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May 14, 2015

VIA ELECTRONIC SUBMISSION

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

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Re: WC Docket Nos. 10-90, 14-58, 07-135, 05-337, and 03-109; GN Docket No. 09-51; CC Docket Nos. 01-92 and 96-45; WT Docket No. 10-208

Dear Ms. Dortch:

Throughout the development and implementation of the Connect America Fund (“CAF”) framework, ViaSat consistently has urged the Commission to adopt mechanisms for the distribution of CAF support that reflect a commitment to competitive and technological neutrality. Toward that end, ViaSat has advocated for eligibility criteria that are flexible enough to encourage broad participation in the CAF program by wireline, terrestrial wireless, satellite, and other service providers alike, and on the same terms and conditions. As ViaSat has demonstrated, this approach would facilitate the use of limited CAF support by the most efficient and effective service providers. In contrast, restricting program participation would create substantial *inefficiencies* that would needlessly increase the contribution burden placed on consumers while undercutting the objectives of the CAF program.

For these reasons, ViaSat recently urged the Wireline Competition Bureau to consider alternatives to the 100 millisecond latency requirement, which was adopted in the price cap context.¹ In doing so, ViaSat emphasized that this requirement unduly limits the ability of operators to leverage innovative satellite technologies in order to quickly and efficiently extend broadband service to consumers.² In addition, ViaSat observed that the Bureau already had found that the 100 millisecond latency requirement was not necessary to ensure that consumers

¹ See *Connect America Fund*, Order, 28 FCC Rcd 15060, at ¶¶ 19-36 (2013) (“*CAF Phase II Service Obligations Order*”).

² See *ViaSat, Inc.*, FCC Auction 501 Application, Project Information (Nov. 7, 2014).

in CAF areas receive service that is “reasonably comparable” to that available in urban areas.³ The Bureau has recognized that ViaSat’s advocacy “raises issues that warrant further consideration with public input” and invited ViaSat to pursue alternatives to the 100 millisecond latency requirement in the course of this ongoing rulemaking proceeding.⁴ ViaSat takes this opportunity to do so.

As an initial matter, ViaSat acknowledges the importance of ensuring that CAF support recipients provide service that “enable[s] use of real-time applications, such as VoIP,” as required by the *USF/ICC Transformation Order*.⁵ This formulation reflects a results-oriented approach that focuses on the functional capabilities enjoyed by the end user but does *not* seek to dictate how operators design their networks or choose to provide those functional capabilities to consumers. To the contrary, the Commission’s language reflects a clear desire to preserve operator flexibility.

While ViaSat welcomes the opportunity to explore any and all potential alternative standards, at the outset ViaSat proposes that the Commission adopt an alternative to the 100 millisecond latency standard consistent with the following approach:

- **Voice-Related Applications** — Service providers would be required to provide voice-related service with an “R Score” surpassing a minimum threshold to be specified by the Commission. This approach reflects that a high enough R Score will, by definition, ensure that consumers have access to high-quality voice service.
- **Internet Browsing** — The end-user experience with respect to Internet browsing is primarily affected by the speed at which pages load. To ensure that consumers enjoy a quality end-user experience, service providers would be required to provide Internet access service with average page load times below a maximum threshold to be specified by the Commission.
- **Video Streaming and Other Applications** — With respect to other Internet applications, including video streaming, ViaSat believes that service quality is affected mostly by speed. Under ViaSat’s proposed CAF metrics, service providers would be required to support services of 25 Mbps downstream and 3 Mbps downstream so as to minimize any perceived loss in end-user quality during the use of these applications.

Please contact the undersigned should you have any questions.

³ *Id.*

⁴ *See Wireline Competition Bureau Announces Entities Provisionally Selected for Rural Broadband Experiments; Sets Deadlines for Submission of Additional Information*, WC Docket No. 10-90, DA 14-1772 (Dec. 5, 2014).

⁵ *See Connect America Fund*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, at ¶ 96 (2011) (“*USF/ICC Transformation Order*”).

Respectfully submitted,

/s/ John P. Janka

John P. Janka

Jarrett S. Taubman

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cc: Daniel Alvarez
Jonathan Chambers
Carol Matthey