

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Connect America Fund)	WC Docket No. 10-90
)	
ETC Annual Reports and Certifications)	WC Docket No. 14-58
To: Chief, Wireline Competition Bureau		

**REPLY COMMENTS OF
THE ALLIANCE OF RURAL BROADBAND APPLICANTS**

The Alliance of Rural Broadband Applicants (the “Alliance”), by counsel and pursuant to the *Public Notice* released by the Wireline Competition Bureau (“Bureau”) on January 30, 2015,¹ hereby submits these Reply Comments regarding the Alliance’s request for limited waiver of certain letter of credit (“LOC”) requirements applicable to rural broadband experiment applicants.² The only two filings in the record relating to the Petition – one from NTCA–The Rural Broadband Association (“NTCA”) and the other from Tower Communications LLC (“Tower Communications”) – fully support the Petition, and no party has filed any opposition to the relief requested. Accordingly, the Bureau should expeditiously grant the Petition.

Discussion

The Petition requests a limited waiver of certain LOC requirements for provisionally selected rural broadband experiment applicants. Among other things, the Alliance asked the Bureau to relax certain overly burdensome LOC requirements that relate to the duration and amount of the required LOC. Specifically, the Alliance requested that the Bureau: (1) reduce

¹ *Public Notice*, “Wireline Competition Bureau Seeks Comment on the Alliance of Rural Broadband Applicants’ Petition for Limited Waiver of Certain Rural Broadband Experiment Letter of Credit Requirements; Also Seeks Comment More Generally on Letter of Credit Proposals for Connect America Phase II Competitive Bidding Process,” DA 15-140 (rel. Jan. 30, 2015) (“*Public Notice*”).

² Alliance Petition for Waiver, WC Docket Nos. 10-90 and 14-58 (filed Jan. 27, 2015) (“Petition”).

the amount of the LOC by 50 percent; (2) reduce the duration of the LOC requirement to the shorter of five years (for those applying the “standard” deployment) and three years (for those applying the “accelerated” deployment); (3) release recipients from LOC obligations once the recipient certifies that it has satisfied its deployment obligations; and (4) allow applicants selecting the “accelerated” deployment option to amend their applications to propose the “standard” deployment time period.³ On January 30, 2015, the Bureau released the *Public Notice* seeking comment on the Petition.

While no party submitted comments directly in response to the *Public Notice*, the record reflects support for the Petition.⁴ Tower Communications observes that it, too, has faced the hardships raised by the Alliance and agrees that the LOC requirements are “too burdensome.”⁵ To help ease these burdens, Tower Communications strongly supports the Alliance’s “extremely reasonable” request for partial relief that still “preserv[es] the integrity of the process and meet[s] the [rural broadband experiment’s] objectives.”⁶ NTCA, which submitted its own petition requesting waiver of other LOC requirements, also supports the Alliance Petition.⁷ In the NTCA Petition, NTCA explains that it “should be viewed as complementary to, and generally supportive of, [the] petition[] submitted previously by . . . [the Alliance].”⁸

The Alliance echoes NTCA’s sentiments that “sufficient protection of [universal service fund] resources can still be obtained without having the benefit of obtaining such support

³ See *id.* at 10-12.

⁴ Tower Communications filed its comments on January 29, 2015, one day prior to the Bureau issuing the *Public Notice*. See Comment of Tower Communications, LLC, WC Docket Nos. 10-90 and 14-259 (filed Jan. 29, 2015) (“Tower Communications Comments”). Nevertheless, the Bureau should consider these comments as responsive to the Petition.

⁵ *Id.* at 1.

⁶ *Id.*

⁷ Emergency Petition of NTCA–The Rural Broadband Association for Limited Waiver of Rural Broadband Experiment Letter of Credit Requirement, WC Docket Nos. 10-90, 14-58 and 14-259 (filed Feb. 3, 2015) (“NTCA Petition”).

⁸ *Id.* at 1.

outweighed by the costs of doing so.”⁹ The Alliance also agrees with Tower Communications that grant of the Petition will uphold the integrity of the rural broadband experiment program.¹⁰ Given the record in support of the Petition, and the lack of opposition to it, there is no reason for the Bureau to deny the Petition.¹¹ As the Alliance stated in its Petition, and reiterates here, the hardships that the LOC obligations impose undermine the success of the rural broadband experiment program.¹² The public interest, therefore, will be served by granting the Petition and relaxing certain of the LOC requirements.

Conclusion

The record demonstrates that there is no reason to withhold action or further deny the Petition. As the Alliance argues, and NTCA and Tower Communications agree, the LOC requirements are simply too burdensome for many rural broadband experiment applicants. Accordingly, the Alliance respectfully requests that the Bureau expeditiously grant the Petition.

Respectfully submitted,

**ALLIANCE OF RURAL BROADBAND
APPLICANTS**

February 13, 2015

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⁹ *Id.* at 3.

¹⁰ Tower Communications Comments at 1.

¹¹ The Alliance acknowledges that the Bureau has already partially denied the Petition with respect to the request that the LOC filing deadlines be extended. *See In the Matter of Connect America Fund Rural Broadband Experiments*, Order, DA 15-139 (rel. Jan. 30, 2015).

¹² *See* Petition at 3, 10.