

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

In the Matter of)	
)	
Telecommunications Carriers Eligible for Universal Service Support)	WC Docket No. 09-197
)	
Connect America Fund)	WC Docket No. 10-90
)	
Rural Broadband Experiments)	WC Docket No. 14-259
)	
Petition of BARConnects, LLC for FCC Designation as an Eligible Telecommunications Carrier in the Commonwealth of Virginia)	

ORDER

Adopted: September 25, 2015

Released: September 25, 2015

By the Chief, Wireline Competition Bureau:

I. INTRODUCTION

1. In this order, the Wireline Competition Bureau (Bureau) grants the petition filed by BARConnects, LLC (BARConnects) seeking designation as an eligible telecommunications carrier (ETC) for 64 census blocks in Virginia.¹ We find that BARConnects meets the eligibility requirements of section 214(e)(6) of the Communications Act of 1934, as amended (the Act), and the Commission’s rules to be designated as an ETC in the relevant areas of Virginia.² Relatedly, we grant BARConnects’ petition for waiver and request for extension of time to file proof of ETC designation, finding that BARConnects acted with good faith in timely seeking ETC designation.³

II. BACKGROUND

A. Rural Broadband Experiments

2. In the *USF/ICC Transformation Order*, the Commission comprehensively reformed and modernized the high-cost program within the universal service fund and the intercarrier compensation

¹ See Petition of BARConnects, LLC for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Virginia, WC Docket Nos. 09-197, 10-90, 14-259 (filed Apr. 22, 2015) (ETC Petition). In its ETC Petition, BARConnects explains that it is a wholly owned subsidiary of BARC Electric Cooperative, a winning bidder for provisional funding under the rural broadband experiments. See *id.* at 2; see also Petition of BARConnects, LLC for Waiver and Request for Extension of Time to File Proof of ETC Designation of BARConnects, LLC, WC Docket Nos. 09-197, 10-90, 14-259 at 1 (filed June 2, 2015) (Request for Waiver) (explaining that BARC Electric Cooperative is the sole controlling member of BARConnects, LLC).

² 47 U.S.C. § 214(e)(6); 47 C.F.R. § 54.202.

³ See Request for Waiver at 1.

system to focus support on networks capable of providing voice and broadband services.⁴ The Commission concluded that support in price cap areas would be provided through a combination of “a new forward-looking model of the cost of constructing modern multi-purpose networks” and a competitive bidding process.⁵ Subsequently, in July 2014, the Commission adopted rules for a limited program of rural broadband experiments that would use an objective methodology for selecting projects among formal applications from those carriers that would provide robust broadband to consumers in price cap areas.⁶

3. On December 5, 2014, the Bureau announced the provisional selection of winning bidders for rural broadband experiments funding, subject to the post-selection review process, as well as the dates by which these bidders needed to submit additional information to avoid default.⁷ When some of these initially selected bidders defaulted, their allocated funding became available for redistribution.⁸ Accordingly, on March 4, 2015, the Bureau released a second public notice (Public Notice) announcing a second set of provisionally selected bidders and the dates by which these bidders needed to submit additional information to avoid default, including the 90-day deadline of June 2, 2015 to submit proof of ETC designation.⁹ Among this second set of provisionally selected bidders, the Bureau announced BARC Electric Cooperative—the sole controlling member of BARConnects—as the winning bidder for 64 census blocks in Virginia (hereinafter, provisionally selected census blocks).¹⁰

B. Statutory Framework for ETC Designation

4. Section 254(e) of the Act provides that “only an eligible telecommunications carrier designated under section 214(e) shall be eligible to receive specific federal universal service support.”¹¹ Pursuant to section 214(e)(1), a common carrier designated as an ETC must offer and advertise the

⁴ *Connect America Fund et al.*; WC Docket Nos. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663 (2011) (*USF/ICC Transformation Order*), *aff’d sub nom.*, *In re: FCC 11-161*, 753 F.3d 1015 (10th Cir. 2014).

⁵ *Id.* at 17725, para. 156.

