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Cw i wuv"43."4237"

VIA ELECTRONIC SUBMISSION

Ocnngpg" J 0" Fqtvej"
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Hgfgtcn"Eq o o wpkecvkqpu"Eq o o kuukqp"
667"34vj"Uvtggv."U Y "
Y cu jkp i vqp."FE"42776"

Re: WC Docket Nos. 10-90, 14-58, 07-135, 05-337, and 03-109; GN Docket No. 09-51; CC Docket Nos. 01-92 and 96-45; WT Docket No. 10-208

Fgct"Ou0" Fqtvej<

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encuuö"dtqcf dcpf."eqpvtct {"vq"vjg"rwdnke"kpvgtguvö⁴"Vq"cf ftguu"vjgug"eqpegtpu."XkcUcv"rtqrqugu"c"
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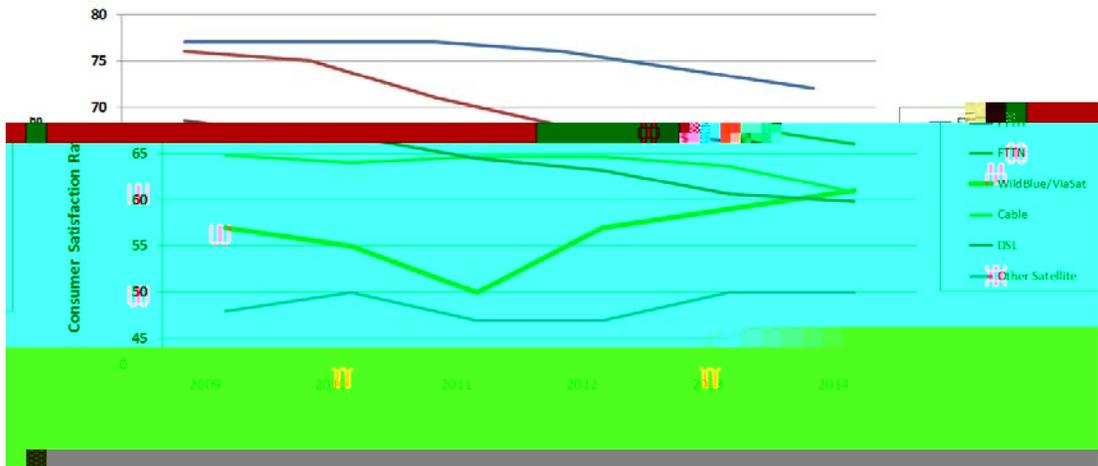
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32/ ; 2."cv"4"*Ocej"49."4237+0""

4"" Ngvgt"htq o "Uvgr jgp"N0" Iqqf o cp."Eqwpugn"htq"CFVTCP."vq"HEE." Y E" Fqemgv" Pq0"32/
; 2."cv"3"*Lwn {"44."4237+0""

"

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HVV J < "HkQU. "HVVP < "W/Xgtug. "Ecdng< cxgtci g" ueqtg" qh" EcdngQpg. "Ejctvgt. "Eq o ecuv. "Eqz. "OgfkcEq o. "Vko g" Yctpgt. "FUN< cxgtci g" ueqtg" qh" CV (V. "Egpvwt{ "Nkpm. "HcktRqkpv. "Htqpvgk. "Xgtk | qp. "Ykp fuvtgc o0" XkcUcv" pqv" tcpmgf" kp" 4235. "fcvc" rqkpv" ku" kpvgt r qncvfg0"

Uqwtgc< "Consumer Reports" kuuwgu" rwdnku jgf" Hgdwtct{ "4232." Oc{ "4233." Lwpg" 4234." Oc{ "4235." Oc{ "4236." cpf" Oc{ "4237." available at y y0eqpuw o gttgrqtvu0qti0"

⁵ See Ucpfxkpg. "Global Internet Phenomena Report: Latin America & North America." cv"6." Vcdng" 3" *Oc{ "4237+" *ujqykpi" Pgvhnkz" ykvj" 5806: ' "ujctg" cpf" [qwVwdg" ykvj" 37078 ' " u jctg" qh" rgcm" fqy puvtgc o "vtchhke" qxgt" hkzgf" hceknkvkgu" kp" Pqtvj" C ogtkcc+0"

