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June 10, 2016

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Room TW-A325
Washington, DC 20554

RE: Ex parte filing in WC Docket No. 10-90, WT Docket No. 10-208

Dear Ms. Dortch:

The Alaska Plan signatories have proposed a plan to make substantial improvements to mobile service in remote Alaska without increasing the burden on the Universal Service Fund and without reducing support to providers outside of Alaska. The signatories designed the Plan to take Alaska's unique circumstances into account, including the way the Plan identifies the geographic areas that would be eligible for Alaska Plan support. The Alaska Telephone Association ("ATA") submits this letter to elaborate on how the proposed selection of eligible Census blocks uniquely reflects Alaska's geography and circumstances.

The Remote Alaska Mobile Infrastructure Plan is the portion of the Alaska Plan designed for mobile competitive eligible telecommunications carriers ("CETCs") that are already serving remote Alaska. To target the support effectively, the Plan would provide support for those Census blocks in remote Alaska where (1) no facilities-based nationwide CMRS provider offers LTE to 85% or more of the population, and (2) a CETC serves 15% or more of the population with some form of mobile service, even a voice-only service.¹ In this way, the Plan avoids providing support in any area where a national provider has already justified deploying LTE. A later phase of the Alaska Plan would auction support for totally unserved areas.

Using an 85% threshold to eliminate Census blocks served by a nationwide CMRS provider suits the needs of the Alaska Plan and is consistent with Commission precedent. In the recent *Rate-of-Return Reform Order*, the Commission used the 85% threshold to determine whether a Census block is served for purposes of the legacy rate-of-return high-cost program, and found this threshold to support the Commission's objective to "ensure that high-cost universal service support is used efficiently, consistent with the intent of providing universal service where it otherwise would be lacking."² While ATA proposed and continues to support the 85% threshold, as applied in

¹ Throughout this letter, we rely on the methodology described in detail in the GCI April 19, 2016 *Ex Parte* Letter. Letter from John T. Nakahata, Counsel to General Communication, Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90, WT Docket No. 10-208 (filed Apr. 19, 2016) ("GCI April 19, 2016 *Ex Parte* Letter"). As explained in that letter, GCI first determined the overlapping coverage areas by examining the most recent publicly available Form 477 shapefiles, which reflect coverage as of December 2014. GCI then overlaid the shapefiles on the 2010 Census blocks of remote Alaska to estimate the percentage of population in each block that is covered by multiple providers. The location of the population is itself an estimate, based on proximity to road miles and the existence of non-governmentally owned lands.

² *Connect America Fund et al.*, Report and Order, Order on Reconsideration, and Further Notice of Proposed Rulemaking, FCC 16-33, 31 FCC Rcd. 3087, 3133 ¶ 121 (2016).

Alaska it is more likely to cause a loss of service than in the Lower 48. The average Alaskan Census block is 14.7 square miles, as compared to .28 square miles for the average Census block in the 49 states and the District of Columbia.³ The Alaska Plan would consider a Census block “served” by a nationwide CMRS provider if that provider offers service to 85% of the population of the block. Alaska’s remote population tends to be clustered in and around small villages that can be separated from other populated areas by large distances. Thus, even if 85% of the population is served by a nationwide CMRS provider, areas outside the core population cluster may be served instead by an Alaska Plan signatory that would no longer receive support for that Census block. A threshold lower than 85% increases these risks; a 50% threshold could make a Census block ineligible for Alaska Plan support even if there is no overlap in coverage. The Alaska Plan signatories understand the need to ensure that support is “used efficiently,” and thus support the 85% threshold.

The overlap among Alaska Plan signatories is relatively minor. The December 2014 Form 477 data reveal no Census blocks where multiple Alaska Plan signatories offer LTE. At the 3G service level, the overlap analysis shows approximately 3,100 people living in eligible Census blocks served by two Alaska Plan signatories. The overlap analysis also shows that the total population of eligible Census blocks with mobile service of some kind available from more than one Alaska Plan signatory is approximately 33,000. In its proposal for Mobility Fund Phase II, the Commission acknowledged that it could be appropriate to support more than one CETC in an area “if doing so would maximize coverage.”⁴

There are at least three specific ways in which approving the Alaska Plan without further adjustment for minor overlap will “maximize coverage.” First, when two mobile providers both report providing service in a Census block, they may not both serve precisely the same area. A Census block was identified as having overlapping service when multiple providers’ December 2014 Form 477 shapefiles show that they each serve at least 85% of the population in the Census block. Neither may serve 100% of the population, and thus eliminating support to one could cause the loss of the only network serving up to 15% of the population of the Census block. Furthermore, because the overlap methodology focuses on population centers (the locations of which were estimated), eliminating one provider could also eliminate all coverage to areas in which important economic activity occurs, including commercial fishing and oil exploration and transport,⁵ and tourism in the national parks. As mentioned above, the potential to reduce coverage by eliminating one provider is greater in Alaska than elsewhere due to the sheer size of Alaskan Census blocks. When multiple providers both serve a .28 square mile area in the Lower 48, each one is more likely to serve the entire block than in Alaska, where the blocks are more than 50 times larger.

Second, access to both air interfaces remains critical during the transition to LTE. LTE deployment in the areas the Alaska Plan targets is in its infancy. Outside of Census blocks where a

³ *Connect America Fund et al.*, Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161, 26 FCC Rcd. 17,663, 17,788 ¶ 347 n.587 (2011) (“*Transformation Order*”), *aff’d sub nom. In re FCC 11-161*, 753 F.3d 1015 (10th Cir. 2014).