⁶ *See Connect America Fund; ETC Annual Reports and Certification*, WC Docket Nos. 10-90, 14-58, Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8769 (2014) (*Rural Broadband Experiments Order*).

⁷ *See Wireline Competition Bureau Announces Entities Provisionally Selected for Rural Broadband Experiments; Sets Deadlines for Submission of Additional Information*, WC Docket No. 10-90, Public Notice, DA 14-1772, 29 FCC Rcd 14684, Attach. B (Wireline Comp. Bur. 2014); *see also Rural Broadband Experiments Order*, 29 FCC Rcd at 8787–88, para. 54 (requiring entities to provide, within 10 business days of the release date of the public notice announcing winning bidders, certain financial and technical information).

⁸ *See Connect America Fund et al.*, WC Docket No. 10-90 et al., Report and Order, 29 FCC Rcd 15644, 15674–75, para. 83 (2014) (establishing process for provisional selection of additional bidders for rural broadband experiment support in the event any of the initially provisionally selected bidders defaulted before the Bureau’s finalization of the list of census blocks for the Connect America Phase II offer of model-based support) (*December 2014 Connect America Order*).

⁹ *See 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, 30 FCC Rcd 2045, 2045 (Wireline Comp. Bur. 2015) (Public Notice).

¹⁰ *See id.* at 2047, Attach; *see also supra* note 1.

¹¹ 47 U.S.C. § 254(e).

services supported by the federal universal service support mechanisms throughout its designated service area.¹²

5. Section 214(e)(2) of the Act gives state commissions the primary responsibility for designating ETCs in their states.¹³ Section 214(e)(6) directs the Commission, upon request, to designate as an ETC “a common carrier providing telephone exchange service and exchange access that is not subject to the jurisdiction of a State commission.”¹⁴ The Wireline Competition Bureau designates carriers as ETCs pursuant to a delegation of authority by the Commission.¹⁵

C. Commission Requirements for ETC Designation

6. An ETC petition must contain the following: (1) a certification and brief statement of supporting facts demonstrating that the petitioner is not subject to the jurisdiction of a state commission;¹⁶ (2) a certification that the petitioner offers all services designated for support by the Commission pursuant to section 254(c) of the Act;¹⁷ (3) a certification that the petitioner offers or intends to offer the supported services “either using its own facilities or a combination of its own facilities and resale of another carrier’s services;”¹⁸ (4) a description of how the petitioner “advertise[s] the availability of the [supported] services and the charges therefor using media of general distribution;”¹⁹ and (5) if the petitioner is not a rural telephone company, a detailed description of the geographic service area for which it requests an ETC designation from the Commission.²⁰ A petitioner also must certify that neither the petitioner nor any party to the application is subject to a denial of federal benefits, including

¹² 47 U.S.C. § 214(e)(1).

¹³ 47 U.S.C. § 214(e)(2).

¹⁴ 47 U.S.C. § 214(e)(6).

¹⁵ See *Procedures for FCC Designation of Eligible Telecommunications Carriers Pursuant to Section 214(e)(6) of the Communications Act*, CC Docket No. 96-45, Public Notice, 12 FCC Rcd 22947, 22948 (1997) (delegating ETC designations to predecessor of Wireline Competition Bureau) (*Section 214(e)(6) Public Notice*).

¹⁶ 47 U.S.C. § 214(e)(6).

¹⁷ 47 U.S.C. § 214(e)(1)(A). Section 54.101 of the Commission’s rules provides, in relevant part:

Voice [t]elephony services shall be supported by federal universal service support mechanisms. Eligible voice telephony services must provide voice grade access to the public switched network or its functional equivalent; minutes of use for local service provided at no additional charge to end users; access to the emergency services provided by local government or other public safety organizations, such as 911 and enhanced 911, to the extent the local government in an eligible carrier's service area has implemented 911 or enhanced 911 systems; and toll limitation services to qualifying low-income consumers as provided in subpart E of this part.

