

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Connect America Fund	)	WC Docket No. 10-90
	)	
High-Cost Universal Service Support	)	WC Docket No. 05-337
	)	
Universal Service Reform -- Mobility Fund	)	WT Docket No. 10-208
	)	
Tribal Mobility Fund Phase I Auction	)	AU Docket No. 13-53

To: The Wireless Telecommunications and Wireline Competition Bureaus

**COMMENTS OF THE RURAL TELECOMMUNICATIONS GROUP, INC.**

The Rural Telecommunications Group (“RTG”)<sup>1</sup> submits these comments in response to the Federal Communications Commission’s (“FCC” or “Commission”) Wireless Telecommunications and Wireline Competition Bureaus’ (“Bureaus”) *Public Notice* announcing a reverse auction to award up to \$50 million in one-time Tribal Mobility Fund Phase I support (“Auction 902”) to facilitate mobile deployment in unserved areas on Tribal lands and requesting comment on auction procedures and certain related programmatic issues.<sup>2</sup> RTG’s membership

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<sup>1</sup> RTG is a Section 501(c)(6) trade association dedicated to promoting wireless opportunities for rural carriers to serve rural consumers through advocacy and education. RTG’s members have joined together to speed delivery of new, efficient, and innovative communications technologies to the populations of remote and underserved sections of the country. Many of RTG’s members are competitive eligible telecommunications carriers. RTG’s members are comprised of both independent wireless carriers and wireless carriers that are affiliated with rural telephone companies. Each of RTG’s members serves less than 100,000 subscribers.

<sup>2</sup> *Tribal Mobility Fund Phase I Auction Scheduled for October 24, 2013; Comment Sought On Competitive Bidding Procedures for Auction 902 and Certain Program Requirements*, AU Docket No. 13-53, Public Notice, DA 13-323 (rel. March 29, 2013) (“Tribal Mobility Fund Public Notice”).

base is composed of wireless carriers that serve customers that reside, work and travel in rural and remote communities, including areas covering federally recognized Tribal lands. As a general matter, RTG largely supports the same auction procedures that the Bureaus used to conduct the Mobility Fund Phase I reverse auction in 2012 (“Auction 901”) for Auction 902. In particular, RTG supports the adoption of the following for Auction 902: (i) limiting eligible areas to unserved Census Blocks with a population greater than zero; (ii) aggregation of eligible Census Blocks into Census Tracts; (iii) a single-round auction design that would keep the bidding simple and streamlined; and (iv) geographic and site-based safe harbors that offer flexibility to winning bidders whose Census Blocks present extraordinary challenges.

**I. Unserved Population-Based Units Will Impact Tribal Lands in Rural Areas More Effectively Than Road Miles.**

RTG supports the Bureaus’ proposal to include as eligible only those unserved Census Blocks that have a population greater than zero. When authorizing the Tribal Mobility Fund, the Commission had the foresight to use population rather than road miles as the basis for calculating bids and measuring performance. Tribal lands in the most rural and remote areas, particularly in Alaska, can lack basic infrastructure, and the use of road miles as a performance metric could lead to sparsely populated communities in Alaska being overlooked. Such a result would be contrary to the purpose of this auction. In order to effectively implement the Commission’s decision to adopt population-based metrics, the Bureaus must be sure to include any unserved Census Block that have any population, no matter how small. Indeed, the Bureaus’ list of potentially eligible Census Blocks includes a significant number of blocks with populations of 10 or less. As the Commission has noted, the targeted nature of the Tribal Mobility Fund support will enhance its impact. The Bureaus can ensure that support is focused

on *all* targeted unserved areas by ensuring that any unserved Census Block with a population of greater than zero is eligible.

**II. The Commission Should Allow Fund Recipients Flexibility in Demonstrating Coverage.**

RTG also supports the Commission’s flexible approach to “drive test” data to demonstrate coverage. Such a flexible approach is particularly important for carriers that operate in challenging terrain that exists in many Tribal areas. Allowing providers to demonstrate coverage by conducting drive tests by means other than automobiles on roads (provided that they conduct a statistically significant number of tests in the vicinity of residences being covered) will allow Tribal Mobility Fund recipients to more easily collect coverage data in rural and remote areas where the roads are generally not traveled by automobile or where basic infrastructure may be lacking. As the Commission has noted, equipment to conduct the testing can be transported by off-road vehicles, such as snowmobiles or other vehicles appropriate to local conditions. RTG urges the Bureaus to extend as much flexibility as is reasonably possible to rural wireless carriers when establishing coverage data requirements for Auction 902 winning bidders. Moreover, RTG reminds the Bureaus that the Tribal Mobility Fund is aimed at supporting the provision of *mobile* broadband services. Accordingly, it is important that the Bureaus consider coverage data in areas where people work and travel and not fixate solely on coverage to residences.

**III. Aggregation by Census Tract and Tribal Land Is Appropriate for Auction 902.**

The Bureaus propose grouping all eligible Census Blocks, which they note are numerous and small, by the Census Tracts in which they are located. In the case of a Census Tract that has more than one Tribal land, the Census Blocks within that tract would be grouped by Tribal land. RTG supports these proposed aggregation approaches as administratively efficient. RTG agrees

that the potentially eligible Census Blocks are indeed smaller in size than areas covered by single cell sites, and that grouping eligible Census Blocks would be more manageable for purposes of bidding and building out 3G or 4G networks. RTG also supports the aggregation of these Census Blocks on a Tribal land basis because this approach would facilitate the Tribal engagement process with various Tribal government officials.

