carry out the intent of this resolution, including the authority to sign or execute any documents on behalf of the Community that may be necessary.

### CERTIFICATION

Pursuant to authority contained in Article XV, Section 1, (a) (7), (9), (18), and Section 4 of the amended Constitution and Bylaws of the Gila River Indian Community, ratified by the tribe January 22, 1960, and approved by the Secretary of the Interior on March 17, 1960, the foregoing resolution was adopted on the 20th of June 2012, at a regular Community Council meeting held in District 3, Sacaton, Arizona at which a quorum of 9 Members were present by a vote of: 9 FOR; 0 OPPOSE; 0 ABSTAIN; 8 ABSENT; 0 VACANCIES.

GILA RIVER INDIAN COMMUNITY

Lt. Gov.   
GOVERNOR

ATTEST:

  
COMMUNITY COUNCIL SECRETARY 6.27.12