47 C.F.R. § 54.101(a). See *Lifeline and Link Up Reform and Modernization et al.*, Report and Order and Further Notice of Proposed Rulemaking, WC Docket Nos. 11-42 et al., CC Docket No. 96-45, 27 FCC Rcd 6656, 6679, para. 49, 6756, para. 230 (2012) (*Lifeline Reform Order*); see also *Connect America Fund et al.*, WC Docket No. 10-90 et al., Order on Reconsideration, FCC 11-189, 26 FCC Rcd 17633, 17634, para. 3 (2011).

¹⁸ 47 U.S.C. § 214(e)(1)(A).

¹⁹ 47 U.S.C. § 214(e)(1)(B). 47 C.F.R. §§ 54.401 *et seq.* In addition, an ETC must advertise the availability of Lifeline service and, if eligible for such support, Link Up, in a manner reasonably designed to reach those likely to qualify for those services. In the *Lifeline Reform Order*, the Commission eliminated Link Up except for carriers that receive high-cost support on Tribal lands. *Lifeline Reform Order*, 27 FCC Rcd at 6767, para. 254.

²⁰ See *Section 214(e)(6) Public Notice*, 12 FCC Rcd at 22948.

Commission benefits, pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, as implemented in section 1.2002 of the Commission's rules.²¹

7. Consistent with the service obligations all ETCs must satisfy, a party petitioning for designation as an ETC must, absent waiver or exception: (1) certify that it will comply with the service requirements applicable to the support that it receives;²² (2) submit a five-year plan containing the required information;²³ (3) demonstrate that it will remain functional in emergency situations;²⁴ and (4) demonstrate that it will satisfy applicable consumer protection and service quality standards.²⁵ Prior to designating an ETC pursuant to section 214(e)(6), the Commission must determine whether such designation is in the public interest.²⁶

D. Rural Broadband Experiments Deadline for Submission of Proof of Designation as an ETC

8. The Commission has concluded that while bidders for funding made available through the rural broadband experiments need not be designated an ETC at the time they submit bids, winning bidders had to obtain the requisite ETC designation within 90 days of the public notice announcing their selection for provisional funding.²⁷ Subsequently, in the *Rural Broadband Experiments Order*, the Commission held that it would “presume an entity to have shown good faith,” in attempting to obtain a timely ETC designation if that entity filed its application for ETC designation with the relevant state authority within 15 days of the public notice announcing that the entity had been selected as a provisionally selected bidder.²⁸

E. BARConnects' Petition for ETC Designation and Request for Waiver and Extension of Time to Submit Proof of ETC Status

9. On April 22, 2015, BARConnects filed its ETC Petition with the Bureau, requesting that the Bureau designate it as an ETC within its provisionally selected census blocks.²⁹ In its ETC Petition,

²¹ 47 C.F.R. § 1.2002.

²² 47 C.F.R. § 54.202(a)(1)(i).

²³ See 47 C.F.R. § 54.202(a)(1)(ii). The ETC must also file annual progress reports with the Commission—a requirement that the Commission has waived, on its own motion, with respect to winning bidders of provisional rural broadband experiments funding, reasoning that the recipients' more specific build-out and service reporting obligations make annual reporting unnecessary. See *Rural Broadband Experiments Order*, 29 FCC Rcd at 8795, para. 77 (waiving the annual reporting obligations set forth in section 54.313(a)(1), 47 C.F.R. § 54.313(a)(1)).

²⁴ In particular, the petitioner must demonstrate that it is capable of ensuring functionality through a reasonable amount of back-up power without an external power source, rerouting traffic around damaged facilities, and managing traffic spikes resulting from emergency situations. See 47 C.F.R. § 54.202(a)(2).

²⁵ 47 C.F.R. § 54.202(a)(3).

²⁶ 47 U.S.C. § 214(e)(6); 47 C.F.R. § 54.202(b); see also *Federal-State Joint Board on Universal Serv.*, CC Docket No. 95-45, Report and Order, 20 FCC Rcd 6371, 6388–96, paras. 40–57 (2005) (*ETC Designation Order*). The Commission places the burden on the ETC applicant to demonstrate that designation will serve the public interest. *Id.* at 6390, para. 44.