**IV. A Single-Round Auction Would Keep Auction 902 Streamlined and Efficient, and Would Encourage Participation by Rural Carriers That Are Best Positioned to Serve Rural and Remote Tribal Land Areas.**

The Bureaus are weighing the benefits of a single-round format versus a multiple-round format for Auction 902. RTG supports a single-round auction design for Auction 902. The Bureaus adopted a single-round format for Auction 901, a format which was successful. As the Bureaus note, bid decisions largely depend upon internal cost structures, private assessments of risk, and other factors related to the providers' specific circumstances. By adopting a single-round format, the Bureaus would keep the auction streamlined and efficient while preserving these bid decision factors. A single-round auction would encourage participation by rural carriers such as RTG's members. Rural carriers are most familiar with and best equipped to face the challenges of deploying 3G or 4G wireless broadband networks in the rural and remote areas in which these Tribal lands are located. Furthermore, local rural carriers are better positioned to become and/or remain essential members of the Tribal communities they serve. Conversely, a multiple-round format would create an obstacle to participation by rural carriers that do not have the reserve cash on hand to subsidize initial bids required as part of this auction format.

**V. Coverage Requirements Should be Allowed to be met by Geographic and Site-Based Safe Harbors.**

As proposed, Auction 902 winning bidders will be required to provide their respective 3G or 4G coverage to 75% of the population of each eligible Census Block within the aggregated Census Tract or Tribal land area for which they receive Tribal Mobility Fund Phase I support. Because these unserved areas are likely to present extraordinary challenges in building out networks (*e.g.*, expansive and/or mountainous terrain, lack of utilities and other basic infrastructure), RTG urges the Bureaus to adopt coverage safe harbors that would give winning bidders as much flexibility as is reasonable to demonstrate coverage to the populations in these Census Blocks. In particular, RTG proposes the following geographic and site-based safe harbors.

*Geographic Safe Harbor.* Because the Census data does not provide information regarding population distribution within Census Blocks, the Bureaus should allow winning bidders to demonstrate coverage of 75% or greater on a geographic basis under an assumption that population is evenly distributed throughout winning Census Blocks. This safe harbor would simplify the process of demonstrating coverage, particularly for winning bidders serving smaller Census Blocks with densely-concentrated populations. Furthermore, this safe harbor would be consistent with other population-based performance requirements of certain 3G and 4G wireless spectrum services, including Broadband PCS, Broadband Radio Service (“BRS”) and Educational Broadband Service (“EBS”).<sup>3</sup> For instance, to demonstrate substantial service, BRS and EBS licensees are required to provide service area maps, population numbers within the

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<sup>3</sup> See 47 C.F.R. § 24.203 and 47 C.F.R. § 27.14(o).

service areas, and signal levels within the service area.<sup>4</sup> The underpinning of these population-based coverage demonstrations is the assumption that the populations within these service areas are evenly distributed. Similar requirements for area maps, population numbers, and signal levels should be included in this geographic safe harbor.

*Site-Based Safe Harbor.* For some Census Blocks, demonstrating coverage on a geographic basis would be impracticable and unreasonable. Over 300 potentially eligible Census Blocks have less than one person per square mile. For several Census Blocks, their areas are 100 or more square miles and their populations are as low as two. Additionally, some geographic areas within Census Blocks may be impracticable to cover based on extraordinary terrain or elevation considerations. If a winning bidder is able to serve 75% or greater of the population of a Census Block with a site that geographically covers less than 75% of that Census Block, then the winning bidder should be permitted to demonstrate coverage on a site basis whereby the site or sites cover areas in which people reside, work and travel (i.e., at least 75% of the Census Block population is located within the service contour of a site). For this safe harbor, RTG urges the Bureaus to be flexible regarding the data and information provided to demonstrate coverage. The Bureaus should be receptive to a variety of data to support such a showing. Examples include, but are not limited to, coverage to roads, coverage to anchor institutions such as schools

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<sup>4</sup> See Guidance To Broadband Radio Service And Educational Broadband Service Licensees On Complying With Requirement To Demonstrate Substantial Service By May 1, 2011, Public Notice, DA 11-370 (rel. February 25, 2011). (“*Providing coverage of at least 30 percent of the population of the licensed area for licensees providing mobile services or fixed point-to-multipoint services*” safe harbor: Licensees relying on this safe harbor shall provide a map showing their GSA and the areas within their GSA. They shall also calculate the populations within their GSA and their coverage area using the most recent census data readily available. In describing coverage, licensees shall indicate the signal level that they believe indicates coverage and the percentage of time such a signal level is available within the coverage area. Licensees are reminded that their coverage predictions shall reflect a level of service that the licensee would be willing to offer to customers or students).

and libraries, coverage to commercial areas, as well as input from Tribal government officials as to the coverage of migratory, hunting and fishing areas and other nomadic Tribal movements.

**VI. Conclusion.**

RTG encourages the Bureaus to adopt for Auction 902 the procedures described above. These procedures will serve the public interest by providing administrative efficiencies that will allow the Commission to expeditiously target one-time funding for mobile deployment in unserved areas on Tribal lands to those wireless carriers best able to serve those individuals residing, working and traveling in these rural and remote communities.

Respectfully submitted,

**RURAL TELECOMMUNICATIONS GROUP, INC.**

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