

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Connect America Fund)	WC Docket No. 10-90
)	
Universal Service Reform – Mobility Fund)	WT Docket No. 10-208

**COMMENTS
of
UNITED STATES CELLULAR CORPORATION**

United States Cellular Corporation (“U.S. Cellular”), by its counsel, hereby submits these comments, in response to the Commission’s Notice of Proposed Rulemaking in the above-captioned proceedings.¹ In the *Order*, the Commission extends the deadline for the close of the Mobility Fund Phase II (“MF-II”) challenge window by 90 days, to November 26, 2018, and, because of the extension, also proposes in the *Notice* “to make modifications to the speed test data specifications regarding the relevant timeframes for valid speed tests.”²

In the *MF-II Challenge Process Order*, the Commission required that speed test measurements from entities challenging areas that were not specified as presumptively eligible areas for MF-II support on a list compiled and published by the Commission and displayed on the initial

¹ *Connect America Fund, et al.*, WC Docket No. 10-90, *et al.*, Order, Notice of Proposed Rulemaking, and Memorandum Opinion and Order, FCC 18-124 (rel. Aug. 21, 2018) (“*Order*” and “*Notice*”). Comments in response to the *Notice* are due September 10, 2018. FCC, *Connect America Fund, et al.*, WC Docket No. 10-90, *et al.*, Proposed Rule, 83 FED. REG. 44254 (Aug. 30, 2018).

² *Notice* at para. 1.

eligible areas map, must be taken within six months of the scheduled close of the challenge window,³ which was August 27, 2018.⁴ In the *Notice*, the Commission “propose[s] to accept speed test data in support of challenges collected at any time on or after February 27, 2018, the date of the publication of the map of presumptively eligible areas, through the new close of the challenge window, November 26, 2018.”⁵

U.S. Cellular supports the Commission’s tentative conclusion that it would be in the public interest to modify the initially-adopted requirements that speed test data must be collected within six months of the scheduled close of the challenge or response window. U.S. Cellular agrees with the Commission that, by moving the close of the challenge window to November 26, 2018, and accepting speed test data submitted by challengers that has been collected at any time from February 27, 2018, through November 26, 2018, the Commission will avoid “inadvertently creat[ing] hardships for those challengers that have already conducted speed tests.”⁶

A failure to modify the current data timing requirements for challengers, to correspond with the Commission’s decision to extend the deadline for the close of the challenge window to November 26, 2018, would mean that challengers would not be able to use speed tests they conducted between February 27 and May 28.⁷ It is sound public policy for the Commission to prevent

³ *Connect America Fund; Universal Service Reform – Mobility Fund*, Order on Reconsideration and Second Report and Order, 32 FCC Rcd 6282, 6309 (para. 51) (2017) (“*MF-II Challenge Process Order*”).

⁴ *Order* at para. 3.

⁵ *Notice* at para. 10.

⁶ *Id.*

⁷ As of June 30, 2018, “challengers have submitted data including 399,390 speed tests.” *Mobility Fund Phase II Challenge Process Portal Update: June 2018*, Public Notice, DA 18-688 (July 2, 2018), at 1; *see Mobility Fund Phase II Challenge Process Portal Update: July 2018*, Public Notice, DA 18-802 (Aug. 1, 2018), at 1 (reporting that, as of July 31, 2018, challengers had submitted data including 1,672,497 speed tests). Of these nearly 400,000 speed tests submitted as of June 30, those that were conducted on or before

this result. Doing so will avoid the undesirable prospect of challengers being forced “to engage in more testing than they would otherwise have had to conduct.”⁸

In U.S. Cellular’s view, extending the period during which speed test data may be collected by three months should not have any appreciable effect on the accuracy or reliability of the coverage data, while, at the same time, allowing the submission of data collected during the first three months of the extended challenge window will directly and significantly reduce burdens faced by challenging parties.⁹

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May 28 would be rejected, under the Commission’s current rules, forcing the challengers involved to expend further time and resources to conduct additional speed tests.

⁸ Notice at para. 11.

⁹ See *MF-II Challenge Process Order*, 32 FCC Rcd at 6298 (para. 32) (indicating that the “challenge process [should] appropriately balance[] the need for [coverage data] accuracy against the burdens imposed on interested parties”).

Accordingly, U.S. Cellular respectfully urges the Commission to adopt the modifications to the speed test data specifications regarding timeframes for valid speed tests proposed by the Commission in the *Notice*.

Respectfully submitted,

UNITED STATES CELLULAR CORPORATION

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