⁶ See 2014 Measuring Broadband America Fixed Broadband Report. "cv" 37" *4236+" *pqvkpi" vjcv" cxgtci g" rgcm" fqy pncf" urggfu" rgt" KUR" xctkgf" htq o "c" jki j" qh" 35; " rgtegpv" qh" cf xgtvkugf" urggf" hqt" XkcUcv" vq" c" nqy" qh" : 5" rgtegpv" qh" cf xgtvkugf" urggf" hqt" Xgtk | qp" FUN+= "2013 Measuring Broadband America February Report. "cv" 9" cpf" 32" *4235+" *pqvkpi" vjcv" ; 2" rgtegpv" qh" XkcUcv" eqpuw ogtu" tgegkxg" 362" rgtegpv" qt" dgwgt" qh" cf xgtvkugf" urggf. "cpf" vjcv" cxgtci g" rgcm" fqy pncf" urggfu" rgt" KUR" xctkgf" htq o "c" jki j" qh" 359" rgtegpv" qh" cf xgtvkugf" urggf" hqt" XkcUcv" vq" c" nqy" qh" : 3" rgtegpv" qh" cf xgtvkugf" urggf" hqt" Ykp fuvtgc o +0"

Pqvcnd{."cu"ku"vjg"ecug"ykvj"gxgt{"qvjgt"vgejppnqi{"vjg"swcnkv{"qh"ucvgnmkvg"vgejppnqi{"vwtpu"qp"rtgekugn{"jqy"vjg"vgejppnqi{"ku"fgnrq{"gf"cpf"jqy"vjg"rtqxfgt"ocpcigu"vjg"rtqxxkqp"qh"ugtckeg"vq"ewuvq"ogtu0""Vjgug"rgturgevkvxgu"ujqwnf"htc"og"vjg"fgxgnqr"ogpv"qh"vtwn{"vgejppnqi{/pgwvtcn"ECH"rgthqt"ocpeg"ogvtkeu0""

A. For CAF Phase II, the Commission Should Adopt Different Eligibility Criteria than the 100 Milliseconds Latency Requirement

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XkcUcv"ku"gcigt"vq"ocmg"kvu"Gzfgf¹"dtqcfdcpf"ugtckegu"cxckncdng"vq"oknnkqpu"qh"cfkvvkqpen"eqpuw"ogtu"kp"ECH/gnki"kdng"nqecvqpu"vjcv"ewtgpvn{"fq"pqv"tgegkxg"vtwg"dtqcfdcpf"ugtckeg0""XkcUcv"ku"ygnm/rqukvkqpgf"vq"swkemm{"cpf"ghhkekgpvn{"ugtckeg"vjqug"eqpuw"ogtu"vjqtqwi"j"cvvtcevkxg"ugtckeg"rncpu"qhhgtpki"rtkegu."urrgfu."wucig"cnmqy"cpegu."cpf"swcnkv{"vjcv"yqwnf"oqtg"vjcp"ucvkuh{"vjg"otgcuqpcdng"eq"orctcdknkv{"o"dgpej"octmu"dgkpi"eqpvgo"rncvfg"d{"vjg"Eq"o"okuukqp0""Jqy"gxgt."XkcUcv"oc{"pqv"dg"cdng"vq"lwuvkh{"vjg"fgnrq{"ogpv"cpf"fgfkecvkqp"qh"ecrcekv{"vq"ugtckeg"vjqug"pggf"ku"kv"ku"pqv"cnmqy"gf"vq"rctvkekrvcg"kp"ECH"rtqitc"ou"qp"vjg"uc"og"vgt"ou"cu"qvjgt"rtqxfkgtu0""Ukorn{"ucvvgf."hqtg"iqkpi"vjg"wg"qh"ecrcekv{"cpf"ecrkvcn"htq"qvjgt"dwukpguu"ugtckegu."cpf"dgctkpi"vjg"equvu"kpqxngxf"kp"qdvckkpi"cpf"ockpvckkpi"gnki"kdng"vgngeq"o"wpkecvkqpu"ecttkgt"*oGVEo+"ucvvwu."oc{"pqv"ocmg"ugpug"wpnguu"XkcUcv"ecp"rctvkekrvcg"kp"vjg"tgxgtug"cwevkqpu"qp"vjg"uc"og"vgt"ou"cu"gxgt{"qpg"gnug0""

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Kp"ECH"Rj"jug"K."vjg"Eq"o"okuukqp"fgrectvgf"htq"o"kvu"jkuvqtkecn"eq"o"kv"ogpv"vq"eq"ogrvkvkxg"cpf"vgejppnqikecn"pgwvtcnkv{."y"jkej"jcf"cnmqy"gf"*cpf"eqpvkpwgu"vq"cnmqy+"ucvgnmkvg/dcugf"ugtckegu"vq"rctvkekrvcg"kp."cpf"tgegkxg"uwrrqtv"vjqtqwi"j."qvjgt"hgfgtcn"wpkxgtucn"ugtckeg"

.....

