

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

In the Matter of)
)
Protecting Against National Security Threats to the) WC Docket No. 18-89
Communications Supply Chain Through FCC)
Programs)
)
)
)

ORDER

Adopted: April 2, 2020

Released: April 2, 2020

Response Date: May 22, 2020

By the Chief, Wireline Competition Bureau and the Acting Chief, Office of Economics and Analytics:

1. By this Order, the Wireline Competition Bureau (WCB) and the Office of Economics and Analytics (OEA) grant a 30-day extension of time for filers to complete the Supply Chain Information Collection.¹ With this extension, responses to the Supply Chain Information Collection are due on May 22, 2020.

2. On November 26, 2019, the Commission adopted the *Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs Report and Order*, which, among other things, directed WCB and OEA to establish an information collection for eligible telecommunications carriers (ETCs) to report whether they own or use potentially prohibited equipment or services provided by Huawei Technologies Company or ZTE Corporation, their subsidiaries, parents, or affiliates, in their networks; what that equipment is and what those services are; the costs associated with purchasing or installing such equipment or services; and the costs associated with removing or replacing such equipment or services.² On February 26, 2020, WCB and OEA announced that the Supply Chain Information Collection had begun and that ETCs must report the required information through the portal established for this purpose by April 22, 2020.³

3. On March 24, 2020, the Rural Wireless Association (RWA) requested that WCB and OEA extend the Supply Chain Information Collection deadline by eight weeks to June 22, 2020 because of complications arising from the COVID-19 pandemic.⁴ RWA asserts that the pandemic has caused its

¹ FCC, Identifying Potentially Prohibited Communications Supply Chain Equipment and Services, www.fcc.gov/supplychain.

² See *Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs*, WC Docket No. 18-89, Report and Order, Further Notice of Proposed Rulemaking, and Order, 34 FCC Rcd 11423, 11481-82, paras. 162-66 (2019) (*2019 Supply Chain Order*).

³ *Wireline Competition Bureau and Office of Economics and Analytics Open Reporting Portal for Supply Chain Security Information Collection*, WC Docket No. 18-89, Public Notice, DA 20-166 (WCB and OEA 2020).

⁴ Request of RWA for Extension of Time to Report Supply Chain Security Information, WC Docket No. 18-89, (filed Mar. 24, 2020), <https://ecfsapi.fcc.gov/file/103241353608744/RNSCsupplychainextension%20%20FINAL.pdf> (RWA Request).

“member ETCs to devote substantial time and resources away from compliance with regulatory reporting obligations to numerous pandemic-related urgent new activities,” including reconfiguring their networks to accommodate increased demand for telecommunications services, and devoting resources to their own business continuity issues.⁵ As a result, RWA argues its members do not have enough time to complete the information collection.⁶ RWA also contends that its members are missing information from vendors needed to complete the information collection, as these vendors are also adversely impacted by the COVID-19 pandemic.⁷

4. On March 27, 2020, USTelecom filed two letters with the Commission, the first requesting the Commission waive or postpone the April 22, 2020 Supply Chain Information Collection deadline because of the pandemic,⁸ and the second expressing support for RWA’s request.⁹ USTelecom claims that its member companies’ engineers and officers responsible for completing the information collection “are now fully occupied with the greater mission of serving their customers . . . necessitating more time to complete the information request.”¹⁰

5. On April 1, 2020, NTCA filed a letter with the Commission expressing support for RWA’s request.¹¹ NTCA states that employees who would have normally prepared the information necessary to complete the Supply Chain Information Collection are currently needed to assist with new installations or increased bandwidth because of an increase in network demand in residential locations.¹²

6. As set forth in section 1.46 of the Commission’s rules,¹³ it is the policy of the Commission that extensions of time shall not be routinely granted. In light of the COVID-19 pandemic and community and business efforts to respond to this public safety crisis, we find there is good cause to grant a limited extension of the supply chain information collection reporting and certification deadline. We believe that an additional 30 days will provide enough time for ETCs to provide accurate and complete responses to the information collection while still allowing the Commission to expeditiously move forward with its efforts to increase the security of the communications supply chain. We therefore grant RWA’s request in part and establish a new reporting and certification deadline of May 22, 2020. We expect that this extension will “result in more meaningful data being provided to the Commission” to help inform the Commission’s decision-making in this proceeding.¹⁴

7. ACCORDINGLY, IT IS ORDERED, pursuant to sections 4(i), 4(j), and 5(c) of the Communications Act, as amended, 47 U.S.C. §§ 154(i), 154(j), and 155(c), and sections 0.21, 0.91, 0.271, 0.291, and 1.46 of the Commission’s rules, 47 CFR §§ 0.21, 0.91, 0.271, 0.291, and 1.46 that RWA’s Request for an Extension of Time to Report Supply Chain Security Information IS GRANTED IN PART.

⁵ RWA Request at 2.

⁶ RWA Request at 3.

⁷ RWA Request at 5.

⁸ Letter from Jonathan Spalter, President and Chief Executive Officer, USTelecom, to Ajit Pai, Chairman, FCC, WC Docket No. 18-89 (filed Mar. 27, 2020).

⁹ Letter from Mike Saperstein, Vice President, Strategic Initiatives & Partnerships, USTelecom, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 18-89 (filed Mar. 27, 2020).

¹⁰ *Id.* at 1.

¹¹ Letter from Michael Romano, Senior Vice President – Industry Affairs and Business Development, NTCA, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 18-89 (filed Apr. 1, 2020).

¹² *Id.*

¹³ 47 CFR § 1.46.

¹⁴ RWA Request at 5.

8. IT IS FURTHER ORDERED that the deadline for ETCs to complete the Supply Chain Information Collection is extended until May 22, 2020.

FEDERAL COMMUNICATIONS COMMISSION

Kris Anne Monteith
Chief
Wireline Competition Bureau

Giulia McHenry
Acting Chief
Office of Economics and Analytics