**DA 20-665**

**Released: June 25, 2020**

**WIRELINE COMPETITION BUREAU AND OFFICE OF ECONOMICS AND ANALYTICS RELEASE UPDATED LIST AND MAP OF ELIGIBLE AREAS FOR THE RURAL DIGITAL OPPORTUNITY FUND PHASE I AUCTION**

**AU Docket No. 20-34**

**WC Docket No. 19-126**

**WC Docket No. 10-90**

The Wireline Competition Bureau and the Office of Economics and Analytics, in coordination with the Rural Broadband Auctions Task Force, announce the release of an updated list of census blocks and a map of areas that have been deemed initially eligible for the Rural Digital Opportunity Fund Phase I auction (Auction 904).[[1]](#footnote-3) For illustrative purposes, we also release a list of the associated census block groups and annual reserve prices.[[2]](#footnote-4) The list of census blocks, census block groups, and the map can be found on the Auction 904 website at: <https://www.fcc.gov/auction/904>.

On March 17, 2020, the Bureau released the preliminary list of eligible areas and, as directed by the Commission, conducted a limited challenge process that gave parties an opportunity by April 10, 2020 to identify census blocks that fell into one of the three following categories: (1) census blocks that have become served with voice and 25/3 Mbps or better broadband services since June 30, 2019, in order to address the lag between the time when areas became served and the time that service is reflected in publicly available FCC Form 477 data;[[3]](#footnote-5) (2) census blocks that have been awarded funding by a federal or state broadband subsidy to offer broadband service at 25/3 Mbps or better and for which funding has already been paid or a formal commitment has been executed; and (3) census blocks within a rate-of-return carrier’s service area where it does not expect to extend broadband in satisfaction of its USF deployment obligations.[[4]](#footnote-6)

*FCC Form 477 Filers*. The majority of challenges were submitted by FCC Form 477 filers identifying census blocks that became served with voice and 25/3 Mbps or better broadband service since June 30, 2019. These challenges were generally accepted, with limited exceptions discussed below, and are reflected in the updated eligible areas list. Commission staff verified that the census blocks challengers identified as served, as of December 31, 2019, were included in the challenger’s December 2019 FCC Form 477 filing and confirmed that each provider reported voice subscribers for that state. We removed these blocks from the eligible areas list.[[5]](#footnote-7) Census blocks identified as served in 2020, and thus not reflected in the December 2019 filing, were generally accepted as served if the challenger reported voice subscriptions in the state in the December 2019 filing.[[6]](#footnote-8)

However, 38 challengers claimed that they had deployed broadband or voice service after June 2019 but reported no voice subscribers on their certified December 2019 FCC Form 477 subscription data. Since we are unable to verify that these challengers are providing voice service based upon their certified data, we did not exclude those blocks from the updated eligible areas list.

*Federal and State Broadband Subsidies*. Challenges filed by states and broadband providers identifying census blocks receiving federal or state broadband grants were generally removed from the eligible areas list after Commission staff verified that the grant recipient had a binding commitment to provide 25/3 Mbps or better broadband. As directed by the Commission, the Bureau will continue to consult with the U.S. Department of Agriculture’s Rural Utilities Service (RUS) prior to publication of the final eligible areas and will exclude the portions of any census blocks from eligibility for the Rural Digital Opportunity Fund Phase I auction that are overlapped by a ReConnect grant awardee as of a certain date.[[7]](#footnote-9) The updated list published today excludes areas that were awarded ReConnect Round 1 grants and grant/loan combinations as identified by a shapefile provided to the Commission by RUS; as such, we did not make any adjustments based on challenges filed by parties alleging census blocks were part of an RUS ReConnect award.[[8]](#footnote-10) When we publish the final eligible areas, we will not exclude from eligibility census blocks and portions of census blocks for which a ReConnect awardee has received or will receive a 100% loan, rather than a grant or a grant/loan combination. The updated list of eligible areas we release today includes census blocks and portions of census blocks that were awarded 100% loans in ReConnect Round 1, which had not been included in the preliminary eligible areas list.