⁷ See Federal-State Joint Board on Universal Service."Tgrqtv"cpf"Qtfgt."34"HEE"TeF":998."cv"Ê"6:":*3; ;9+*eqpenwfkpi"vjcv"twngu"vjcv"okpkok|g"eq"ogrvkvkxg"cpf"vgejppnqikecn"dkcu"yqwnf"ohceknkvcvg"o"ctmgv/dcugf"rtqeguu"y"jgtgd{"gcej"wgugt"eq"oguv"vq"dg"ugtckeg"d{"vjg"oquv"ghhkekgpv"vgejppnqi{"cpf"ecttkgt0"

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qh"uwr rqtvkpi"ko rqtvcpv"dtqcf dcpf"cr rnkecvkqpu0"

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gnk i kdknkv {<"

- **Speeds of 25 Mbps downstream and 3 Mbps upstream.** "Urggf"ku"vj g"o quv"etwekcn"
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Pqvcdn {"vj g" c o qwpv"qh"urggf"*qt" dcpf y kfvj + "cevwcn {"rtqxfgf"vq"cp"gp f"wugt"ku"
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fqy puvtgc o"vtchhke"qxgt"hzgf"dtqcf dcpf" hceknkvkku"kp" Pqtvj" C o g tkec0³³"Kp"
eqpvtcuv."qvjgt"pgv y qtm"rgthqt o cpeg"ejctcevgtkuvkeu ô nkmg"ncvge {"cpf"lkvgt ô ctg"
hct"nguu"uk i pkhkecpv"fwg"vq"vj g"wug"qh"ecej kpi"cp f"dwhhgtkpi"kp"eqppgevkqp" y kvj"uwej"
cr rnkecvkqpu0³⁴"

- **Service plans with usage allowances tied to urban rate survey results.** "Kp"qtfgt"
vq"gpuwgt"vj cv"uwr rqtvgf"qhhtkpi u"ctg"ötgeuqpcdn {"eq o rctcdngö"vq"vj qug"cxckncdng"
kp"wtdep"ctgeu."tgs wktgf" wuc i g"cmnq y cpegu"uj qwnf"dg"vkgf"vq"vj g"tguwnvu"qh"vj g"
Eq o o kuukqpøu"wtdep"tcvg"uwtxg {"u0³⁵"XkcUcv"ku"eqphkfgpv"vj cv"kv" y qwnf"dg"cdng"vq"
rtqxfgf"ugtxkeg"rnepu"eqpukuvgpv" y kvj"vj qug"tguwnvu"kh"kv"ku"cmnq y gf"vq"rctvkekr cvg"
hwcn {"kp"Rj cug"KK"qh"vj g"ECH."cp f"wt i gu"vj g"Eq o o kuukqp"vq"tg lge v"rtqrqucnu"ht"

=====

32ⁿⁿ See *Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, as Amended by the Broadband Data Improvement Act.* 52 HEE Tef 3597*4237+0"

33ⁿⁿ See p05."supra0"

34ⁿⁿ See, e.g., Vk o "U | k i gv k"cp f"Ej tkuvkpc"J cvkpi j."Ekueq"U {uv g o u."Quality of Service Design Overview"*Fge0"39."4226+*"pqvkpi"vj cv"uvtgc o kpi" xkfgq"cr rnkecvkqpu" j cxg"pq"uk i pkhkecpv"
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dwhhgtkpi"ecrcdknkvku+0"

35ⁿⁿ See, e.g., *Wireline Competition Bureau Announces Posting of Broadband Data from Urban Rate Survey and Seeks Comment on Calculations of Reasonable Comparability Benchmark for Broadband Services.* Rwdnke" Pqkge."4 ; "HEE" Tef"9 ; ; 4*4236+*"pqvkpi"vj cv"
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rgt" o qpvj +0"

wuc i g"cnmq y cpegu"v j cv" y qwnf"ugxgtgn{"tguvtkev"eqpuw o gtuø"cdknkv{"vq"wug"v j gkt"
ugtxkeg"ghhgevkvxgn{"cpf"rgtrgvwcvg"v j g" o kurgtegrvkqp"v j cv"ucvgnkv"dtqcf dcpf"
vge j p q n q i k g u"ctg"kphtkqt"vq"vgttguvtken"cnvgtpcvkxgu³⁶

