



August 20, 2013

BY ELECTRONIC FILING

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

Re: Connect America Fund Phase I, Round 2, Election By Incumbent Local Exchange Carrier Affiliates of Alaska Communications Systems Group, Inc. – WC Docket No. 10-90

Dear Ms. Dortch:

Alaska Communications Systems (“ACS”)¹ hereby makes its election of Connect America Fund (“CAF”) Phase I, Round 2 incremental support under the Commission’s Report & Order making such support available in 2013 (the “*CAF I Round 2 Order*”).²

ACS conditionally accepts \$173,800 of the CAF Phase I, Round 2 incremental support offered for 2013.³ To satisfy its deployment obligations in connection with this funding, ACS will deploy broadband to 316 locations that are currently unserved by fixed Internet access with a minimum speed of 3 Mbps downstream/768 kbps upstream. ACS attaches a list in the required format of the specific locations to be served.

As certified below, ACS believes that no providers in the specified locations are offering broadband within the meaning of the Commission’s rules. To the extent that the current (June 2012) version of the National Broadband Map indicates that the listed census blocks are “served” at 3 Mbps/768 kbps by Yukon Tech d/b/a BBN, a fixed wireless Internet service provider, ACS challenges that designation on the basis that the provider does not advertise the required speeds. As demonstrated in the attached screen shot of BBN’s on-line Internet access offering, the

¹ In this letter, ACS signifies the four incumbent local exchange carrier (“ILEC”) subsidiaries of Alaska Communications Systems Group, Inc. (ACS of Alaska, LLC, ACS of Anchorage, LLC, ACS of Fairbanks, LLC, and ACS of the Northland, LLC).

² *Connect America Fund*, Report & Order, WC Docket No. 10-90, 28 FCC Rcd 7766 (2013). The Commission subsequently granted ILECs a 15-day extension of time for making their elections under the *CAF I Round 2 Order*. *Connect America Fund*, Order On Reconsideration, WC Docket No. 10-90, FCC 13-97 (rel. July 16, 2013).

³ The Commission specifically permits ILECs to make their Round 2 elections on a conditional basis, subject to a challenge being granted. *CAF I Round 2 Order*, para. 31. If ACS is successful in its challenge, it will be obligated to deploy in the affected census blocks, “absent extraordinary circumstances beyond its control.” *Id.*

company offers an upstream speed of only 512 kbps, which is insufficient to render these census blocks “served.”⁴ ACS’s CAF Phase I, Round 2 election thus is conditioned upon a ruling that the affected census blocks are not “served” within the meaning of the Commission’s requirements.

In addition, the National Broadband Map incorrectly identifies 57 customer locations in 11 census blocks as “served” by ACS at 3 Mbps/768 kbps. These locations are served by copper-fed digital subscriber line access multiplexers (“DSLAMs”), and the actual speeds received at these locations are below 3 Mbps/768 kbps. Below, ACS certifies the locations that have access only to actual speeds below 3 Mbps/768 kbps, that are served from a copper-fed DSLAM, and that have no other provider offering service at or above 3 Mbps/768 kbps.⁵ ACS’s acceptance of this support is conditioned upon treatment of these 57 customer locations as not served at speeds of 3 Mbps/768 kbps.

The attached “.csv” file identifies the 2010 Census Block FIPS code, NECA Company Code (OCN), Study Area Code (SAC), wire center (CLLI) code, and latitude and longitude of the customer locations where ACS intends to deploy broadband using CAF Phase I, Round 2, support pursuant to Section 54.312(c) of the Commission’s rules, 47 C.F.R. § 5.312(c).

The funds should be distributed as follows:

ILEC	Address	SAC	SPIN	Amount
ACS of the Northland, LLC	600 Telephone Ave. Anchorage, AK 99503	613010	143002691	\$173,800

Pursuant to the *CAF I Round 2 Order* and Section 54.312(c)(5) of the Commission’s rules, the undersigned certifies that:

(i) the locations to be served to satisfy the deployment obligation are not shown as served by fixed broadband at speeds of at least 3 Mbps downstream and 768 kbps upstream provided by any entity other than ACS on the current version of the National

⁴ *CAF I Round 2 Order*, para. 15 (requiring speeds of at least 3 Mbps downstream and 768 kbps upstream to qualify a census block as “served”).

⁵ *See CAF I Round 2 Order*, para. 19 (“A carrier may satisfy its Phase I obligations by deploying to certain locations in its own service territory that are shown on the National Broadband Map as being served by 3 Mbps/768 kbps where it is likely that such service is not in fact delivered, so long as no other provider is offering service at speeds of 3 Mbps/768 kbps to those locations. The carrier must identify those specific locations and certify that the locations are currently served from a copper-fed digital subscriber line access multiplexer (DSLAM) and are shown on the National Broadband Map as receiving speeds of 3 Mbps/768 kbps or less. It is likely that while locations served by a copper-fed DSLAM are shown as having advertised speeds of 3 Mbps/768 kbps, actual speeds to such locations fall below that.”) (footnotes omitted).

Broadband Map (June 2012), and to the extent they are shown as served by BBN, ACS is challenging the National Broadband Map's designation of such locations as served on the basis that the provider does not offer the required upstream speed of 768 kbps;

(ii) to the best of ACS's knowledge, the listed locations are, in fact, unserved by fixed Internet access with speeds of at least 3 Mbps downstream and 768 kbps upstream;

(iii) ACS's capital improvement plan did not already include plans to complete broadband deployment within the next three years to the locations to be counted to satisfy the deployment requirement;

(iv) CAF Phase I, Round 2 incremental support will not be used to satisfy any merger commitment or similar regulatory obligation;

(v) ACS has undertaken due diligence to determine that the listed locations in question are not within the service area of either the Broadband Initiatives Program (BIP) or the Broadband Technology Opportunities Program (BTOP) projects that will provide Internet access with speeds of at least 3 Mbps downstream and 768 kbps upstream;

(vi) to the extent that, to satisfy the deployment obligation, ACS seeks to count among the locations to be served certain locations in its service territory that are shown on the current version of the National Broadband Map (June 2012) as "served" by ACS at 3 Mbps/768 kbps, such locations are served from a copper-fed DSLAM and actual speeds at those locations fall below 3 Mbps/768 kbps;

(vii) to the extent that ACS intends to satisfy the CAF Phase I, Round 2 deployment obligation by deploying to locations served by 768 kbps/200 kbps but not 3 Mbps/768 kbps Internet service, ACS has committed to all projects or routes to locations unserved by 768 kbps/200 kbps that economically can be built out with \$775 in incremental CAF support plus an equal amount of non-CAF carrier capital expenditure, and ACS has prioritized funded routes so as to maximize the number of newly served locations that currently are underserved by Internet access with speeds of 768 kbps/200 kbps.

Please direct any questions regarding this matter to me.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Ruth Willard".

Ruth Willard
Senior Director, Revenue Management

Attachments

cc: Karen Majcher, Vice President, High Cost and Low Income Programs
Universal Service Administrative Company

Regulatory Commission of Alaska