



September 18, 2019

Via ECFS

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Re: RDOF NPRM—The FCC’s Auction Design Should Result in Funding Local Terrestrial, Fixed Broadband Networks That Serve Their Local Communities And Are Scalable, WC Docket Nos. 19-126 & 10-90

Dear Ms. Dortch:

I am writing to you on behalf of Visionary Broadband. Visionary is a provider of Internet Services in the least-populated state in the nation, Wyoming. Visionary is a provider of services to residential and business customers using a combination of fiber and fixed wireless services, and has been building infrastructure throughout our state to improve services since the year 2000. Visionary is committed to meeting the broadband needs of the communities we serve. Visionary’s deployment and improvements to our network have been in direct response of the evolving needs of customers and the demand for additional broadband capacity.

Visionary participated in the CAF II reverse auction, also known as Auction 903 that took place last fall under FRN 0018092593. Visionary had hoped to expand into unserved areas in Wyoming through the Commission’s CAF II reverse auction. As Visionary’s bidding pattern illustrated, we were willing to deliver a terrestrial-based, fixed broadband network that would have offered consumers and businesses a scalable, robust broadband network with funding from the Universal Service Fund.

Unfortunately, the participation of satellite in the auction with the incentive to come in at very low bids (and at low risk since they do not need to build a network) made it impossible for Visionary to continue bidding beyond the 8<sup>th</sup> round. Adding insult to injury, the winner of the auction in the areas Visionary sought to expand to, Viasat, is in process of seeking a significant change to the technical testing requirements of its voice service, the same areas that Viasat was able to bid down to the 10% reserve (18<sup>th</sup> round) because they had no network to build. Visionary is concerned that after the fact adjustments to technical requirements of the service—service that is legally required as a condition for the funding—lends Viasat an unfair advantage post-auction, but worse, consumers are short-changed. Consumers potentially could have received the delivery of a local, terrestrial fixed broadband network that would support their short-term and long-term broadband needs, but now they will not see that investment in their community.



As such, Visionary opposes the petition by Viasat to alter the testing rules of the CAF II auction.

Importantly, Visionary wants to share its perspective that there was a missed opportunity for USF investment in Wyoming in the CAF II auction that will have significant consequences in those areas due to the lack of funding for a local, terrestrial-based broadband network that would be upgraded and expanded over time. For illustrative purposes, Visionary attaches a map of the areas it was willing to build. Visionary urges the Commission to not repeat the same mistake in the RDOF.

Accordingly, Visionary advises the Commission to exclude satellite from the RDOF auction. If the Commission is not willing to do so, it should require that satellite providers demonstrate technical compliance with the voice requirement prior to allowing satellite to participate in the auction. Secondly, Visionary believes that the currently proposed Performance Tier should be adjusted so that the baseline/high latency tier is 95 or above so that there is a more likely opportunity for fixed, terrestrial-based networks to win in the auction. Thirdly, Visionary believes the RDOF auction should include census block groups won by satellite in the CAF II auction to enable terrestrial network be constructed wherever a bid is made and accepted as part the RDOF auction.

In Visionary's experience, consumers want broadband comparable to what the majority of Americans have access to, and satellite does not meet their needs. Indeed, very few Americans subscribe to satellite's service at 25/3 Mbps or above. The Commission's RDOF should prioritize rural America's need for robust, scalable networks that will be able to meet rural consumers' needs for years to come.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brian Worthen', is written over a horizontal line.

Brian Worthen  
CEO  
Visionary Broadband



Exhibit 1: Visionary bid blocks in round 1 of Auction 903