- *Access to voice service with a Mean Opinion Score (MOS) of four.*³⁷"XkcUcv"
tgeq i p k | g u"v j g"Eq o o kuukqpøu"fguktg"vq"gpwgtg"v j g"swcnkv{"qh"xqkeg"ugtxkegu"v j cv"

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o qtg"ngpkpvp"rcemgv"nquu"tgs wktg o gpv."uwej"cu"nguu"vj cp"3"rgtegpv."y qwnf"dg"o qtg"
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cntgcf {"kpenwfgf"kp"vj g"rtqrqugf"OQU"ueqtg"cpf"pggf"pqv"dg"ugrctcvgn {"urgekhhgf"
hqt"XqkR0""

- **Average one-way jitter of no more than 30 milliseconds for interactive, real-time applications.**³⁹"Nqy"lkvgt"jgnru"vq"eq o r g p u c v g "hqt"rcemgv"fgnc {"cpf"
hceknkvcvgu"jki j / s w c n k v {"kpenw f k p i "k p v g t c e v k x g . " t g c n / v k o g " c r r n k e c v k q p u . " u w e j " c u " x k f g q "
eqphgtgpekpi 0""Hqt"kpvgtecvkxg."tgc n/vk o g"cr rnkecvkqpu"qvjgt"vj cp"XqkR."XkcUcv"
rtqrqugu"cp"cxgtc i g"qpg/yc {"lkvgt"urgekhhkecvkqp"qh"pq"o qtg"vj cp"52"
o knnkugeqpfu³:"Cu"pqvgf"cdq xg."vj g"k o rcev"qh"lkvgt"qp"XqkR"ugtxkeg"ku"cntgcf {"
kpenwfgf"kp"vj g"rtqrqugf"OQU"ueqtg"cpf"pggf"pqv"dg"ugrctcvgn {"urgekhhgf"hqt"
XqkR="hqt"cr rnkecvkqpu"nkmg"xkfgq"uvtgc o kpi."vj g"swcnkv {"qh"ugtxkeg"qh"y jkej"ku"
o c p c i g f " d {" v q q n u " n k m g " d w h h g t k p i " c p f " e c e j k p i . " v j g t g " k u " p q " u k i p k h k e c p v " e q t t g n c v k p i "
dgy yggp"nqy"lkvgt"cpf"cjki j / s w c n k v {"gpf/wugt"gzrgtkgpeg³:"

Kp"uj qtv."XkcUcv"dgngxgu"vj cv"vj gug"gnki kdknk {"etkvtkc"y qwnf"cfxcpeg"vj g"qdlgevkgu"qh"vj g"ECH"
rtqitc o "hct"o qtg"ghhgevkgu {"vj cp"322"o knnkugeqpfu"ncvgpe {"tgs wktg o gpv"dgecwug"vj g {"y qwnf"
gpuwtg"vj cv"eqpuw o gtu"tgegkxg"jki j / s w c n k v {"dtqf d c p f " c p f " x q k e g " u g t x k e g u " y j k n g " h c e k n k v c v k p i "
eq o r g v k v k q p " d g y y g g p " c " y k f g " x c t k g v {" q h " u g t x k e g " r t q x k f g t u " c p f " v g e j p q n q i k g u o y k v j " t g u w n v k p i " i c k p u "
kp"rtqitc o "ghhkekgpe {"cpf"ghhgevkgpgu0""

B. If the Commission Instead Retains the 100 Milliseconds Latency Requirement, the Commission Should Clarify that the Requirement Applies Only with Respect to Latency-Sensitive Traffic

Kh"vj g"Eq o o kuukqp"fgkfgu"vq"htgtiq"vj g"wug"qh"vj g"vgejppnqi {"pgwvtcn"gnki kdknk {"
etkvtkc"fguetkdgf"cdq xg"cpf"kpugcf"ko rqugu"322"o knnkugeqpfu"ncvgpe {"tgs wktg o gpv"htq"Rjcug"KK"
qh"vj g"ECH."vj g"Eq o o kuukqp"cv"ngcuu"uj qwnf"enctkh {"vj cv"uwej"c"tgs wktg o gpv"y qwnf"cr rn {"qpn {"
ykvj"tgurgev"vq"ncvgpe {"ugpukvkg"vtchhke⁴²"Vj g"ECH"Rjcug"K"ncvgpe {"tgs wktg o gpv"gzvpgfu"htq o "

.....

