Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

	)	
In the Matter of	)	
	)	
Connect America Fund	)	WC Docket No. 10-90
	)	
Rural Broadband Experiment	)	WC Docket No. 14-259
	)	

SUPPLEMENT TO
EMERGENCY PETITION FOR WAIVER AND REQUEST FOR
EXTENSION OF TIMETO FILE LOC COMMITMENT LETTER

Northeast Rural Services, Inc. ("NRS"), hereby respectfully submits this supplement to its Petition for Waiver and Request for Extension of Time to File LOC Commitment Letter filed herein on May 4, 2015 ("Petition"). NRS was successful in obtaining the requisite letter from CoBank committing to provide separate irrevocable stand-by letters of credit for each project bid awarded in the second round of provisional Rural Broadband Experiments ("RBE") funding.

FACTS

On March 4, 2015, the Federal Communications Commission ("FCC') announced NRS was provisionally selected for an additional $7,415,062.00 of funding through the RBE.[1] NRS's select project bids were Project IDs 2, 3, 5, 7, 9, & 11. As such, the FCC required NRS to submit an additional commitment letter ("Commitment") from an acceptable bank agreeing to provide letter(s) of credit in an amount equal to the first year of support for each project bid (10% of provisional awards). On June 12, 2015, CoBank furnished the Commitment agreeing to provide individual stand-by letters of credit ("LOCs") for each project bid identified in the *Second Public*

[1] *Wireline Competition Bureau Announces Additional Provisionally Selected Bidders for Rural Broadband Experiments and Sets Deadlines for Submission of Additional Information*, WC Docket Nos. 10-90, 14-259, Public Notice, DA 15-288 (Wireline Comp. Bur. rel. Mar. 4, 2015) ("*Second Public Notice*").

Notice. The Commitment references $741,506.20 as the aggregate amount of the LOCs to be issued. The Commitment is attached hereto as Exhibit "A" and incorporated herein by reference.

DISCUSSION

When the FCC provisionally selected NRS for additional RBE funding, NRS immediately commenced best efforts to obtain a second LOC commitment letter from CoBank. It took longer to obtain the Commitment than NRS originally anticipated. NRS sought a brief waiver of the May 4 deadline.[2] Ultimately, NRS's diligence in striving to satisfy RBE requirements is evident by virtue of its success in obtaining the Commitment.

Pursuant to 47 C.F.R. § 1.3, the FCC may suspend, revoke, amend or waive its rules upon the showing of good cause. Such a request may serve the public interest when the request is not inconsistent with the policy underlying the rule.[3] A waiver or extension of the timeline for submission of a LOC commitment letter furthers the policy of the RBE in bringing voice and broadband-capable networks to rural, high cost areas. Granting NRS's Petition will allow NRS and northeast Oklahoma rural communities to realize benefits from the resources NRS expended to meet the RBE requirements, and thus preserves the ability for those resources to enhance the FCC's overall objectives.

The public interest would be furthered, and good cause exists, to grant NRS's Petition allowing NRS the opportunity to remain in consideration for RBE support. Moreover, if the FCC grants the Petition and accepts the Commitment, NRS would then be in compliance with all RBE post-selection review process requirements for two (2) of the six (6) second round project bids

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[2] *See Connect America Fund, Rural Broadband Experiment*, WC Docket Nos. 10-90, 14-259, Emergency Petition for Waiver and Request for Extension of Time to File LOC Commitment Letter, before the Federal Communications Commission (May 4, 2015).

[3] *See e.g., In re Standing Rock Telecommunications, Inc. Request for Limited Extension of Time to Submit Bank Commitment Letter for Mobility Fund Phase I Support (Auction 901)*, Order, DA 13-1848 at ¶ 12 (Released September 11, 2013) ("SRTI Waiver Order").

(Project IDs 5 & 11) and could be authorized as ready to receive support for said bids.[4] Accordingly, NRS requests that its Emergency Petition for Waiver and Request for Extension of Time to File LOC Commitment Letter be granted.

DATED this 17th day of June, 2015.

Respectfully submitted,

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[4] The remaining RBE post-selection review requirement for second round Project IDs 2, 3, 7, & 9 is providing proof of ETC designation in certain areas covered by those provisional support awards. NRS filed the applicable petitions for waiver and/or extension of time relative to this remaining requirement and continues its diligent efforts to obtain ETC designation.