



PUBLIC NOTICE

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WIRELINE COMPETITION BUREAU CONTINUES ALASKA COMMUNICATIONS SYSTEMS CONNECT AMERICA FUND PHASE II CHALLENGE PROCESS

WC Docket No. 10-90

Challenges Due: September 4, 2018

By this Public Notice, the Wireline Competition Bureau (Bureau) continues the challenge process for Alaska Communications Systems (ACS) to identify areas eligible for its Connect America Fund (CAF) Phase II frozen support.¹

ACS has filed a second list of 4,691 additional locations in partially-served census blocks to which it proposes to deploy using Phase II support.² That second list is available at: [https://ecfsapi.fcc.gov/file/106212032726392/ACS%20CAF%20II%20Partially%20Served%20Census%20Blocks%2C%20Round%202%20\(lat%3Along\).pdf](https://ecfsapi.fcc.gov/file/106212032726392/ACS%20CAF%20II%20Partially%20Served%20Census%20Blocks%2C%20Round%202%20(lat%3Along).pdf)

Under the terms of the *ACS CAF II Order*, providers that qualify as an unsubsidized competitor now have 45 days to notify ACS and the Commission that they already serve the specific locations in those blocks identified by ACS.³ Existing providers therefore have until **September 4, 2018** to notify ACS and the Bureau that they currently offer voice and broadband service meeting the requisite requirements to the locations identified by ACS.

In the *ACS CAF II Order*, the Commission adopted tailored CAF Phase II voice and broadband service obligations for ACS, a carrier serving a non-contiguous area that elected to receive nearly \$20 million annually in CAF Phase II frozen support amounts in lieu of model-based support. The Commission provided ACS with Phase II frozen support for a 10-year term and required the company to offer voice service and broadband service at the same speed, latency, usage and pricing metrics as established for Phase II model-based carriers to at least 31,571 locations, primarily in census blocks

¹ See *Connect America Fund*, Order, 31 FCC Rcd 12086, 12094, 12096-97 paras. 30, 36 (Oct. 31, 2016) (*ACS CAF II Order*).

² There are only 3,252 unique sets of coordinates listed because many locations are in multi-unit buildings. See Letter from Ruth Willard, Sr. Director of Revenue Management, ACS to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket Nos. 10-90 (filed June 21, 2018); ACS Excel Document, *ACS_CAF_II_Partially_Served_Census_Blocks_Round_2_(lat:long).pdf*, WC Docket No. 10-90 (filed June 21, 2018).

³ See *ACS CAF II Order*, 31 FCC Rcd at 12097, para. 36 (stating that the provider must serve the location with 10/1 Mbps or better and with service meeting the Commission's standards for unsubsidized competitors). See also 47 CFR § 54.5 (defining "unsubsidized competitor").

identified as high-cost that are unserved by unsubsidized competitors, with limited exceptions. One of those exceptions allowed ACS the flexibility to substitute up to 7,900 locations for locations unserved by any provider within census blocks that also include locations served by an unsubsidized competitor (“partially-served census blocks”).⁴ The Commission required ACS to submit its list of any proposed location substitutions on or before October 1, 2018.⁵ Additionally, to provide public notice of ACS’ deployment plans and to ensure that the locations ACS identified are in fact unserved by any fixed, terrestrial competitors, including those that currently receive high-cost support, the Commission directed the Bureau to issue a public notice announcing the proposed ACS locations and to conduct a streamlined challenge process.⁶ As stated in the *ACS CAF II Order*, any identified locations that receive no response will automatically be deemed eligible for ACS deployment with Phase II frozen support.⁷

Challenges may be filed using the Commission’s Electronic Comment Filing System (ECFS), or by filing paper copies. Please also submit a courtesy copy to Dangkhua Nguyen, Telecommunications Access Policy Division, Wireline Competition Bureau via email at Dangkhua.Nguyen@fcc.gov, and to the Bureau at ConnectAmerica@fcc.gov.

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs/>
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.
 - All hand-delivered or messenger-delivered paper filings for the Commission’s Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
 - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis, MD 20701.
 - U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

The proceeding this petition initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁸ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the

⁴ See *ACS CAF II Order*, 31 FCC Rcd at 12095-96, paras. 32-35.

⁵ *Id.* at 12096-97, para. 36.

⁶ *Id.*

⁷ *Id.*

⁸ 47 CFR §§ 1.1200 *et seq.*

presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Submissions will be publicly available online via ECFS.⁹ These documents will also be available for public inspection during regular business hours in the FCC Reference Information Center, which is located in Room CY-A257 at FCC Headquarters, 445 12th Street, SW, Washington, DC 20554.

For further information, please contact Dangkhua Nguyen, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7865 or via email at Dangkhua.Nguyen@fcc.gov.

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⁹ Documents will generally be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.