²⁷ See *Technology Transitions et al.*, GN Docket No. 13-5 et al., Order et al., 29 FCC Rcd 1433, 1474–75, para. 118 (2014) (*Tech Transitions Order*).

²⁸ See *Rural Broadband Experiments Order*, 29 FCC Rcd at 8778, para. 22 n.52.

²⁹ See ETC Petition at 1. At this time, we do not rule on BARConnects' request for confidential treatment of some information provided in its ETC Petition. See Letter from Shannon M. Heim, Counsel for BARConnects, LLC, to

(continued....)

BARConnects explains that on March 18, 2015, less than 15 days of the release of the March 4, 2015 public notice announcing BARC Electric Cooperative's provisional selection for rural broadband experiment funding, BARConnects petitioned the Virginia State Corporation Commission (Virginia SCC) for ETC designation within the provisionally selected census blocks or in the alternative, for a decision holding that the Virginia SCC lacked jurisdiction to so designate BARConnects as an ETC.³⁰ BARConnects further explains that on March 30, 2015, the Virginia SCC issued a decision declining jurisdiction and advising BARConnects to request ETC designation from the Federal Communications Commission pursuant to section 214(e)(6) of the Act.³¹ Accordingly, BARConnects filed the ETC Petition now under the Bureau's consideration.

10. On April 28, 2015, the Bureau released a public notice soliciting comments regarding the ETC Petition.³² No third party filed comments in response. On May 18, 2015, however, BARConnects filed a reply comment urging the Bureau to grant its ETC Petition.³³ When the Bureau had not yet acted on the ETC Petition as of June 2, 2015, BARConnects, pursuant to section 1.3 of the Commission's rules, filed a petition for waiver and a request for extension of time to submit documentation of its status as an ETC pending the Bureau's decision.³⁴

III. DISCUSSION

11. In this Order, we find that BARConnects has satisfied the requirements under the Act and the Commission's rules to be designated as an ETC to serve the provisionally selected census blocks. We also find good cause warrants waiving the June 2 ETC deadline.³⁵ Accordingly, the Bureau will shortly

(. . . continued from previous page) _____

Marlene K. Dortch, Secretary, Federal Communications Commission, WC Docket No. 09-197 (filed Apr. 22, 2015); *see also* 47 C.F.R. §§ 0.457, 0.459.

³⁰ *See* ETC Petition at Exhibit 1.

³¹ *See id.* at 4–5 (citing Application of BARConnects, LLC for Designation as an Eligible Telecommunications Carrier Pursuant to 47 U.S.C. § 214(e), Case No. PUC-2015-00015, Application for Designation as an Eligible Telecommunications Carrier, before the Commonwealth of Virginia State Cooperation Commission (Mar. 12, 2015)).

³² *Wireline Competition Bureau Seeks Comment on BARConnects, LLC's Petition for Designation As an Eligible Telecommunications Carrier*, 09-197, 10-90, 14-259, Public Notice, DA 15-499, 30 FCC Rcd 3776 at Attach. (Wireline Comp. Bur. 2015).

³³ *See Wireline Competition Bureau Seeks Comment on BARConnects, LLC's Petition for Designation as an Eligible Telecommunications Carrier*, WC Docket Nos. 09-197, 10-90, 14-259, Reply Comments of BARConnects, LLC, before the Federal Communications Commission (filed May 18, 2015).

³⁴ *See supra* note 1; 47 C.F.R. § 1.3.

³⁵ The Commission may waive its policies or rules upon a showing of good cause and may take into account, on an individual basis, considerations of hardship, equity, or more effective implementation of overall policy. *See WAIT Radio v. F.C.C.*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *see also NE Cellular Tele. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990). However, waiver of the Commission's policies or rules is appropriate only if both: (i) special circumstances warrant a deviation from the general rule; and (ii) such deviation will serve the public interest. *See Network IP, LLC v. F.C.C.*, 548 F.3d 116, 127 (D.C. Cir. 2008) (citing *NE Cellular Tele. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990)). “[D]eadlines can only be waived under ‘unusual or compelling circumstances.’” *Network IP, LLC v. FCC*, 548 F.3d 116, 126 (D.C. Cir. 2008) (citation omitted). In this context, the Commission has delegated authority to the Wireline Competition Bureau to act on any such waivers. *See Rural Broadband Experiments Order*, 29 FCC Rcd at 8788 n.95; 47 C.F.R. §§ 0.91(p) (functions of Wireline Competition Bureau), 0.291 (delegation of authority to Wireline Competition Bureau); *see also supra* note 15.