*Frontier Communications Corporation’s Form 477 and State Subsidy Challenges*. First, we deny Frontier Communications Corporation’s (Frontier) Form 477 challenge. Frontier filed a Form 477 challenge for 16,987 blocks where it claims that it provides service of 25/3 Mbps or better broadband service.[[9]](#footnote-11)

Commenters argued that Frontier’s challenges overstate its coverage and represent implausible deployment during a time of financial distress for the company.[[10]](#footnote-12) For example, NRECA and WISPA point out that Frontier itself, in a January 15, 2020 letter, “informed the Commission that ‘it may not have met the CAF Phase II eighty percent interim deployment milestone in Arizona, California, Illinois, Iowa, Minnesota, New Mexico, New York, Ohio, Oregon, Utah, Washington, Wisconsin, and West Virginia.’”[[11]](#footnote-13) Smith Bagley did research on Frontier’s challenges to areas in New Mexico and Arizona (with a focus on Shiprock, New Mexico, and Lukachuchai, Arizona), both online and in discussion with Frontier customer service representatives, suggesting that Frontier did not offer 25/3 Mbps or better broadband in approximately 1,300 census blocks included in the challenge.[[12]](#footnote-14) Buckeye Hills Regional Council did a 37-county study in southern and eastern Ohio, finding that Frontier had exclusively reported deployments of 10/1 Mbps to the Universal Service Administrative Company despite claiming higher speeds during the challenge.[[13]](#footnote-15)

On May 1, Frontier explained that its list of 16,987 census blocks does not reflect new builds since June 2019, but rather more accurate reporting on the fastest speeds that are available in certain blocks.[[14]](#footnote-16) On June 18, 2020, Frontier indicated that “upon additional review” it was revising its challenge to exclude “491 census blocks that were included in its April 10th filing in error” and include “371 census blocks that should have been included in that original challenge.”[[15]](#footnote-17) On May 26, Frontier responded to other arguments including those of Smith Bagley, largely dismissing its arguments and arguing that online research and discussions with customer service representatives lack probative value.[[16]](#footnote-18) Nonetheless, Frontier wrote that it would “welcome the inclusion into the RDOF auction the challenged census blocks where Frontier provides service at speeds of 25/3 Mbps and greater.”[[17]](#footnote-19) Given the numerous and significant concerns in the record regarding the validity of Frontier’s filing, including its own admission that it had misfiled its June 2019 data and then misfiled (again) the data for its challenge, and inconsistent explanations for its challenge, we conclude that taken together there is a pervasive lack of credibility and accordingly deny Frontier’s challenge regarding its deployment and decline to exclude those blocks from consideration for eligibility.

Second, we partially deny Frontier’s state subsidy challenge. Frontier filed challenges for 6,230 census blocks that it claimed were subsidized by state broadband programs.[[18]](#footnote-20) Frontier based its challenge upon its own search of state broadband program websites, and, in at least one case, Frontier derived the census blocks on its own using street addresses and a commercially available database.[[19]](#footnote-21) Frontier subsequently clarified that—of the states included in its challenge—Frontier itself was subsidized in only the blocks in New York, which we remove from the eligible areas list. For the remainder of the blocks listed by Frontier, in which it is not a recipient of state funding, absent filings by either the funding recipients or the subsidizing state itself to confirm that the particular census blocks that Frontier claims are subsidized are actually subsidized, we decline to exclude the blocks from consideration for eligibility.[[20]](#footnote-22)

