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VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, DC 20554

Re: WC Docket No. 10-90
WT Docket No. 10-208

Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, we provide you with notice of an oral ex parte presentation in connection with the above-captioned proceedings. On December 11, 2017, Grant Spellmeyer and undersigned counsel on behalf of United States Cellular Corporation ("U.S. Cellular") met with Chelsea Fallon, Michael Janson, Margaret Wiener, Kirk Burgee, Martha Stancill, William Huber, Jonathan McCormack, Thomas Parisi, and Karen Sprung. Kelly Quinn and Audra Hale-Maddox joined telephonically. Separately U.S. Cellular and counsel met with Amy Bender in Commissioner O'Rielly's office.

U.S. Cellular discussed the upcoming Mobility Fund Phase II auction, specifically the recent challenge process public notice.¹ U.S. Cellular agrees with the Commission that 150 days is sufficient time within which to develop data and file a challenge, however the 150-day window should not open until approximately May 1, 2018 in order to avoid having most of the challenge period occur during winter. Many of the states having significant areas that need investment, such as New Hampshire, Maine, New York, Wisconsin, West Virginia, Minnesota, Wyoming, Montana, Idaho, Washington, Oregon, Nebraska, Utah and Colorado have severe winters, limiting challengers' ability to conduct drive tests.

Some of the lower level secondary roads eligible for support are unpaved, and in many states seasonal road closures significantly limit travel and reduce testing efficiency.² Given the effort undertaken by the Commission to increase the auction's efficiency by collecting one-time data and conducting a challenge process, it is in the public interest to give potential challengers in wintry states a fair opportunity to conduct effective drive testing.

¹ See, Comment Sought on Mobility Fund Phase II Challenge Process Procedures and Technical Implementation, DA 17-1027 (October 18, 2017).

² See, e.g., <https://www.codot.gov/travel/winter-driving/SeasonalClosures.html>; <https://udottraffic.utah.gov/CLALertViewer.aspx?CLType=3>.

U.S. Cellular also discussed the fact that thirty days is an insufficient period to respond to a challenge. For small carriers, receiving even one challenge will require a number of steps to be performed, including downloading data from the USAC portal, comparing data held by the challenged party with that filed with the USAC portal, developing a testing plan, acquiring and calibrating handsets, deploying teams, analyzing gathered data, developing mapping data, and filing the rebuttal. All of this must be done while continuing to perform those duties ordinarily required to run a company's business.

For a carrier such as U.S. Cellular, operating in 22 states, all of the same tasks set forth above must be performed, perhaps dozens of times depending upon the number of challenges filed. If 36 challenges are filed across 22 states, it is highly unlikely that U.S. Cellular will be able to hire and dispatch drive testers to refute all challenges within thirty days, much less complete the steps outlined above. If challenges are not rebutted due to lack of resources, then areas that have sufficient coverage will be deemed to be uncovered and eligible for Phase II support. Rather than have companies file waiver requests when they cannot complete the rebuttal process within thirty days, the Commission should extend the rebuttal window to 60 days.

Should you have any questions, please contact undersigned counsel directly.

Respectfully submitted,



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cc: Chelsea Fallon
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