release a public notice announcing its readiness to authorize rural broadband experiments support for BARConnects as a provisionally selected bidder.³⁶

A. ETC Designation

1. Commission Authority to Perform the ETC Designation

12. In its ETC Petition, BARConnects cites the Virginia SCC decision declining to exercise jurisdiction as demonstration of the Commission's authority to consider BARConnects ETC Petition under section 214(e)(6) of the Act.³⁷ BARConnects thereby has demonstrated that the Commission has authority to perform the requested ETC designation.³⁸

2. Threshold Eligibility Requirements

13. BARConnects has established through the required certifications and related filings that it will offer the services supported by the federal universal service support mechanisms.³⁹ In addition, BARConnects has certified that it offers or will offer the supported services using its own facilities.⁴⁰ Consistent with the requirements of section 214(e)(1)(A), BARConnects has also committed to advertise the availability of the supported services and the related charges using media of general distribution.⁴¹

14. BARConnects has identified with specificity the census blocks for which it seeks provisional funding pursuant to the rural broadband experiments and intends to serve in conformity with the requirements thereof.⁴² BARConnects' designated service area will consist of the census blocks where BARConnects has been provisionally. We conclude that a service area designated by these means meets the Commission's requirements.

15. Pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, no applicant is eligible for any new, modified, or renewed instrument of authorization from the Commission, including authorizations issued pursuant to section 214 of the Act, unless the applicant certifies that neither it nor any party to its application is subject to a denial of federal benefits, including Commission benefits.⁴³ BARConnects has provided a certification consistent with the requirements of the Anti-Drug Abuse Act of 1988.⁴⁴ We find that BARConnects has satisfied the requirements of the Anti-Drug Abuse Act of 1988, as codified in sections 1.2001–1.2003 of the Commission's rules.

³⁶ See *Rural Broadband Experiments Order*, 29 FCC Rcd at 8788, para. 54.

³⁷ ETC Petition at Exhibit 1.

³⁸ 47 U.S.C. § 214(e)(6).

³⁹ See generally ETC Petition, BARConnects Certifications.

⁴⁰ ETC Petition at 6; see 47 U.S.C. § 214(e)(1)(A); 47 C.F.R. § 54.201(d)(1).

⁴¹ 47 U.S.C. § 214(e)(1)(B); see ETC Petition at 8.

⁴² ETC Petition at 9.

⁴³ 21 U.S.C. § 862; 47 C.F.R. § 1.2002(a)–(b). Section 1.2002(b) provides that a “party to the application” shall include: “(1) If the applicant is an individual, that individual; (2) If the applicant is a corporation or unincorporated association, all officers, directors, or persons holding 5% or more of the outstanding stock or shares (voting and/or nonvoting) of the petitioner; and (3) If the application is a partnership, all non-limited partners and any limited partners holding a 5% or more interest in the partnership.” 47 C.F.R. § 1.2002(b); see *Section 214(e)(6) Public Notice*, 12 FCC Rcd at 22949.

⁴⁴ ETC Petition at 13; see BARConnects Certifications.

