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December 3, 2018

Via ECFS

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

**Re: WC Docket Nos. 10-90, 14-58, 07-135, and CC Docket No. 01-92
Grand River Mutual Telephone Corporation Petition for Reconsideration
Notice of *Ex Parte***

Dear Ms. Dortch:

On November 29, 2018, Ron Hinds, Anissa Rockhold, Jenni Neff, Anita Cridlebaugh, and Mitchell Bailey of Grand River Mutual Telephone Corporation (“GRM” or the “Cooperative”) met via conference call with Preston Wise, Acting Special Counsel for the office of Federal Communications Commission (“FCC”) Chairman Ajit Pai along with John Kuykendall and Cassandra Heyne of JSI.

The purpose of the meeting was to discuss the draft reconsideration order circulated for a potential vote by the FCC at its December open meeting (“Draft Recon Order”) which denies GRM’s petition¹ of the FCC’s March 23, 2018 *R&O and NPRM*.² In its Petition, GRM sought additional A-CAM funding for 747 rural locations in their rate-of-return study area that were prevented from receiving any high cost support due to an inadvertent clerical error in Form 477 data.

In the meeting, the GRM and JSI representatives explained that if the FCC proceeds in denying its Petition as indicated in the Draft Recon Order and takes no other steps pertaining to the locations, the abandoned locations will have **no opportunity** to receive high cost support. The representatives urged the FCC to rectify this situation by making a slight modification to the new set of revised model offers that would provide support to existing A-CAM electors up to \$200 per month. Under this modification, the offer made to GRM would include support for the 747 abandoned locations using the most recent

¹ Grand River Mutual Telephone Corporation Petition for Reconsideration, WC Docket Nos. 10-90, 14-58, 07-135, CC Docket No. 01-92, Filed May 2, 2018 (“Petition”).

² See *Report and Order, Third Order on Reconsideration, and Notice of Proposed Rulemaking*, WC Docket Nos. 10-90, 14-58, 07-135, CC Docket No. 01-92 (rel. March 23, 2018), FCC 18-29 (“*R&O and NPRM*”).

publicly available Form 477 data to determine competitive overlap, and as a condition of accepting this offer, GRM would commit to providing all of these locations with at least 25/3 Mbps broadband. As previously stated before the Commission and reiterated in these discussions, if the funding is corrected, GRM commits to providing fiber-to-the-home to the abandoned locations.

As the FCC has repeatedly recognized, areas served by smaller community-based rate-of-return carriers, such as GRM, are most costly to serve and thus must depend on high-cost universal service support to deploy broadband to their communities. Accordingly, by denying GRM's petition without providing for an avenue for GRM to obtain high-cost support for these areas, the FCC truly is **abandoning** the 747 residents and businesses in these rural areas in terms of high-cost universal service funding. These locations should rightfully receive a new A-CAM offer.

During the meeting, GRM emphasized that funding the abandoned locations is the right thing for the FCC to do, especially due to the fact that the locations remain unfunded because of an inadvertent clerical error that was expeditiously corrected. Although GRM corrected the Form 477 before accepting the ACAM offer, the corrections were not allowed because of the FCC's rule that disallowed corrections made after March 2016, four months prior to the release of the final order. GRM then sought waiver of this deadline to allow these locations to be funded; however, the waiver was denied.

GRM also explained that the right thing for the FCC to do is to move forward with GRM's proposal to allow the locations to be funded through a new offer of A-CAM. First, the distribution of A-CAM dollars should be based on accurate information. Allowing for GRM to accept a new offer for these abandoned locations will enable the support to be based on the most up-to-date Form 477 data.

Second, if an opportunity for funding these locations is not provided for in the final decision, how will these 747 qualified abandoned locations ever be funded? There is no mechanism to ever provide USF funding for these locations. After this decision, there is no new A-CAM offer envisioned in which these qualified abandoned locations can be funded. There is no mechanism for GRM to receive legacy support for these qualified abandoned locations. Accordingly, unless action is taken now, these locations will remain without support for the deployment of broadband. It is up to the FCC to provide a solution and the Draft Recon Order provides this opportunity. **If not now, when?**

In closing, GRM urged the FCC to offer the A-CAM support to these abandoned locations as they should have been funded since the beginning. Please direct any questions to the undersigned.

Sincerely,

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
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cc: Preston Wise