



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

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DA 20-389

Released: April 6, 2020

## WIRELINE COMPETITION BUREAU SEEKS COMMENT ON SKYBEAM, LLC'S REQUEST FOR WAIVER OF ITS RURAL BROADBAND EXPERIMENTS DEFINED DEPLOYMENT OBLIGATION IN EACH OF NINE STUDY AREAS

WC Docket Nos. 10-90, 14-58

**Comment Date: April 20, 2020**

**Reply Comment Date: April 27, 2020**

The Wireline Competition Bureau (Bureau) seeks comment on a petition filed by Skybeam, LLC (Skybeam) seeking waiver of its obligation, under the rural broadband experiments program, to deploy service to a specific number of locations in each of nine study areas, as further detailed in the attachment.<sup>1</sup> Skybeam asserts that for each of these study areas, despite its good faith analysis of structures, it has been unable to identify the requisite number of qualifying locations necessary to meet its defined deployment obligation.<sup>2</sup>

*Electronic Filers:* Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.

*Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by commercial overnight courier or by first-class or overnight U.S. Postal Service mail.<sup>3</sup> All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

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<sup>1</sup> Skybeam, LLC Request for Waiver, WC Docket Nos. 10-90, 14-58 (filed Apr. 2, 2020), <https://ecfsapi.fcc.gov/file/10402730024351/Skybeam%20Locations%20Waiver%20Request.pdf> (Petition): *see also Connect America et al.*, WC Docket Nos. 10-90 and 14-58, Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8769 (2014) (establishing the Rural Broadband Experiments Program and related requirements).

<sup>2</sup> Petition at 3-4.

<sup>3</sup> In response to the COVID-19 pandemic, the FCC has closed its current hand-delivery filing location at FCC Headquarters. We encourage outside parties to take full advantage of the Commission's electronic filing system. Any party that is unable to meet the filing deadline due to the building closure may request a waiver of the comment or reply comment deadline, to the extent permitted by law. *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand Delivery Filing*, Public Notice, DA 20-304 (rel. Mar. 19, 2020).

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

In addition, we request that one copy of each pleading be sent to each of the following:

(1) Abdel Eqab, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-B431, Washington, D.C. 20554; e-mail: [Nissa.Laughner@fcc.gov](mailto:Nissa.Laughner@fcc.gov); and

(2) Charles Tyler, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A452, Washington, D.C. 20554; e-mail: [Charles.Tyler@fcc.gov](mailto:Charles.Tyler@fcc.gov).

*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](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

*Availability of Documents.* Comments, reply comments, and *ex parte* submissions will be publicly available online via ECFS.<sup>4</sup> 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. The Reference Information Center is open to the public Monday through Thursday from 8:00 a.m. to 4:30 p.m. and Friday from 8:00 a.m. to 11:30 a.m.

*Permit but Disclose Ex Parte Communications.* For the purposes of the Commission's *ex parte* rules, each petition addressed within this public notice initiates will be treated as initiating a permit-but-disclose proceeding under the Commission's rules.<sup>5</sup> 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).<sup>6</sup> 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.<sup>7</sup> 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 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.<sup>8</sup> 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).<sup>9</sup> 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).<sup>10</sup> Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

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<sup>4</sup> Documents will generally be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.

<sup>5</sup> See 47 CFR § 1.1206.

<sup>6</sup> *Id.* § 1.2016(b)(2)(iii).

<sup>7</sup> *Id.* § 1.206(b)(1).

<sup>8</sup> *Id.*

<sup>9</sup> *Id.* § 1.1206(b)(2).

<sup>10</sup> *Id.* § 1.1206(b)(2)(i); see also *id.* § 1.49(f).

*Additional Information.* For further information regarding this Notice, please contact Nissa Laughner, Attorney Advisor, Telecommunications Access Policy Division, Wireline Competition Bureau, [Nissa.Laughner@fcc.gov](mailto:Nissa.Laughner@fcc.gov) or at (202)418-1358.

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