*FDF Communication’s FCC Form 477 Challenge*. We deny FDF Communication d/b/a BPS Networks’ (FDF) Form 477 challenge in Missouri and Arkansas. FDF filed a Form 477 challenge for 1,664 blocks in Missouri, and 577 blocks in Arkansas[[21]](#footnote-23) claiming that voice was now available for these blocks through BPS Networks (BPS).[[22]](#footnote-24) The Missouri Attorney General filed comments in response to FDF’s challenge arguing, among other things, that FDF did not advertise voice until FDF filed its challenge.[[23]](#footnote-25) FDF responded, claiming that its voice service in Missouri is new due to a “lack of demand,” not because it was unable to offer the service.[[24]](#footnote-26) Similarly, FDF also stated that in Arkansas it does not have any customers “requesting or subscribing to voice.”[[25]](#footnote-27) Accordingly, we deny FDF’s Form 477 challenge in Missouri as it did not report voice subscribers in 2019 in Missouri and we will not remove 1,664 blocks in Missouri based upon BPS, the incumbent LEC located in a different part of the state, having voice subscribers elsewhere. We also deny FDF’s Form 477 challenge in Arkansas because no voice subscribers were reported on its December 2019 Form 477 filing in Arkansas.

*Other Challenges.* First, we deny Arrowhead Electric Cooperative Inc.’s (Arrowhead) late-filed challenge.  Arrowhead filed a corrected Form 477 filing for June 2019 and December 2019 on April 20, 2020—10 days after challenges were due—and it did not file a challenge until May 28, 2020—48 days after challenges were due.[[26]](#footnote-28) We deny Arrowhead’s belated challenge as untimely.

Second, Inland Telephone Company seeks to exclude 19 census blocks from the auction that are adjacent to its service area and which Inland Telephone asserts are served by a private communications firm with broadband service in excess of 25/3 Mbps based only upon the “personal knowledge” of its officer.[[27]](#footnote-29) Absent filings by the provider demonstrating that it actually offers service in these blocks, we decline to exclude the census blocks included in Inland Telephone’s challenge.

Third, Northwest Fiber seeks to exclude from eligibility areas it intends to deploy in satisfaction of a merger commitment made to the Montana Public Service Commission (Montana PSC). In the *Rural Digital Opportunity Fund Order*, the Commission did not indicate that areas would be excluded from Auction 904 based upon merger commitments and Northwest Fiber has failed to file a waiver of our rules. What is more, Northwest Fiber does not demonstrate that it has made a binding commitment, enforceable by the Montana PSC, to deploy to the 44 particular blocks it identified. Accordingly, we deny Northwest Fiber’s challenge.

Fourth, we deny as outside the scope of this limited process challenges filed by AT&T, which seeks to remove 3,754 census blocks from its June 2019 and December 2019 Form 477 filings,[[28]](#footnote-30) and by CTS Telecom, which seeks to remove 99 census blocks from its June 2019 Form 477,[[29]](#footnote-31) in order to have those census blocks treated as unserved.[[30]](#footnote-32)

Fifth, we deny challenges from Edge Broadband and Worldwide Technologies Inc. d/b/a TurboNet because neither has identified the particular census blocks where they assert the existence of a state broadband grant (from the State of Wisconsin and the State of Missouri, respectively).[[31]](#footnote-33)

Sixth, we deny Mobius Communications Company’s state subsidy challenge since the census blocks it identified as the subject of a grant award from Nebraska do not appear in the data received directly from the Nebraska Public Service Commission.[[32]](#footnote-34)

Seventh, we deny LakeNet LLC’s state subsidy challenge for census blocks where it has not yet been awarded a final state grant.[[33]](#footnote-35)

Eighth, we grant Charter’s challenge to certain census blocks in New York in accordance with the waiver order we issue today.[[34]](#footnote-36)

*Rate-of-Return Carriers*. No rate-of-return carrier identified blocks in its service areas where it does not expect to extend broadband in satisfaction of its USF deployment obligations. Some rate-of-return carriers filed challenges for census blocks they argued were in their service territories, usually near their study area boundaries, and thus should be removed from the eligible areas list. In virtually all instances, these blocks were split between the rate-of-return carrier and a price cap carrier.[[35]](#footnote-37) As the Commission made clear in the *Rural Digital Opportunity Fund Order*, eligible areas would include census blocks served by both price cap carriers and rate-of-return carriers to the extent that the census block is in the price cap carrier’s territory.[[36]](#footnote-38) That is, only the price cap portion of the census block is eligible. Accordingly, the challenge filings by rate-of-return carriers did not affect the eligible areas.

