



June 19, 2013

Ex Parte Notice

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

Re: *Modernizing the FCC Form 477 Data Program, WC Docket No. 11-10; Development of Nationwide Broadband Data to Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans, Improvement of Wireless Broadband Subscribership Data, and Development of Data on Interconnected Voice over Internet Protocol (VoIP) Subscribership, WC Docket No. 07-38; Service Quality, Customer Satisfaction, Infrastructure and Operating Data Gathering, WC Docket No. 08-190; Review of Wireline Competition Bureau Data Practices, WC Docket No. 10-132; Connect America Fund, WC Docket No. 10-90*

Dear Ms. Dortch:

On Wednesday, June 19, 2013, the undersigned, on behalf of NTCA–The Rural Broadband Association (“NTCA”), spoke via telephone with Rebekah Goodheart, Legal Advisor to Acting Chairwoman Mignon Clyburn, regarding matters in the above-referenced dockets.

Consistent with prior presentations, NTCA expressed concerns about the continuing availability of technical assistance in connection with broadband availability reporting, both to ensure that small, rural carriers with limited resources can reasonably satisfy such reporting obligations and to ensure as well that others provide data that accurately depict the availability of their services. *See Ex Parte* Letter from Richard J. Schadelbauer, Economist, NTCA, to Marlene H. Dortch, Secretary, Federal Communications Commission (the “Commission”), WC Docket No. 11-10, *et al.* (filed June 14, 2013); *see also Ex Parte* Letter from Thomas M. Koutsky, Chief Policy Counsel, Connected Nation, to Marlene H. Dortch, Secretary, Commission, WC Docket No. 11-10, *et al.* (filed June 18, 2013), at 2-3 (providing information on technical assistance efforts and also the “rigorous process that [Connected Nation] utilizes to collect, verify, and process” broadband availability information, including “engineering and field validation techniques”).

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NTCA also noted that as data previously collected through the National Broadband Map and State Broadband Initiatives (“SBI”) might now be gathered via the Form 477 reporting process, the Commission should consider how to ensure the accuracy of such data; any prior concerns with respect to the accuracy of such data could be exacerbated in the potential absence of any SBI validation and verification process. While certification obligations may provide some level of procedural safeguard with respect to the accuracy of data submitted, to the extent that such data are to be used for any significant policy-making decisions, the risks of either unintended errors or creative interpretations of what constitutes availability underscore the need for additional diligence and an abundance of caution in connection with any use of such data. *See, e.g.,* Comments of Time Warner Cable, WC Docket No. 10-90 (filed Jan. 9, 2013), at 2 (asserting the availability of broadband in census blocks “where [Time Warner Cable] has at least one active billing customer (or at least one former customer, if local personnel confirm that service could be reinitiated within 7 to 10 days) . . . and where a node potentially touches the census block . . .”).

Pursuant to Section 1.1206 of the Commission’s rules, a copy of this letter is being filed via ECFS. 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

cc: Rebekah Goodheart