



July 31, 2012

Ex Parte Notice

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Connect America Fund, WC Docket No. 10-90; A National Broadband Plan for Our Future, GN Docket No. 09-51; Establishing Just and Reasonable Rates for Local Exchange Carriers, WC Docket No. 07-135; High-Cost Universal Service Support, WC Docket No. 05-337; Developing a Unified Intercarrier Compensation Regime, CC Docket No. 01-92; Federal-State Joint Board on Universal Service, CC Docket No. 96-45; Lifeline and Link-Up, WC Docket No. 03-109; Universal Service Reform – Mobility Fund, WT Docket No. 10-208

Dear Ms. Dortch:

This letter is sent to express the support of the National Telecommunications Cooperative Association (“NTCA”) for a grant of the waiver petition filed by Adak Eagle Enterprises LLC (“AEE”).

AEE has demonstrated in its petition the threats to its ongoing operations that would arise by strict application of the new rules. As AEE noted in its July 2, 2012 Reply Comments in the above-referenced proceeding, there appears to be no opposition to the AEE petition for a waiver of the \$250 per line per month cap on federal Universal Service Fund (“USF”) support. To the contrary, federal governmental agencies, elected officials, commercial enterprises, and several others have expressed concern on the record about the degradation and ultimate failure of AEE’s critical services in the absence of a waiver. Although General Communications, Inc. (“GCI”) has asserted that it may be positioned to offer wireless services on Adak Island in the event that AEE ceases to provide service, as AEE highlights, GCI’s statements to that effect are presented as conditional in nature and do not appear to provide sufficient assurance that service will be sustained in this remote, hard-to-serve location. *See* Reply Comments of AEE, WC Docket No. 10-90, *et al.* (filed July 16, 2012), at 2-3 and n.2. AEE also notes that, at bottom, GCI’s services are “dependent on AEE facilities and infrastructure.” *Id.* at 4 and n. 10.

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Moreover, it appears that GCI may need (or would at least desire) regulatory relief, in the form of relaxed restrictions on competitive eligible telecommunications carrier (“CETC”) support, to sustain operations across the island. *See* Comments of GCI, WC Docket No. 10-90, *et al.* (filed July 2, 2012), at n. 2 (“ . . . [B]ecause GCI would have sole responsibility for all ETC service on Adak, it would also make sense to remove Adak Island from the Remote Alaska CETC cap, were AEE to cease operations.”) Indeed, GCI appears to indicate that, to deploy and maintain service as a replacement for AEE, it would need to receive at least \$250 per line per month in support that is incremental to whatever it receives today as a CETC. *See id.* at 2 (“GCI could provide Adak Island with largely comparable USF-supported services for no more than the total amount of high-cost support that would otherwise flow to GCI as a wireless CETC and to AEE subject to the \$3000 per line cap . . .”) (emphasis added). Thus, GCI’s path to serve as a replacement for AEE on Adak seems premised upon not only the investment, deployment, and/or acquisition of additional facilities and equipment that GCI does not yet possess or have in place today, but also several additional regulatory measures that would require incremental funds to flow to GCI.

Universal service is far too important a concept to leave to speculative claims about what *might* be done in the event a carrier of last resort (“COLR”) disappears, what *might* be built or bought if that COLR goes out of business, or what areas *might* be covered if they are no longer covered by the COLR. Universal service is a statutory mandate, and the Federal Communications Commission (the “Commission”) cannot and should not take a leap of faith with respect to a party’s purported *potential* capability to fill the gap as a COLR – particularly in an area as remote as Adak. Instead, based upon the firm evidence presented in AEE’s waiver petition and in light of the comments filed by the many stakeholders who have no interest in this matter other than preserving universal service on Adak, the Commission should grant the AEE petition.

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

/s/ Michael R. Romano

Michael R. Romano

Senior Vice President – Policy