

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

In the Matter of	)	
	)	WC Docket No. 10-90
Connect America Fund	)	
	)	WT Docket No. 10-208
Universal Service Reform	)	
	)	WT Docket No. 14-58
	)	
	)	WT Docket No. 07-135
	)	
	)	WT Docket No. 01-92

To: The Commission

**REPLY COMMENTS OF COPPER VALLEY WIRELESS, LLC**

Copper Valley Wireless, LLC (CVW) hereby submits its reply comments in response to the Federal Communications Commission's ("FCC" or "Commission") Further Notice of Proposed Rulemaking<sup>1</sup>. CVW<sup>2</sup> is a small rural wireless carrier providing 3G and 4G LTE to some of the most remote areas of Alaska on and off the road system. CVW's wireless network covers

---

<sup>1</sup> *Connect America Fund*, WC Docket No. 10-90; *Universal Service Reform-Mobility Fund*, WT Docket No. 10-208; Report and Order, Declaratory Ruling, Order, Memorandum Opinion and Order, Seventh Order on Reconsideration, and Further Notice of Proposed Rulemaking, FCC 14-54 (rel. June 10, 2014)("FNPRM").

<sup>2</sup> Copper Valley Wireless, LLC is a competitive eligible telecommunications carrier (CETC); designated by the Regulatory Commission that receives support from the High Cost and Low Income Programs of the federal Universal Service Fund (USF). CVW provides wireless telecommunications service in a rural Alaska service area that is both remote and extremely challenging and expensive to operate in.

Valdez, Prince William Sound, Cordova, Glennallen, McCarthy/Kennecott (Wrangell-St. Elias National Park), and several Alaska Native villages along the Tok Cutoff.

If the methodology of using road miles to distribute Mobility Funds Phase II as proposed by the Commission in Mobility Fund Phase I and the Rural Wireless Carriers is implemented<sup>3</sup>, many sites in Alaska will not be eligible for funding. This concept will not work in Alaska. Alaska has few roads. Many of its residents travel via air, water and all terrain vehicles trails.

Extensive parts of the CVW area do not contain roads. Prince William Sound is one such area.

No roads exist in Prince William Sound, yet critical cellular sites serve this area, supporting public safety and commerce. CVW provides service to those who live, work, and travel through CVW's territory and CVW provides a critical public safety function where roads do not exist.<sup>4</sup>

Without support, these sites will not continue to operate.

CVW agrees with the comments made by the Rural Wireless Carriers that *"Areas that have some mobile broadband coverage should not be eliminated from receiving support because, without further investment, citizens in these areas will be relegated to an inferior experience due to the fact that devices work on CDMA- or GSM- based network, but not both."*<sup>5</sup>

AT&T and Verizon (Big 2 carriers) have cherry picked the high revenue areas and do not provide

---

<sup>3</sup> Rural Wireless Carriers Comments, WC Docket No. 10-90, WT Docket No. 10-208, WC Docket No. 14-58, WC Docket No. 07-135, CC Docket No. 01-92 at 48 (filed August 8, 2014 (Rural Wireless Carriers Comments))

<sup>4</sup> Ex Parte Letter from David Dengel, CEO, Copper Valley Telecom to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90 and WT Docket No. 10-208 (filed June 18, 2014).

<sup>5</sup> Rural Wireless Carriers Comments at viii.

service in the more remote areas. This may be due to the fact that these remote areas are extremely high cost to construct and operate within, but offer little revenue in return. Yet this is where many small, rural wireless companies operate, and where many rural Americans, work and recreate.

In order for a census block to be ineligible due to AT&T or Verizon serving that census block, the “Big 2 carriers” should be held to a higher standard of coverage to ensure smaller rural carriers are treated equitably. In order for a census block to be ineligible because of the presence of AT&T and/or Verizon, these “Big 2 carriers” should be required to provide 4G LTE coverage to a larger percentage of the region, such as the area’s community of interest. If either AT&T (which uses a GSM platform) or Verizon (which uses a CDMA platform), but not both, are present, the consumer will be relegated to inferior coverage because GSM and CDMA technologies are not compatible – that is to say, a customer of one of these “Big 2 carriers” may not be able to roam on the towers of the other. The Commission should ensure that all consumers, regardless of their choice of technologies, have as expansive coverage as possible.

If one of the “Big 2 carriers” is operates in the more populated areas, but not the remote areas, consumers may not have service outside of these settled areas. Therefore, the areas where AT&T and/or Verizon are providing 4G LTE should not be excluded from support if the small rural carrier is also providing 4G LTE service.

