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November 18, 2019

Via ECFS

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

**Re: CC Docket No. 96-45
Reservation Telephone Cooperative
Notice of *Ex Parte***

Dear Ms. Dortch:

On November 14, 2019, Shane Hart of Reservation Telephone Cooperative (“RTC” or the “Company”) and John Kuykendall, Jeremy Parrucci and Chresanthe Staurulakis of JSI (collectively the “RTC Representatives”), met via conference call with Preston Wise of the Office of Chairman Ajit Pai. The purpose of the meeting was to discuss the Joint Petition for Waiver of RTC and Qwest Corporation d/b/a CenturyLink QC (“Century Link”) to expand RTC’s Alexander exchange in North Dakota to include North Dakota portions of CenturyLink’s Fairview and Sidney exchanges (the “Petition”) and urge expedited approval of the Petition.

RTC is a rate-of-return incumbent local exchange carrier (“ILEC”) that owns and operates approximately 8,610 access lines and 4,035 data only lines in 20 exchanges throughout northwestern North Dakota. RTC has a long history of providing reliable and advanced telecommunications and broadband services to those who need it most, regardless of rurality or geography. As explained in the Petition, RTC has received six requests for service in the extremely rural North Dakota Sidney exchange and anticipates receiving up to 35-40 additional requests for service. The six current requests consist of four households and two school locations, all stating that CenturyLink will not provide service. These are extremely high cost blocks that were not claimed in the CAF Phase II auction.

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RTC is committed to providing these areas with better telecommunications and broadband services and has already begun serving these customers since the North Dakota Public Service Commission (“ND PSC”) approved RTC and CenturyLink’s joint application to modify the serving territories and exchange boundaries. For RTC, this would just be an edge out with the new RTC study area boundary extending approximately six miles west and approximately 16 miles north and south to be incorporated into RTC’s existing Alexander exchange. CenturyLink has already agreed to release the requesting customers plus portions of the Fairview and Sidney exchanges. There will be no transfer of CenturyLink network assets. Instead, RTC will overbuild facilities to serve the customers in the expanded RTC Alexander exchange areas with voice and broadband services. RTC is ready, willing and able to serve these study areas.

It is appropriate for the Federal Communications Commission (“FCC”) to grant RTC’s Petition since the North Dakota Public Service Commission (“ND PSC”) already approved RTC and CenturyLink’s joint application to modify the serving territories and exchange boundaries on November 20, 2018.¹ Additionally, expanding RTC’s study area is in the public interest since it would increase the number of lines available and increase USF support in the area.² RTC plans to construct new facilities that would provide the initial requesting customers in the acquired portion of the Sidney exchange with 25/3 Mbps for broadband service and 100/100 Mbps to 1/1 Gbps service. Moreover, RTC plans to continue investing in the area. RTC would also incur costs associated with the addition of approximately 40 customers and constructing fiber facilities to each location within these extremely high cost blocks. These costs are estimated to be \$336,250, which would increase total USF support by approximately \$9,718 per year.

Finally, the RTC Representatives discussed the importance of granting RTC’s study area waiver expeditiously. It is appropriate that the FCC treat RTC’s Petition expeditiously, given that the FCC decided that study area waivers are in the public interest and provided a streamlined process to move them forward expeditiously.³ In fact, the Commission has previously granted a similar waiver so precedent exists to do so without delay. In 2017, Cheyenne River Sioux Tribe Telephone Authority filed a similar petition for waiver with CenturyLink and the Wireline Competition Bureau treated the petition under the streamlined approach.⁴ Conversely, here, RTC’s Petition was filed on March 20th, 2019, put on Public Notice on a non-streamlined basis and the comment period ended June 24th, 2019, with no opposition having been filed. It is now November of 2019. Accordingly, RTC’s Petition for Waiver also should be treated expeditiously.

¹ See *Connect America Fund* et al.; WC Docket Nos. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663 (2011) *aff’d sub nom.*, *In re: FCC 11-161*, 753 F.3d 1015 (10th Cir. 2014) at 265.

² *Id.*

³ See *USF/ICC Transformation NPRM*, 26 FCC Rcd at 99-100, paras 266-267 (“Transformation Order”).

⁴ See *Wireline Competition Bureau Seeks Comment on The Joint Petition of Cheyenne River Sioux Tribe Telephone Authority and CenturyLink QC To Waive the Definition Of “Study Area” Contained in Part 36 Of the Commission’s Rules*, CC Docket No. 96-45, Public Notice, 32 FCC Rcd 7668 (WCB 2017).

Please let me know if you have questions or would like to discuss further.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Kuykendall". The signature is fluid and cursive, with the first name "John" and last name "Kuykendall" clearly distinguishable.

John Kuykendall
JSI Vice President

cc: Preston Wise