

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC**

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| In the Matter of |) | |
| |) | |
| Development of Nationwide Broadband Data |) | |
| to Evaluate Reasonable and Timely |) | |
| Deployment of Advanced Services to All |) | WC Docket No. 07-38 |
| Americans, Improvement of Wireless |) | |
| Broadband Subscribership Data, and |) | |
| Development of Data on Interconnected |) | |
| Voice over Internet Protocol (VoIP) |) | |
| Subscribership |) | |

**REQUEST FOR HARDSHIP WAIVER OR
IN THE ALTERNATIVE AN EXTENSION OF TIME**

GTA TeleCom LLC (“GTA”) hereby requests that the Commission grant GTA a hardship waiver of the requirement to provide census tract level data and instead allow it to submit broadband subscriber service addresses or GIS coordinates, together with speed and technology to each address, instead of census tract level data.¹ In the alternative, GTA requests a 60-day extension of time to allow it to complete and file Form 477 for its broadband services.

I. REQUEST FOR HARDSHIP WAIVER

GTA requests the grant of a hardship waiver of the Commission’s requirement to provide census level data in its Form 477 filing. In its Order, the Commission recognized that some entities, particularly smaller carriers such as GTA, may be unable to comply with the new requirement to provide census tract level data on its broadband services.² As such, entities experiencing such hardships are allowed to file a list of service address or GIS coordinates of the

¹ *Development of Nationwide Broadband Data to Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans, Improvement of Wireless Broadband Subscribership Data, and Development of Data on Interconnected Voice over Internet Protocol*, Report and Order and Further Notice of Proposed Rulemaking, FCC 08-89 ¶ 15 (2008) (allowing for a waiver if the entity will suffer hardship in providing the data at the census tract level) (“*Order*”).

² *Order*, at ¶ 15.

services, including information on speed and technology to each address, instead of census tract level data.³

GTA is a telecommunications service provider in Guam. It provides telephone, broadband Internet, and television services to residential and business customers throughout the island of Guam. Since privatization from the government of Guam in 2005, the company has invested over \$30 million to improve its network and services and will continue to upgrade its systems over the next three years.

While GTA has begun gathering address and location information about its customers, it has been faced with multiple challenges unique to the Guam community. First, Guam does not have a organized system of addresses. It is often common for the address of a single customer to change multiple times as the street is renamed by a new village administration and there is no single central authority controlling the naming and numbering of streets and houses.⁴ In addition, maps of the island are often incomplete and inaccurate because even the most detailed maps fail to include many of the roads on the island.

As part of the military build up occurring on Guam, the Guam government is working to resolve these issues and its Department of Public Works (“DPW”) is currently working to develop an accurate map of the whole island, including all streets and GPS information. The DPW is working with a private company to complete this task and to date has only completed mapping the primary roads on Guam. Therefore, at this time, no complete reference exists. GTA also attempted to obtain proper street data from the Guam Fire Department for a Master Street Address Guide (“MSAG”). However, Guam is currently not E911 capable and only offers

³ *Id.*

⁴ *Compare* Guam Code Ann. 5, § 40112 (granting the mayor authority to name streets), *with* Guam Code Ann. 5, § 52107 (granting the Department of Public Works authority to reassign numbering to specific streets and houses)..

911 services, and GTA has not yet been provided with an MSAG database from the Guam Fire Department.

Moreover, in addition to the inherent difficulties in obtaining accurate and current address information in Guam, GTA inherited an antiquated computer system with outdated and inaccurate data at the time of privatization from the government of Guam. GTA has undertaken a major upgrade of its systems including its customer information. However, the upgrade is not yet complete and the customers' addresses are not yet properly organized in a manner in which they may be easily correlated with census tract data. As such, it is a significant challenge for GTA to gather accurate and complete customer address data prior to the filing deadline. Also, GTA does not store this information on a census tract level and would need to work with an outside vendor to develop such information, if indeed an outside vendor has such data for Guam.

Therefore, for all these reasons, it is nearly impossible for GTA develop accurate census tract level data by the March 16, 2009 filing deadline.⁵ When the Office of Management and Budget ("OMB") approved the revised Form 477, it specifically noted that the revisions were "significant changes and increased burden" and the Commission should remain "flexible" and "assist respondents who may have difficulty in submitting information in the new format."⁶ Therefore, GTA respectfully asks the Commission to remain flexible and grant it a hardship waiver from the census tract reporting requirement until such time as reliable information is available with which to map such data to GTA's accounts.

⁵ The original March 2, 2009 deadline was extended to March 16, 2009 by the Commission on February 23, 2009. See *Development of Nationwide Broadband Data to Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans, Improvement of Wireless Broadband Subscribership Data, and Development of Data on Interconnected Voice over Internet Protocol (VoIP) Subscribership*, Order, DA 09-430, released February 23, 2009.

⁶ *Resources Available to Assist Filers in Connection with Revised FCC Form 477 for the March 2, 2009 Filing Deadline*, Public Notice, DA 09-231, released Feb. 12, 2009.

II. ALTERNATIVE REQUEST FOR 60-DAY FILING EXTENSION

As discussed above, preparation of census tract level information poses unique difficulties to GTA. To the extent that the Commission does not grant the requested hardship waiver, GTA respectfully requests a 60-day extension of the March 16, 2009, deadline in order to continue its effort to compile the most accurate information possible under the circumstances and then file it in the new electronic version of the form. While GTA appreciates the FCC's flexibility in extending the original deadline from March 2 to March 16, the unique challenges faced by GTA require some additional time. This extension is justified for the unique and compelling reasons stated above and will help to ensure that GTA is able to properly and completely report all relevant information in its filing.

CONCLUSION

GTA faces unique difficulties in gathering and processing its customer address and location information. As such, GTA respectfully requests the FCC grant a hardship waiver of the census tract data requirement as it will be unable to comply with such a requirement by the filing deadline. Therefore, if the FCC determines not to grant GTA's request for a hardship waiver, GTA seeks a 60-day extension of the filing deadline which will provide time to review the new form online and allow the company to work with an outside vendor to develop the best census tract level data it can and to then report the necessary information to the FCC.

Respectfully submitted,

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