

October 21, 2011

Marlene Dortch
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Subject: *Connect America Fund, WC Docket, No. 10-90, National Broadband Plan for Our Future, GN Docket No. 09-51, Establishing Just and Reasonable Rates for Local Exchange Carriers, 07-135, High-Cost Universal Service Support, WC Docket No. 05-337, Developing a Unified Intercarrier Compensation Regime, CC Docket No. 01-92*

To the Commission:

The Native Telecom Coalition for Broadband (NTCB)¹ hereby files this letter in the above-captioned dockets. The NTCB is a diverse group of Rural Local Exchange Carriers and others currently providing, or with an interest in providing, broadband services to Native Americans, including American Indians, Alaska Natives, and Native Hawaiians. NTCB has participated extensively in the development of the Commission's record leading to USF and ICC reform policy, and remains deeply interested in the outcome of the above-captioned proceedings.

When the existing universal service programs are transitioned to a Connect America Fund (CAF), it is unlikely that any Native American communities on Tribal lands will continue to have the quality of communications services they enjoy today. For some existing Eligible Telecommunications Carriers, the changes coming will bring eminent bankruptcy. For that reason, NTCB also has concern that its Native/Tribal Broadband Fund (TBF) proposal, which provides a "safety-net" if the new CAF were found to be insufficient, may not be adopted by the Commission.

This Commission and our industry recognize that the promise of broadband communications is critical to the survival of the nation. Certainly the criticality for Native American groups that are now struggling to obtain economic parity and quality of life enhancements to be enjoyed by future generations on Tribal lands is much greater, and possibly, much more final. Over the past "hundred years" the rhetoric has bubbled forth, but little has been done to bring communications parity to Native Americans. The time to deliver on trust responsibilities in this critical area of communications is now.

The National Broadband Plan clearly summarizes the many benefits that will accrue to communities as a result of broadband services becoming readily available in America. The Native American groups have historically been significantly challenged by the federal government's "exile policies" aimed at successfully resettling Tribal lands. In reality, the

¹ The NTCB is composed of the entities listed on Appendix A. Each of these entities represents entities interested in improving the availability, quality and adoption rates of voice, mobile, broadband and Internet Access services on Tribal lands, Alaska Native Regions and the Hawaiian Home Lands.

economics work against a successful resettlement of these governmental set aside lands. To counter the effects of geographic isolation, the FCC must facilitate creation of a robust broadband communications platform on Tribal lands to serve these native groups. With broadband services readily available in these areas, the native groups can embark on a mission to develop their own businesses and attract other new businesses to further economic development on Tribal lands, so a base for economic stability and growth can be attained. Without an economic base, native peoples will be unable to successfully resettle the lands rightfully given them via Congressional Acts.

A new universal service program is needed to overcome the financial obstacles inherent in constructing critical, backbone broadband infrastructure for Tribal lands. Given the numerous disadvantages causing Native Americans to lag behind the rest of the country in broadband adoption, a TBF is necessary to ensure continued deployment of needed infrastructure. One of the most pressing problems affecting rural Local Exchange Carrier's is their inability to borrow capital due to current regulatory uncertainty. A TBF, if it meets the 1996 Telecom Act goals for universal service funding programs of "sufficiency" and "predictability," will overcome this general regulatory uncertainty and provide stability and renewed access to capital for broadband providers that serve Tribal lands.

A "one size fits all" approach for universal service reform as outlined in the National Broadband Plan is not workable for the disadvantaged group comprising Native Americans. A specific "safety-net" feature for Native Americans, the TBF, must be put in place by this Commission to ensure continued access to capital, whether the broadband providers serving Tribal lands are subject to a CAF transition or made exempt. Over time broadband services will help Native Americans progress and better assimilate by making possible better educational curriculum, improved healthcare, and economic development opportunities on Tribal lands. While advancing in these ways, Native Americans will also be empowered to preserve and share their cultures and traditions for generations to come.

Respectfully Submitted

Alan W. Pedersen
On behalf of the Native Telecom Coalition
For Broadband

NATIVE TELECOM COALITION FOR BROADBAND
October 21, 2011 Ex Parte Letter in WC Doc. No. 10-90 et al.

John Badal
CEO
Sacred Wind Communications, Inc.

Frank Demolli
Tribal Judge/General Counsel
Pueblo of Pojoaque

David Dengel
CEO/General Manager
Copper Valley Telephone Cooperative, Inc.

Godfrey Enjady
General Manager
Mescalero Apache Telecom, Inc.

Linda Gutierrez
General Manager
Fort Mojave Telecommunications, Inc.

Al Hee
President
Sandwich Isles Communications, Inc.

Paul Kelly
CEO/General Manager
Cordova Telephone Cooperative

James Roger Madalena
Director
Five Sandoval Indian Pueblos

Steve Merriam
CEO/General Manager
Arctic Slope Telephone Association Cooperative, Inc.

Doug Neal
CEO/General Manager
OTZ Telephone Cooperative

Brenda Shepard
CEO
TelAlaska, Inc.

Nathan Small
Chairman
Shoshone-Bannock Tribes

Marsha Spellman, JD
Regulatory Director
Warm Springs Telecommunications Company