



September 25, 2013

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

Attention: Chief, Wireline Competition Bureau

**Re: WC Docket No. 10-90  
Challenge to Windstream's Request for Connect America Fund Phase I (Second Round)  
Support**

Dear Ms. Dortch,

Hill Country Telephone Cooperative, Inc. (HCTC) or the "Company" hereby files this challenge to Windstream's request to receive support in the second round of the Connect America Fund Phase I ("CAF Phase I Round 2") to provide broadband service to locations within the enclosed list of census blocks. HCTC currently provides broadband service at or above 3 Mbps download, 768 kbps upload in the census block(s) identified on the attached list, and the Company respectfully requests that the Wireline Competition Bureau take into consideration the evidence provided herein as it makes its final determinations about which census blocks are ultimately eligible to receive CAF Phase I Round 2 support.

On August 28, 2013, the Federal Communications Commission ("FCC") released a Public Notice (DA 13-1832) which instructed interested parties "to challenge price cap carrier's Phase I deployment plans by demonstrating that a block in question is already served by fixed Internet access with the requisite speeds."<sup>1</sup> The Public Notice included a list of all census blocks that the price cap carriers are requesting to receive CAF Phase I Round 2 support to provide broadband. HCTC has reviewed this list and identified census blocks in the attached list that should not be eligible for CAF Phase I Round 2 support because the Company already provides broadband in those blocks at a speed of at least 3 Mbps/768 kbps.

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<sup>1</sup> Wireline Competition Bureau Publishes Census Blocks, and Commences Challenge Process, for Second Round of Connect America Fund Phase I, WC Docket No. 10-90, Public Notice, DA 13-1832 (rel. August 28, 2013) ("*August 28 Public Notice*").

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Marlene Dortch, FCC  
September 25, 2013  
Page 2 of 2

HCTC hereby certifies under penalty of perjury that it provides DSL broadband in the census blocks listed below. HCTC understands that Windstream is requesting CAF Phase I Round 2 support in these census blocks because Windstream does not provide broadband at or above 3 Mbps/768 kbps to locations in these census blocks. However, HCTC does provide broadband at or above 3 Mbps/768 kbps and the Company is the incumbent carrier in the census blocks listed below. The Company offers to make billing records available to the FCC upon request and provides the attached supporting evidence.

HCTC notes that census blocks on the attached list are served by both the Company and Windstream. HCTC reiterates a September 4, 2013 ex parte notice by NTCA – The Rural Broadband Association which clarifies that while a price cap carrier can receive CAF Phase I Round 2 support *only* for locations within its study area boundaries in a census block served by multiple ILECs, “such support cannot be used to deploy networks to locations that are within another ILEC’s study area within the same designated census block.”<sup>2</sup> HCTC urges the FCC to undertake a close analysis of the census blocks in the attached list that are served by multiple ILECs, and ensure that CAF Phase I Round 2 support is not inadvertently awarded to Windstream to provide service to locations that are within the Company’s boundaries and already served with at least 3 Mbps/768 kbps broadband.

In conclusion, HCTC urges the FCC to eliminate the census blocks listed below from CAF Phase I Round 2 eligibility.

Respectfully submitted,



Delbert Wilson  
Chief Executive Officer

cc: Ryan Yates, Wireline Competition Bureau, Telecommunications Access Policy Division

Enclosures

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<sup>2</sup> Letter from Michael Romano, NTCA – The Rural Broadband Association, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90 (filed September 4, 2013).

## ATTACHMENT A: CENSUS BLOCKS

The following census blocks are identified in the August 28 Public Notice as census blocks that Windstream is requesting CAF Phase I Round 2 support for the deployment of broadband, which Hill Country Telephone Cooperative, Inc. (HCTC) challenges and urges the FCC to determine that these census blocks are ineligible for CAF Phase I Round 2 support. HCTC already provides broadband at or above 3 Mbps/768 kbps within these census blocks.

<b>FIPS</b>	<b>State</b>	<b>Carrier</b>
480190002001054	TX	Windstream
482659607003255	TX	Windstream
482659601001039	TX	Windstream
482659603012257	TX	Windstream
482659601002041	TX	Windstream
482659601002097	TX	Windstream
482659603013012	TX	Windstream
482659603012178	TX	Windstream

HCTC has facilities in place to provide broadband at or above 3Mbps/768 kbps in these census blocks even though no subscribers have requested service in these areas.

<b>FIPS</b>	<b>State</b>	<b>Carrier</b>
482659603012214	TX	Windstream
482659601001032	TX	Windstream
482659601002039	TX	Windstream
482659601002020	TX	Windstream
482659603012176	TX	Windstream

## **ATTACHMENT B: SUPPORTING EVIDENCE**

Pursuant to the rules for the challenge process established in the FCC's May 22 Report and Order, "All filings...must be supported by some form of documented evidence." Hill Country Telephone Cooperative, Inc. submits as evidence the following supporting documentation:

See attached Map