3. Public Interest Service Obligations

16. BARConnects also has established through the required certifications and related filings that it meets the other requirements for ETC eligibility.⁴⁵ We find that BARConnects has (1) certified that it will comply with the service requirements applicable to the support that it receives;⁴⁶ (2) submitted a five-year plan containing the required information;⁴⁷ (3) demonstrated its ability to remain functional in emergency situations;⁴⁸ and (4) demonstrated that it will satisfy applicable consumer protection and service quality standards.⁴⁹

4. Public Interest Analysis

17. We find that BARConnects' participating in universal service programs in areas in which it becomes authorized to receive rural broadband experiment funding support should provide a variety of benefits to consumers including voice service and next-generation broadband access.⁵⁰ BARConnects has committed to deploying an advanced communications network capable of delivering supported services to any area for which it becomes authorized to receive rural broadband experiments funding, consistent with the goals of these experiments.⁵¹

18. Specifically, through the use of new and existing fiber networks, BARConnects has committed to deploying a network capable of delivering voice and broadband service of up to 100 Mbps downstream/25 Mbps upstream, including offering at least one service plan that provides 25 Mbps downstream/5 Mbps upstream to all eligible locations.⁵² For that service plan, it must provide usage that is reasonably comparable to usage available for comparable wireline offerings in urban areas, at a price that meets the Commission's reasonable comparability benchmarks, and latency no greater than 100 milliseconds.⁵³ BARConnects also has committed to satisfy its Lifeline obligations.⁵⁴

19. We designate BARConnects as an ETC within the provisionally selected census blocks as listed in the Appendix.⁵⁵

5. Regulatory Oversight

20. We note that BARConnects will be required under section 254(e) of the Act to use universal service support "only for the provision, maintenance, and upgrading of facilities and services for which the support is intended." We conclude that fulfillment of additional reporting requirements will further the Commission's goal of ensuring that BARConnects satisfies its obligation under section 214(e)

⁴⁵ 47 C.F.R. § 54.202(a).

⁴⁶ ETC Petition at 7; *see* BARConnects Certifications.

⁴⁷ ETC Petition at Exhibit 4.

⁴⁸ ETC Petition at 9; *see* BARConnects Certifications.

⁴⁹ ETC Petition at 10.

⁵⁰ This Order in no way pre-judges whether any particular proposed service offering by BARConnects meets the requirements of the Commission's rules.

⁵¹ ETC Petition at 6.

⁵² ETC Petition at 7; *see also* *Rural Broadband Experiments Order*, 29 FCC Rcd at 8779–80, para. 26.

⁵³ ETC Petition at 6.

⁵⁴ *Id.* at 6, 11.

⁵⁵ *See Appendix.*

of the Act to provide supported services throughout its designated service area. As an ETC designated pursuant to section 214(e)(6) of the Act, BARConnects will be responsible for filing its own annual use certification pursuant to section 54.314(b) of the Commission's rules.⁵⁶

21. We find that reliance on BARConnects' commitments to meet these requirements is reasonable and consistent with the public interest and the Act.⁵⁷ The Commission may institute an inquiry on its own motion to examine any ETC's records and documentation to ensure that the universal service support the ETC receives is being used "only for the provision, maintenance, and upgrading of facilities and services" in the areas in which it is designated as an ETC.⁵⁸ BARConnects will be required to provide such records and documentation to the Commission and USAC upon request.⁵⁹ We further emphasize that if BARConnects fails to fulfill the requirements of the Act, the Commission's rules, and the terms of this order after it begins receiving universal service support, the Commission has authority to revoke its ETC designation.⁶⁰ The Commission also may assess forfeitures for violations of Commission rules and orders.⁶¹

B. BARConnects Waiver Request

22. Consistent with precedent,⁶² we find good cause to grant BARConnects' request for waiver of the deadline for submitting proof of ETC designation. BARConnects requested ETC designation from the Virginia SCC on March 18, 2015, less than 15 days after the release of the Bureau's March 4, 2015 public notice announcing BARC Electric Cooperative as a provisionally selected bidder. Accordingly, we find that BARConnects acted in good faith in attempting to obtain ETC designation by the June 2, 2015 deadline.

IV. ORDERING CLAUSES

23. Accordingly, IT IS ORDERED that, pursuant to the authority contained in section 214(e)(6) of the Communications Act, 47 U.S.C. § 214(e)(6), and the authority delegated in sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, BARCONNECTS, LLC IS DESIGNATED AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER for the 64 census blocks

⁵⁶ 47 C.F.R. § 54.314(b); *see also Rural Broadband Experiments Order*, 29 FCC Rcd at 8796–97, para. 82.