⁴ *Transformation Order* at 18,073 ¶ 1136; *see also id.* at 17,779 ¶ 316 (noting that “in certain limited circumstances, the most efficient use of resources may result in small overlaps in supported service”).

⁵ For example, oil exploration on Prudhoe Bay occurs during a narrow window of time each winter when the tundra is completely frozen, so that “ice roads” can be created. Mobile service keeps workers connected with the base community, which can be lifesaving as a mechanical failure could leave them stranded in brutally cold conditions.

nationwide CMRS provider offers LTE, as of December 2014 approximately 8,746 people live in Census blocks served with LTE—6% of the population of eligible areas. By contrast, 99.6% of Americans live in Census blocks with LTE coverage, and 97.9% of Americans in rural areas have LTE coverage.⁶ Remote Alaskans remain far more dependent on 2G and 3G technology than other Americans, even other rural Americans, and thus have greater need for networks using both air interfaces. The loss of a provider using either GSM or CDMA would leave 2G and 3G customers with unusable devices. More disruptively, the loss of an air interface would leave customers, especially roamers, who rely on that interface with no service. Seasonal work, such as in oil fields and fisheries, attracts workers from throughout Alaska and the Lower 48 to discreet areas in Alaska at specific times of year;⁷ to the extent they rely on 2G and 3G technologies, the lack of the corresponding air interface would leave them without service.

Third, the Alaska Plan is an integrated fixed-mobile plan. Every CETC that is eligible for funding in the Remote Alaska Mobile Infrastructure Plan is affiliated with an incumbent local exchange carrier (“ILEC”) that is also eligible for Alaska Plan support. These companies have proposed performance commitments based on holistic plans that take into account the efficiencies of running both fixed and mobile operations. The loss of support for mobile operations could affect a provider’s ability to carry out its proposed performance commitments for its ILEC operations. Not only would mobile consumers be affected, but the wireline consumers could also experience less improvement via the Alaska Plan than they otherwise would have.

Maximizing mobile coverage is uniquely important to public safety in Alaska. The Commission estimates that 70% of calls to 911 are made from mobile phones, but a mobile phone without a useable mobile network is useless in an emergency.⁸ Indeed, in addition to having access to 911, remote Alaskans often reach out to family and friends via mobile networks for help in an emergency,⁹ as law enforcement or public safety officials may be located hours away. Similarly, removing access to mobile service is hardly consistent with the mandate of section 254 that “[a]ccess to advanced telecommunications and information services should be provided in all

⁶ See *Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993, Annual Report and Analysis of Competitive Market Conditions with Respect to Mobile Wireless, Including Commercial Mobile Services*, Eighteenth Report, DA 15-1487, 30 FCC Rcd. 14,515, 14,542 ¶ 38 Chart III.A.3, 14,544 ¶ 41 Chart III.A.5 (Wireless Telecomms. Bur. 2015).

⁷ Copper Valley Wireless sees an increase in subscribership of almost 6% each summer. Similarly, the population of the Prudhoe Bay area increases each winter during the exploration season.

⁸ See FCC, *911 Wireless Services* (last updated Nov. 2, 2015, 3:45 PM), <https://www.fcc.gov/consumers/guides/911-wireless-services>. Copper Valley, for example, has documented the critical role of 911 services as well as non-911 emergency mobile communication in remote Alaska. See Letter from David Dengel, Chief Executive Officer, Copper Valley Telecom, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90, WT Docket No. 10-208 (filed June 17, 2014); Letter from Shilah Butler, Senior Manager for Affiliate Operations, Copper Valley Telecom, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90, WT Docket No. 10-208 (filed Aug. 29, 2013).

⁹ See, e.g., Globecom, *Case Study: Bringing Mobility to the Village: Globecom Creates a Rural Wireless Network in Alaska for GCI* at 2, <http://www.globecommsystems.com/pdf/globecom-cs-gci-alaska.pdf> (describing a stranded snowmobiler who was able to call a friend by wireless phone to bring him a part for his vehicle); Hannah Colton, *A Swamped Kayaker Survived for Hours in Frigid Port Heiden Bay*, ALASKA DISPATCH NEWS (May 7, 2016), <http://www.adn.com/alaska-news/article/swamped-kayaker-survived-hours-frigid-port-heiden-bay/2016/05/07/> (noting that the swamped kayaker’s wife reached out to friends and neighbors for assistance after he failed to return when his last text messages indicated he would return).

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regions of the Nation,” and that Americans in rural areas should have services that are “reasonably comparable to those services provided in urban areas.”¹⁰

Finally, ATA urges the Commission to consider the practical difficulties of holding an auction for ongoing support for mobile service in remote Alaska. The Commission has yet to conduct an auction for universal service support in which only the winners receive support, and all other providers’ support is extinguished. Alaska’s differences make it precisely the wrong area in which to conduct the first such auction. When the Commission held Mobility Fund I, only 1% of the funds were awarded to Alaska. The terrain, climate, distribution of population, geography, and lack of infrastructure simply make Alaska a more challenging environment in which to deploy communications networks. A bespoke auction for remote Alaska would delay improvements to remote Alaska’s mobile networks yet would teach the Commission and the industry little that would inform a national auction.

ATA urges the Commission quickly to adopt the Alaska Plan as proposed, so that ATA members can proceed to improve service to the citizens of remote Alaska.

Respectfully submitted,

Via ECFS 6/10/2016

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¹⁰ 47 U.S.C. § 254(b)(2)-(3).