

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Notice of Additional Coverage in Census Blocks)	WC Docket No. 10-90
Deemed Initially Eligible for Support)	
Connect America Fund Phase II Auction)	
)	

**COMMENTS OF
ARMSTRONG UTILITIES, INC.**

Armstrong Utilities, Inc. (“Armstrong”) hereby identifies fifty-four (54) census blocks served by Armstrong that should be removed from the Wireline Competition Bureau’s (“Bureau”) preliminary list of census blocks eligible for support under the Connect America Fund Phase II auction (“CAF Phase II Auction”).

I. INTRODUCTION

The Bureau’s August 10, 2016 Public Notice sets forth procedures for unsubsidized competitors to notify the Bureau of census blocks served by such unsubsidized competitors that were identified on the preliminary list of areas eligible for support under the CAF Phase II Auction. After analysis of Armstrong’s coverage areas the company has determined that there are fifty-four (54) census blocks that Armstrong serves which are included on the Bureau’s preliminary list. Because Armstrong currently provides qualified broadband and voice service in these 54 census blocks, the company respectfully requests that the Bureau remove these census blocks from the list of areas eligible for support in the CAF Phase II Auction.

II. CENSUS BLOCKS SERVED BY ARMSTRONG

On August 10, 2016 the Bureau published a preliminary list of census blocks deemed initially eligible for support under the CAF Phase II Auction.¹ The Bureau's preliminary list of eligible blocks includes 54 census blocks in which Armstrong has already deployed broadband and voice services meeting the performance and pricing metrics set forth in Commission rules. Specifically, Armstrong provides broadband service in these blocks at speeds of at least 10/1 Mbps, with a minimum usage allowance of at least 150 GB/month, at a round-trip latency of 100 ms or less, and at a price that is reasonably comparable to rates in urban areas.² Armstrong also provides voice service in these blocks at a price that is reasonably comparable to rates in urban areas.

Armstrong has deployed broadband and voice services within the last twelve to thirteen months, since the last publicly available Form 477 data (as of June 30, 2015). Specifically, there are census blocks on the Bureau's preliminary list that Armstrong served as of December 2015. However, because the Public Notice indicates that the Bureau will be updating the list of preliminary eligible areas with coverage information from filers' December 2015 Form 477 submissions, Armstrong is not providing that information here.³

However, there are an additional 54 census blocks that Armstrong has recently deployed broadband and voice services since December 30, 2015 that are not reflected on the Bureau's preliminary list of eligible areas. These 54 blocks will be reported on Armstrong's next Form

¹ Wireline Competition Bureau Releases Preliminary List and Map of Eligible Census Blocks for the Connect America Fund Phase II Auction; WC Docket No. 10-90, DA 16-908 (rel. Aug. 10, 2016) (hereafter "Public Notice").

² See, e.g., *2014 Measuring Broadband America Fixed Broadband Report*; A Report on Consumer Fixed Broadband Performance in the U.S.; Office of Engineering and Technology and Consumer and Governmental Affairs Bureau at 16 (updated June 18, 2014) (describing average latency of cable broadband services well below 100 ms).

³ Public Notice at 3. To the extent that the Bureau fails to incorporate Armstrong's coverage information in its further analysis Armstrong reserves the right to present that data to the Commission to ensure no areas served by Armstrong receive CAF support.

477 filing (showing coverage as of June 30, 2016). Accordingly, Armstrong requests that the Bureau incorporate the information herein to reflect such coverage and remove these blocks from its list of areas eligible for support under CAF Phase II Auction.

Census Blocks Served by Armstrong as of June 30, 2016

	<u>Census Blocks Served</u>	<u>FRN</u>	<u>Form 477 Coverage (as of)</u>
1)	420059504002020	0003765617	6/30/2016
2)	420199112002102	0003765617	6/30/2016
3)	420199113004025	0003765617	6/30/2016
4)	420199118001014	0003765617	6/30/2016
5)	420293068001052	0003765617	6/30/2016
6)	420311601012078	0003765617	6/30/2016
7)	420391118004021	0003765617	6/30/2016
8)	420512609001003	0003765617	6/30/2016
9)	420730103001072	0003765617	6/30/2016
10)	420850318001019	0003765617	6/30/2016
11)	420850318001048	0003765617	6/30/2016
12)	420850318001049	0003765617	6/30/2016
13)	420850318001050	0003765617	6/30/2016
14)	420850325014033	0003765617	6/30/2016
15)	420850325014036	0003765617	6/30/2016
16)	420850328004010	0003765617	6/30/2016
17)	420850328004015	0003765617	6/30/2016
18)	420850328004016	0003765617	6/30/2016
19)	420850328004025	0003765617	6/30/2016
20)	420850328004037	0003765617	6/30/2016
21)	420850328004038	0003765617	6/30/2016
22)	420850328004043	0003765617	6/30/2016
23)	420850328004060	0003765617	6/30/2016
24)	421110207002150	0003765617	6/30/2016
25)	421257921002022	0003765617	6/30/2016
26)	240253041023013	0003765617	6/30/2016
27)	390059701004287	0003765617	6/30/2016
28)	390059706004006	0003765617	6/30/2016
29)	390059708004077	0003765617	6/30/2016
30)	390059708004115	0003765617	6/30/2016
31)	390059709003055	0003765617	6/30/2016
32)	390059709003059	0003765617	6/30/2016

33)	390059709003065	0003765617	6/30/2016
34)	390059709003093	0003765617	6/30/2016
35)	390059709003096	0003765617	6/30/2016
36)	390059709003122	0003765617	6/30/2016
37)	390870505004001	0003765617	6/30/2016
38)	390870513003041	0003765617	6/30/2016
39)	390930941004013	0003765617	6/30/2016
40)	390930961005001	0003765617	6/30/2016
41)	390930971002087	0003765617	6/30/2016
42)	390998135004089	0003765617	6/30/2016
43)	391390027005044	0003765617	6/30/2016
44)	391390029001034	0003765617	6/30/2016
45)	391390029001036	0003765617	6/30/2016
46)	391390029001055	0003765617	6/30/2016
47)	391390029002150	0003765617	6/30/2016
48)	391390029002161	0003765617	6/30/2016
49)	391390029003074	0003765617	6/30/2016
50)	391559333023039	0003765617	6/30/2016
51)	391690025002025	0003765617	6/30/2016
52)	540439558003014	0003765617	6/30/2016
53)	540459561021026	0003765617	6/30/2016
54)	540990204005021	0003765617	6/30/2016

III. CONCLUSION

The Commission has previously explained its intent to provide support for broadband deployment only in those “areas that are *unserved* by any broadband provider.”⁴ Directing CAF support or other subsidies to providers proposing to serve areas already served by Armstrong, an unsubsidized competitor, would conflict with the Commission’s goals of competitive neutrality, and undermine Armstrong’s significant network investments (supported by private capital) in these areas.

For the reasons set forth herein, Armstrong respectfully requests that the Commission

⁴ *In re Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing an Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform – Mobility Fund*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663 at ¶ 137 (2011) (*CAF Order*) (emphasis added).

remove such census blocks from the current list of “unserved” blocks and decline to direct any CAF subsidies to any service providers proposing to operate in these areas.

Respectfully,

A handwritten signature in black ink, appearing to read 'K.C. Halm', written in a cursive style.

K.C. Halm
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On behalf of Armstrong Utilities, Inc.

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