Before eliminating areas from eligibility, the Commission must develop a methodology to ensure that the “Big 2 carriers” are actually providing 4G LTE service for the entire area. CVW agrees with Cordova Wireless comments that the 4G LTE network should be operated by

Verizon or AT&T or an affiliate using facilities that are owned or managed by Verizon or AT&T<sup>6</sup>.

The Commission should look at a rural wireless carrier's network in totality not at the census block level or whether one of the "Big 2 carriers" 4G LTE service overlaps some portion of the smaller carrier's network. Small rural companies do not have the same flexibility to internally subsidize wireless operations in the same manner as AT&T and Verizon.

Several of CVW's sites are remote and off the commercial electrical grid. These sites require onsite power generation. Just the refueling costs for one of these sites can cost almost \$90,000 annually. These sites require helicopters, boats or all terrain vehicles to access. Some of these sites serve the Alaska's commercial fishing fleet, the Alaska Marine Highway, cruise ship traffic, North Slope crude oil tanker traffic, oil spill prevention and response vessels, commercial barge traffic and recreational boaters and hunters.

These remote sites are critical for public safety and commerce and require universal support in order to continue to operate. Through the use of Universal Service Funds, CVW has been able to deploy 4G LTE throughout much of its serving area. Remote areas such as the Native village of Tatitlek now benefit from 4G LTE wireless service. The isolated fishing community of Cordova benefits from 4G LTE service. The country's largest national park, Wrangell-St. Elias National Park benefits from 4G LTE service in McCarthy-Kennecott.

Copper Valley supports comments from CTIA – The Wireless Association ("CTIA") asserting the Commission's factual and policy bases for establishing a Mobility Fund Phase II

---

<sup>6</sup> Cordova Wireless Communications LLC Comments, WC Docket No. 10-90, WT Docket No. 10-208 (Cordova Wireless Comments) at 8.

annual budget of at least \$500 million remains sound today<sup>7</sup>. Financial decisions of small rural wireless carriers have been made on the proposed \$500 million annual budget. The Commission should take a time out and let the market settle before making additional changes.

CVW agrees with GCI<sup>8</sup>, Cordova Wireless<sup>9</sup>, the Alaska Rural Coalition<sup>10</sup> and the Rural Wireless Association<sup>11</sup> that a separate Alaska support system is necessary. Current CETC funding coming into Alaska should be frozen at its current levels for each rural carrier. This will ensure that residents and visitors of Alaska will enjoy robust 3G and 4G LTE coverage as the contiguous United States. In order for the Commission to ensure that funds are being used to support deployment of 4G LTE into areas not served by AT&T/Verizon and the ongoing operation of the existing 4G LTE networks carriers will need to be held accountable. Annual reports on the operation, costs, coverage, etc. should be required in order to continue to receive the frozen funds.

---

<sup>7</sup> Comments of CTIA, WC Docket No. 10-90, WT Docket No. 10-208, WC Docket No. 14-58, WC Docket 07-135, CC Docket No. 01-92 at 31, at 5 (filed August 8, 2014).

<sup>8</sup> General Communications, Inc., WC Docket No. 10-90, WT Docket No. 10-208, WC Docket No. 14-58, WC Docket 07-135, CC Docket No. 01-92 at 2 (filed August 8, 2014).

<sup>9</sup> Cordova Wireless Comments at 5.

<sup>10</sup> Alaska Rural Coalition, WC Docket No. 10-90, WT Docket No. 10-208, WC Docket No. 14-58, WC Docket 07-135, CC Docket No. 01-92 at 31, (filed August 8, 2014).

<sup>11</sup> Rural Wireless Association, WC Docket No. 10-90, WT Docket No. 10-208 at FN 8 (filed August 8, 2014).

As was pointed out in the meeting with representatives of the Wireless Telecommunications Bureau, Alaska is part of the United States and CB radios and satellite phones will not work as an alternative to wireless communications in Alaska<sup>12</sup>. Support for small rural Alaska wireless carriers should be frozen at its current levels. This will allow time for these small carriers to mature their networks to ensure that they are operating efficiently in order to provide all Americans a robust 3G and 4G LTE service.

The Commission should ensure that the consumer has a robust wireless network where they, work, live, recreate and commute. Federal support is needed in rural Alaska to ensure a robust and equivalent wireless network.

---

<sup>12</sup> Ex Parte Letter from Jeffry Smith, President and CEO, GVNW to Marlene H. Dortch, Secretary, FCC, and WC Docket No. 10-90 (filed February 25, 2014).