⁵⁷ *See generally* ETC Petition.

⁵⁸ 47 U.S.C. §§ 220, 403.

⁵⁹ *See USF/ICC Transformation Order*, 26 FCC Rcd at 17864, para. 621; 47 C.F.R. § 54.1010; *see also* 47 C.F.R. § 54.417.

⁶⁰ *In the Matter of Fed.-State Joint Bd. on Universal Serv.*, 20 FCC Rcd 6371, 6398, para. 63 (2005); *see also* 47 U.S.C. § 254(e).

⁶¹ *See* 47 U.S.C. § 503(b).

⁶² *Rural Broadband Experiments Order*, 29 FCC Rcd at 8778, para. 22 n.52; *see also, e.g., Wireline Competition Bureau Announces Rural Broadband Experiments Support for 13 Provisionally Selected Bids Is Ready to Be Authorized*, WC Docket Nos. 10-90, 14-259, DA 15-1024 at 2–3 (Wireline Comp. Bur. rel. Sept. 15, 2015), available at http://transition.fcc.gov/Daily_Releases/Daily_Business/2015/db0915/DA-15-1024A1.pdf (finding good cause to grant waiver petitions filed by Midwest Energy Cooperative d/b/a Midwest Connections, Paul Bunyon Rural Telephone Cooperative, and Skybeam, LLC (with respect to its census blocks within Iowa and Nebraska) of their respective deadlines for obtaining ETC designation for their provisionally funded census blocks); *Wireline Competition Bureau Announces Rural Broadband Experiments Support for 15 Provisionally Selected Bids Is Ready to Be Authorized and Releases Updated Frequently Asked Questions*, Public Notice, WC Docket Nos. 10-90, 14-259, 30 FCC Rcd 5038, 5039–40 (Wireline Comp. Bur. 2015) (finding good cause to grant in part Skybeam, LLC's petition for waiver of its March 5th deadline for obtaining an ETC designation for its provisionally funded census blocks in Illinois).

located in the Commonwealth of Virginia for which BARC Electric Cooperative is the provisionally selected bidder.

24. IT IS FURTHER ORDERED, pursuant to sections 1, 4(i), 5(c), and 214(e)(6) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), and 214(e)(6), and sections 0.91, 0.291 and 1.3 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291 and 1.3, that the petition for waiver of the deadline for submitting proof of ETC designation filed by BarConnects, LLC is GRANTED to the extent described herein.

25. IT IS FURTHER ORDERED that a copy of this order SHALL BE transmitted by the Office of the Secretary to the Virginia State Corporation Commission and the Universal Service Administrative Company; and

26. IT IS FURTHER ORDERED that, pursuant to section 1.102(b)(1) of the Commission's rules, 47 C.F.R. § 1.102(b)(1), this order SHALL BE effective upon release.

FEDERAL COMMUNICATIONS COMMISSION

Matthew S. DelNero
Chief
Wireline Competition Bureau

APPENDIXProvisionally Selected Census Blocks for which BARConnects, LLC
Is the Designated Eligible Telecommunications Carrier

511639301002000	511639302001171
511639301002012	511639302001300
511639301002036	511639302001332
511639301002039	511639302001343
511639301002040	511639302002067
511639301002046	511639302002068
511639301002056	511639302002098
511639301002074	511639302002099
511639301003039	511639302002100
511639301004000	511639302002113
511639301004003	511639302002131
511639301004006	511639302002193
511639301004007	511639302003147
511639301004009	511639302003193
511639301004010	511639302003194
511639301004013	511639302003195
511639301004020	511639303002021
511639301004021	511639303002023
511639301004022	511639303002055
511639301004027	511639303002061
511639301004029	511639303002063
511639301004034	511639303003094
511639301004042	511639303003099
511639301004067	511639303003123
511639301004068	511639303003124
511639301004074	511639303003126
511639301005072	511639303003210
511639301005084	511639303005075
511639301005106	511639303005079
511639301005110	
511639301006004	
511639301006013	
511639301006028	
511639301006036	
511639301006037	