



November 30, 2012

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

Re: ***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 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:

The United States Telecom Association (USTelecom)¹ supports the request² of the National Exchange Carrier Association (NECA) to the Wireline Competition Bureau to use the authority delegated to it under the *USF/ICC Transformation Order*³ to modify section 51.917(f)(3) of the Commission's rules. The modification would conform the April 1 certification date specified in that section to the rules governing submission of data forecasts and calculation of Eligible Recovery and Access Recovery (ARC) rates associated with the normal annual access tariff- filing process. USTelecom respectfully requests that the modification to section 51.917(f)(3) requested by NECA for rate-of-return carriers also be made to section 51.915(f)(6) which applies to price cap carriers. Section 51.915(f)(6) should be modified as follows:

(6) A Price Cap Carrier that elects to receive CAF ICC support must certify with its 2012 annual access tariff filing and on April 1st of with its annual interstate tariff filing in each subsequent year that it has complied with paragraphs (d) and (e) of this section, and, after doing so, is eligible to receive the CAF ICC support requested pursuant to paragraph (f) of this section.

As noted by the NECA Letter, the Commission requires data to be submitted for interstate access tariff purposes in June of each year in order to calculate ARC rates. Sections 51.917(f)(3) and 51.915(f)(6) require rate-of-return and price cap carriers, respectively, to certify

¹ USTelecom is the premier trade association representing service providers and suppliers for the telecommunications industry. USTelecom members provide a full array of services, including broadband, voice, data and video over wireline and wireless networks.

² See Letter from Jeffrey E. Dupree, NECA, to Marlene H. Dortch, Secretary, Federal Communication Commission, *Connect America Fund*, WC Docket No. 10-90 *et al*, Nov. 9, 2012 (*NECA Letter*).

³ See *USF/ICC Transformation Order* at para. 1404.

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on April 1 of each year that they have complied with paragraphs (d) and (e) of sections 51.917 and 51.915, respectively, which refer to calculation of Eligible Recovery and ARC rates. In order to maintain consistency between information prepared for monitoring purposes under section 51.919 and data submitted in annual access tariffs, and to conform the rules governing submission of data forecasts and calculation of Eligible Recovery and ARC rates associated with the normal annual access tariff filing process, the rules should be modified as suggested above. Such a change would avoid mismatching data used for calculating ARC rates with monitoring data, both of which must be submitted with the annual access tariff filing in mid-June.

As noted in the NECA Letter, the requested modifications would ensure consistency between the submission of data for tariff and monitoring purposes and certification, and maintain the same timing as used in 2012.⁴

Thank you for your prompt consideration of this request.

David B. Cohen



Vice-President, Policy
United States Telecom Association

⁴ See NECA Letter at 2.