

United States Senate

WASHINGTON, DC 20510

April 19, 2012

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The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

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Dear Chairman Genachowski:

We write to you regarding the Commission's efforts to reform the Universal Service Fund. While we recognize and applaud the Commission for working to modernize and streamline this program, we are concerned that some of the reforms proposed in the Commission's Order and Further Notice of Proposed Rulemaking adopted on October 27, 2011, could potentially have a negative impact on the advancement of broadband access in Arkansas.

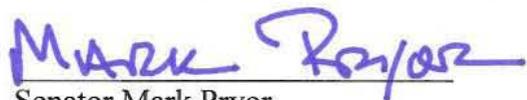
The Universal Service Fund has been critical to expanding broadband access to many parts of Arkansas and rural areas across the country that would otherwise be unserved. Today, farmers in the Mississippi Delta are able to check the weather and market reports on their smart phones; veterans in small towns have access to essential health care services through tele-health enabled clinics; and small businesses across the state have grown their businesses because they are connected to the global market.

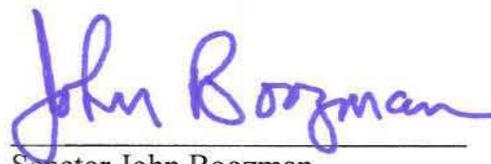
For the Universal Service Fund to continue on this record of success, and for us to reach our mutual goal of universal broadband access, any changes to the Universal Service Fund must be balanced, ensure regulatory certainty, provide predictable support, and encourage further public and private investment in rural areas. Unfortunately, we have heard from many small service providers in our state that they lack the necessary information to determine the full impact of the reforms proposed by the Commission on their future business and investment plans. Moreover, they are concerned that given this lack of data, the Commission is moving too fast in its implementation. In addition, we have already heard from rural lenders and service providers that no meaningful broadband access will be deployed in 2012 due to the regulatory uncertainty caused by the Order and Further Notice of Proposed Rulemaking. Therefore, we respectfully request that the Commission delay implementation until this information is made available so that rural providers can fully understand the impact of the reform and plan accordingly.

Finally, we request and encourage you to send a representative from the Wireline Bureau to Arkansas before the proposed reforms are finalized. As you know from your visit to Arkansas in November 2009, it is important to see first-hand the unique needs and challenges that rural areas like Arkansas face and communicate with the people that will be directly impacted by the Commission's proposed reforms.

We look forward to your prompt response.

Sincerely,


Senator Mark Pryor


Senator John Boozman



FEDERAL COMMUNICATIONS COMMISSION

August 15, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable John Boozman
United States Senate
320 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Boozman:

Thank you for your letter regarding the Commission's Universal Service Fund (USF) reforms. I want to assure you that the Commission will continue to work with all stakeholders, including smaller rate-of-return carriers, throughout the reform process. Additionally, Commission staff will consider any invitation extended by an Arkansas carrier. Your letter will be included in the record of the proceeding and considered by the Commission.

As you indicate, the Commission's unanimous overhaul of the Universal Service program focused on three key goals: delivering broadband to the millions of unserved Americans, requiring fiscal responsibility and accountability in USF spending to ensure the long-term sustainability of the Fund, and providing transition periods that recognize business realities.

These reforms will put America on the path to universal broadband and advanced mobile coverage – critical steps to create new jobs in rural America and across the nation. In particular, the creation of the Connect America Fund (CAF) will accelerate broadband build-out to the 19 million Americans who currently have no access to robust broadband infrastructure. This will create jobs and economic opportunity for small and large businesses in rural America, as well as construction workers and salespeople. Increased broadband availability in rural areas will also help schools and teachers and provide telemedicine opportunities for doctors and health care providers.

The Commission's implementation of the *USF/ICC Transformation Order* continues to be guided by these principles, including making adjustments to the *Order* as appropriate – often in response to rural carrier concerns. For instance, on April 25, 2012, the Commission extended the transition for originating intercarrier compensation payments, addressing a concern raised by a number of smaller carriers. Likewise, in the Wireline Competition Bureau's April *Benchmarks Order*, the Bureau revised the initially proposed high-cost loop support benchmark categories to respond to concerns raised by smaller carriers. The revised methodology accounts for several additional drivers of cost in comparing spending between carriers; it takes recent investment into consideration; it extends the transition period to give carriers more time to adjust; and it provides a streamlined process to address any concerns about the accuracy of carriers' data. The Commission has also extended a number of reporting deadlines for smaller carriers.

The Bureau also has been open and transparent as it implements the reforms, eliciting public comment and peer review, and making all data involved available publicly. Even as we continue to make necessary adjustments, in order to extend broadband to unserved rural communities while ensuring fiscal responsibility it is important to keep moving forward with implementation of the Commission's reforms. As we do so, the Commission will continue to run a fair, open process in which the valid concerns of stakeholders are addressed – working closely with affected carriers to ensure that residents of the nation's rural and high-cost areas receive the quality voice and broadband services that all Americans need.

I appreciate your interest in this very important matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a horizontal line that ends in a small dot.

Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

August 15, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Mark Pryor
United States Senate
255 Dirksen Senate Office Building
Washington, D.C. 20510

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Julius Genachowski