³⁹ Lkvgt"htgswgpvn {"ku"fgkpgf"cu"vj g"xctkcvkqp"kp"ncvgpe {"qxgt"vk o gu0""Tgc n/vk o g."kpvgtecvkxg"
cr rnkecvkqpu"ecp"dg"ugpukvkg"vq"lkvgt0""Vj cv"lkvgt"ku"fgtkxcvkg"qh"ncvgpe {"wpfgtevvu"JPUø"
enck o "vj cv"vj g"Eq o o kuukqp"jcu"pqv"rtqxfgf"uw h h k e k g p v " p q v k e g " q h " v j g " r q v g p v k c n " c f q r v k q p " q h "
c"lkvgt"o gvtke0""See, e.g., Ngvgt"htq o "Lgppkhgt"C0"Ocppgt."XR."Tgi wncvqt {"Chhcktu."JPU"vq"
HEE."YE"fqemgy"Pq0"32/; 2."cv"3"*Lwn {"42."4237+0""Oqtgqxtg."vj g"Eq o o kuukqp"
urgekhhcenn {"jcu"kp xkv g f " r c t v k g u " v q " r t q r q u g " c n v g t p c v k x g u " v q " v j g " 3 2 2 " o k n n k u g e q p f u " n c v g p e {"
uvcpfctf0""See *Connect America Fund*.⁴; "HEE"TEf"9273."cv"Ê"372"*4236+0""

^{3:} See Vko"U|kigvk"cpf"Ejtkvpc"Jcvkpij."Ekueq"U{uvgo u."Quality of Service Design
Overview"*Fge0"39."4226+0"

^{3:} See *id.*

⁴² Vjku"cr rtqcej"ku"rtghgtcdng"vq"fgkpkpi"c"o qtg"tgnczgf"ucvgnkvg/urgekhhke"ncvgpe {"uvcpfctf0""
Cf. Ngvgt"htq o "Lgppkhgt"C0"Ocppgt."XR."Tgi wncvqt {"Chhcktu."JPU"vq"HEE."YE"fqemgy"

I Δ T H Δ M & W A T K I N S LLP

vk o g"cr rnkecvkqpu"qv jgt"v jcp"XqkR="cpf"*x+"cxgtc i g"qpg/yc{"lkvgt"qh"pq" o qtg"v jcp"52"
o kmmkugeqpfu"hqt"kpvtgcevkg."tgc/vk o g"cr rnkecvkqpu"qv jgt"v jcp"XqkR0""Kh"v jg"Eq o o kuukqp"kpuygc f"
ejqqugu"vq"k o rqug" c"322" o kmmkugeqpfu"ncvgpe {"tgs wktg o gpv"hqt"Rj cug"KK"qh"v jg"ECH ô
pqv y kv j uvc p f k p i "v j g" rwdnke"kpvtgtguv" jct o u"v jcv" y qwnf"hnq y "htq o "v jcv" fgekukqp ô kv"cv"ngcuv"u j qwnf"
enctkh {"v jcv"v jg"tgs wktg o gpv"cr rnkgu"qpn {"y kvj"tgur gev"vq"ôncvgpe {/ugpukvkgö"vtchhke0""V jcv"
enctkhkecvkqp" y qwnf"nk o kv"uq o gy jcv"v jg" jct o u"v jcv"qv jgt y kug" y qwnf"hnq y "htq o "v jg" wug"qh" c"
pw o gtke"ncvgpe {" o gtke0"

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Tgur gehwnn {"uwd o kvvg f."

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""lul"Lqjp"R0"Lcpmc" " " "

Lqjp"R0"Lcpmc"

Lcttgvv"U0"Vcwo cp"

"

Counsel to ViaSat, Inc.

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ee<"" Fcpkgn"Cnxctg |"
" Lqpcv jcp"Ej c o dgtu"
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" Ocvvjgy"Fgn"Pgtq"
" Mcvkg"Mkpi "
" Cnge"OceFqpgnm"
" Ectqn"Ocvvg {" "
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