November 14, 2013

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

Re: Connect America Fund, WC Dkt. No. 10-90

Dear Ms. Dortch:

On November 12, 2013, Mary Henze and Michael Lieberman of AT&T, Jeffrey Lanning of CenturyLink, Michael Skrivan of FairPoint Communications (via telephone), Malena Barzilai of Windstream Communications and the undersigned of Frontier Communications (“ILECs”) met with Amy Bender and Ryan Yates of the Wireline Competition Bureau to discuss Phase I Round 2 of Connect America Fund (“CAF”) Incremental Support. Each of the ILECs applied for CAF Phase I Round 2 Incremental Support, but this funding has yet to be distributed pending the outcome of the challenge process utilized for this round of CAF Incremental Support.¹

The ILECs explained that, like the Commission, they are anxious to “further leverage [their] private investment in rural America and accelerate the availability of broadband to consumers who lack access.”² To facilitate near-term broadband deployment in rural areas, the ILECs requested that the Commission promptly release funding for those census blocks the election of which was uncontested in the challenge process. The ILECs also urged the Bureau to complete its examination of the challenged census blocks expeditiously, noting that many of the challenges suffered from procedural defects or “conclusory assertions without supporting evidence” that should render them invalid under the Commission’s rules.³

The ILECs also urge the Commission not to consider any evidence submitted by a participant in the challenge process after the stated deadlines. The Commission clearly established the challenge process as a 30-day timeframe for broadband providers to respond to ILEC applications, followed by 30 days for ILEC replies.⁴ The Commission did not allow for the submission of, nor should it consider, further information provided by participants after those deadlines. As the Commission recognized in the context of CAF Phase II, adherence to the articulated schedule for the challenge process would “ensure fairness” to all parties and demonstrate the Commission’s intention to create

² Id. at ¶ 2.
³ Id. at ¶ 33.
⁴ Id. at ¶ 32.
an “incentive [for parties] to submit a full evidentiary record” within the challenge period. The same is clearly true for the CAF I challenge process where a cycle of rebuttals would frustrate the rapid-deployment goals of the program.

Pursuant to Section 1.1206(b) of the Commission’s rules, 47 C.F.R. §1.1206(b), this letter is being filed electronically with your office today.

Please contact me with any further questions.

Sincerely,

Michael D. Saperstein, Jr.
Frontier Communications

cc: Amy Bender
    Ryan Yates
    Mary Henze
    Michael Lieberman
    Jeffrey Lanning
    Michael Skrivan
    Malena Barzilai