



December 19, 2017

VIA ECFS

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

Subject: *WC Docket No. 10-90
Performance Measures for CAF Phase II support recipients (DA 17-1085)*

Dear Ms. Dortch:

On December 6, 2017, parties (including Hughes) filed comments in response to the public notice seeking to update the record regarding performance measures for certain Connect America Fund ("CAF") Phase II support recipients, including auction winners.¹ Hughes urged the Commission to bear in mind that obligations to conduct network performance measurements will impose burdens on support recipients, and therefore asks the Commission to balance the need for determining ETC compliance with the burdens associated with the testing process.

Off-peak testing will advance similar goals, and Hughes urges the Commission to adopt an off-peak testing requirement. As some commenters noted, peak usage testing may lead to significant congestion because of the performance testing itself, taking away capacity from the consumer exactly when they need it the most. Hughes also agrees with ITTA that a "one-solution-fits-all" approach would not be appropriate for determining compliance as different companies deploy different network configurations.² Hughes urges the Commission to allow ETCs the flexibility to determine the appropriate testing methodology to verify network performance. And, as noted by USTelecom, imposing peak usage testing on CAF recipients is inconsistent with the Commission's previous orders, which focused on reasonable comparability between urban and rural areas.³

Whatever testing methodology is adopted, the Commission must ensure that it is testing the true user experience. Absolute network parameters do not always correspond to customers' actual experiences. What consumers care most about is how long it takes for them to obtain the content that they seek on the Internet. Any testing parameters should focus on that objective. Hughes has invested substantial resources into optimizing its user experience, and this should be accounted for in the Commission's performance measurement testing.

¹ "Comment Sought on Performance Measures for Connect America High-Cost Universal Service Support Recipients," Public Notice, DA 17-1085 (rel. Nov. 6, 2017).

² Comments of ITTA – The Voice of America's Broadband Providers, p 3.

³ Comments of the USTelecom Association, pp 5-6.

Please direct any questions regarding this filing to the undersigned.

Sincerely,

/s/

Jennifer A. Manner
Senior Vice President, Regulatory Affairs