

HERMAN & WHITEAKER, LLC

DONALD L. HERMAN, JR
GREGORY W. WHITEAKER
KENNETH C. JOHNSON[†]
ROBIN E. TUTTLE^{**}
CARRIE L. DEVIER^{***}
SARAH L. J. ACEVES^{****}

[†]Admitted in DC and VA only

^{**}Admitted in DC, SC and FL only

^{***}Admitted in SC only

^{****}Admitted in DC only

TEL 202-600-7272

FAX 202-706-6056

6720 B Rockledge Drive, Suite 150
Bethesda, MD 20817

VIA ECFS

December 4, 2015

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

RE: Leaco Rural Telephone Cooperative, Inc. Further Amendment to Request For Limited Waiver And Extension Of Mobility Fund Phase I Public Interest Obligations with respect to SAC 498002, WC Docket No. 10-90 and WT Docket No. 10-208

Dear Ms. Dortch:

By this letter, Leaco Rural Telephone Cooperative, Inc. (“Leaco”) provides an update on the Mobility Fund Phase I (“MFI”) project associated with Study Area Code (“SAC”) 498002,¹ and requests a brief further extension of time to submit drive test data. In its Waiver Request, Leaco requested a 180-day extension, until December 5, 2015, to complete construction and submit drive test data for this and five other MFI projects.² Leaco hereby amends its Waiver Request to request an 18-day extension beyond December 5, 2015, in order to complete drive testing and submit the drive test results for this MFI project.³

¹ SAC 498002 is associated with Census Tract 35005001200 (“Tract 1200”).

² See Leaco Rural Telephone Cooperative, Inc. Request For Limited Waiver And Extension Of Mobility Fund Phase I Public Interest Obligations, *Connect America Fund, Universal Service Reform – Mobility Fund*, WC Docket No. 10-90 and WT Docket No. 10-208 (file Apr. 16, 2015) (“Waiver Request”).

³ Leaco did not include SAC 498002 in its Second Amendment of Request For Limited Waiver And Extension Of Mobility Fund Phase I Public Interest Obligations because Leaco

Leaco expects to complete construction of its 3G network for SAC 498002 by December 10, 2015. Leaco had already completed construction of the majority of its 3G network to cover the previously unserved road miles in Tract 1200 by the mid part of November 2015, and had completed drive testing for 80% of eligible unserved road miles shortly thereafter, which includes the portion of the tract that did not depend on the remaining network construction. Leaco, however, will not be able to complete construction of certain portions of the network covering Tract 1200 until December 10, 2015, because it has been waiting for a Notice to Proceed from American Tower to construct a microwave hop. Despite Leaco's best efforts to complete this MFI project by the requested December 5, 2015 extension, severe weather in southeastern New Mexico during the last week of November 2015, has also hindered Leaco's ability to complete the remaining network construction and associated drive testing in order to submit all data by December 5, 2015. After completing network construction, Leaco expects to complete the remaining 20 percent of the drive testing for Tract 1200 by December 12, 2015. Following completion of the drive testing, Leaco must process the drive test results in order to submit them to the Universal Service Administrative Company ("USAC"). Leaco has requested that its consultant put all of its resources on processing the drive test results so that Leaco will be able to file those results with USAC by December 23, 2015.

As explained in the Further Request, Leaco has continued to work diligently to complete its 3G network in Tract 1200. Granting a brief further extension beyond the initially requested extension will not result in any harm to the public. Rather, in granting this further extension the public interest will be served because Commission will realize its goal of expanding mobile voice and broadband services to the unserved areas in the Census Tract. Leaco's 3G network is constructed and operational. Without reimbursement for its MFI network, however, Leaco will not be able to operate the 3G network in Tract 1200, and the Commission will not have met its broadband expansion goals. The public interest will be harmed by not granting the requested extension because there is no other broadband provider willing to serve the unserved areas that Leaco has committed to serve through its participation in the MFI program. There is good cause to grant the Waiver Request, as amended with regard to SAC 498002, so that Leaco can demonstrate its completion of the MFI project and receive the appropriate remaining MFI support to which both Leaco and the Commission agreed.

expected to meet the December 5, 2015 date, for this SAC. *See* Second Amendment of Request For Limited Waiver And Extension Of Mobility Fund Phase I Public Interest Obligations *Connect America Fund, Universal Service Reform – Mobility Fund*, WC Docket No. 10-90 and WT Docket No. 10-208 (filed Nov. 24, 2015) ("Further Request").

Please contact the undersigned counsel if you have any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'G. W. Whiteaker' followed by a long horizontal line.

Gregory W. Whiteaker
Robin E. Tuttle

*Counsel for Leaco Rural Telephone
Cooperative, Inc.*

cc (via electronic mail)
Gary Michaels
Rita Cookmeyer