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COMMITTEE ON
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Congress of the United States
House of Representatives
Washington, DC 20515–2507

August 1, 2014

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The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street, Southwest
Washington, DC 20536

Dear Chairman Wheeler:

Broadband internet access has become an essential for growth in many rural communities, enhancing education and opening pathways to economic opportunities. Small towns and communities can rely on its residents' talent and determination when competing in a global market. The availability of robust broadband service in such towns and communities will ensure that they are not left behind in today's technology-centric economy.

Phase II of the Connect America Fund, or CAF II, offers an excellent opportunity to bring high-speed fiber-optic broadband connections to millions of Americans who wouldn't otherwise have broadband and the opportunities it brings. Thanks to the Federal Communication Commission's (FCC) efforts, thousands of rural communities are now counting on CAF II. Since CAF II represents the final phase of Universal Service reform for these areas, its rules will effectively determine whether millions of rural residents will have broadband access. The June 10 Further Notice of Proposed Rule Making (FNPRM) has raised hopes further by more than doubling the promised download speeds from 4 MBPS to 10 MBPS.

I am writing today to emphasize how important it is to ensure that the final details of CAF II live up to its promise. I am concerned that if the FCC more than doubles the speed requirements without allowing the appropriate level of flexibility in other elements of CAF II, the program's overall mission could be endangered.

To the FCC's credit, the June 10 FNPRM identifies a number of constructive ideas which could help achieve the faster network goals without exceeding CAF II's annual budget. First, the CAF II funding period must be extended from the current 5 years to 10 years so there is adequate time for the construction of the higher-capacity network. Next, the FCC must use the same 10 Mbps standard when identifying broadband availability from competitors, otherwise communities with just 4 Mbps will be left behind. The FCC must also establish network build-out parameters consistent with the goal of providing quality broadband service to as many people as possible within CAF's limited funding framework. To that end, providers must be given the flexibility to substitute extremely high cost locations with un-served locations in partially served census blocks.

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I also encourage you to be as precise as possible when targeting support to areas where broadband would not otherwise be available. In the "interim" CAF I phases, an entire census block could be disqualified if a competitive carrier claimed to serve even a small fraction of its customers, and many areas were disqualified based on the untested assertions of wireless Internet Service Providers with line-of-sight and capacity issues which made them a poor substitute for fiber-fed networks. Now that we are in the final phase, I hope the CAF II standards can reach those unserved customers and also require competitive carriers to meet a reasonable standard of verification before depriving a community of CAF II support.

Despite years of federal efforts to overcome the digital divide, I often hear from constituents who want and need assistance in order to bring broadband service to their homes. The concerns they raise are a reminder of how challenging rural broadband policy can be, but also how important it is. Thank you very much in advance for considering my concerns and I look forward to working with you.

Sincerely,

Billy Long
Member of Congress

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

August 28, 2014

The Honorable Billy Long
U.S. House of Representatives
1541 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Long:

Thank you for your letter regarding the implementation of certain aspects of Phase II of the Connect America Fund (CAF II). In your letter, you express concerns that the overall mission of the CAF II program could be endangered if the Commission increases the current broadband speed benchmark for program recipients to 10 Mbps downstream /1 Mbps upstream without allowing flexibility in other elements of the program, and suggest several proposals to provide such flexibility. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

I agree with you that high-speed broadband access is an essential component for economic growth in rural communities. The universal service program is one of the most important tools at our disposal to ensure that consumers and businesses in rural America have the same opportunities as their urban and suburban counterparts to be active participants in the United States of the 21st century. We are focused on updating the universal service high-cost program to ensure that we are delivering the best possible voice and broadband experiences to rural America within the confines of our Connect America budget, while providing increased certainty and predictability for all carriers and a climate for increased broadband expansion.

In April, the Commission voted to move forward with Phase II of the Connect America Fund for price-cap carriers. Among other things, the *Connect America Fund Phase II Report & Order* sets a term of 10 years for support awarded through the competitive bidding process to stimulate greater interest from participants and ensure that funding is targeted efficiently to expand broadband-capable infrastructure throughout the country. In addition, in the associated *Further Notice of Proposed Rulemaking* (*FNPRM*), the Commission sought comment on a number of the issues you raise, including revising the current broadband performance obligations to require minimum speeds of 10 Mbps downstream, and applying the same performance obligations to all recipients of Phase II support and to rate-of-return carriers. The *FNPRM* also seeks comment on a proposal to allow recipients more flexibility as to other components of the program, such as the ability to substitute locations in partially-served census blocks for locations in the unserved census block for which it received support.

We expect a robust record on these topics and I welcome a dialogue with stakeholders as to how best to accomplish our shared objectives. I look forward to working with you as we continue reforming and modernizing the universal service fund high-cost program – as well as

other components of the Fund – to ensure that all Americans have access to robust voice and broadband services.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

Tom Wheeler