*Final Eligible Areas.* The updated list of eligible areas that we release today is not the final list of eligible areas. The final list of eligible areas will be released no later than three weeks prior to the start of bidding in Auction 904. Further changes to this list will remove areas that are within Reconnect Round 2 grants or loan/grant combinations as announced by RUS and make corrections, as needed.

For further information, please contact Katie King, Telecommunications Access Policy Division, Wireline Competition Bureau, at (202) 418-7400 or TTY (202) 418-0484.

**– FCC –**

**APPENDIX**

| **Challenger Name** | **Challenge Type** | **Blocks (Successful)** | **Blocks (Rejected)** | **Blocks (Total)[[37]](#footnote-39)** |
| --- | --- | --- | --- | --- |
| 24-7 Telcom Inc. | Subsidy Program | 28 | 0 | **28** |
| A&A Communications LLC | Form 477 | 0 | 20 | **20** |
| A&A Communications LLC | Subsidy Program | 38 | 0 | **38** |
| AT&T | Form 477 | 1490 | 0 | **1490** |
| AT&T | Other | 0 | 3579 | **3579** |
| Adams Telephone Co-Operative | Form 477 | 13 | 0 | **13** |
| Adams Telesystems Inc | Form 477 | 11 | 0 | **11** |
| Advantage Cellular Systems d/b/a DTC Communications | Subsidy Program | 52 | 0 | **52** |
| All West Communications | Form 477 | 0 | 1 | **1** |
| Allen's TV Cable Service Inc. | Form 477 | 29 | 10 | **39** |
| Alliance Communications | Subsidy Program | 12 | 0 | **12** |
| Altice USA Inc. | Form 477 | 333 | 3 | **336** |
| Amherst Telephone | Form 477 | 24 | 0 | **24** |
| Amherst Telephone | Subsidy Program | 82 | 0 | **82** |
| Amplex Electric, Inc. | Form 477 | 15 | 0 | **15** |
| Aristotle Unified Communications | Form 477 | 114 | 397 | **511** |
| Armstrong Utilities Inc | Form 477 | 46 | 0 | **46** |
| Arrowhead Electric Cooperative Inc. | Form 477 | 0 | 417 | **417** |
| Atlantic Broadband Finance, LLC | Form 477 | 183 | 150 | **333** |
| Atlantic Telecom Multimedia Consolidated, LLC | Form 477 | 28 | 0 | **28** |
| BEVCOMM (Eckles Telephone) | Subsidy Program | 46 | 0 | **46** |
| Barry County Telephone Company | Other | 0 | 24 | **24** |
| Bee Creek Communications, Inc. | Form 477 | 0 | 321 | **321** |
| Ben Lomand Connect | Subsidy Program | 143 | 22 | **165** |
| Bits of Technology Wireless Internet (BTWI) | Form 477 | 1146 | 3 | **1149** |
| Blackfoot Telephone Cooperative Inc | Form 477 | 5 | 53 | **58** |
| Blackfoot Telephone Cooperative Inc | Other | 0 | 2 | **2** |
| Bloomer Telephone Company | Form 477 | 44 | 1 | **45** |
| Boycom Cablevision Inc. | Form 477 | 78 | 0 | **78** |
| Brady Communications, LLC | Form 477 | 0 | 488 | **488** |
| Butler Rural Electric Cooperative Association, Inc. | Form 477 | 450 | 0 | **450** |
| Byhalia.net, LLC | Form 477 | 0 | 1573 | **1573** |
| CTS Telecom Inc. | Other | 0 | 99 | **99** |
| Cable One, Inc. | Form 477 | 107 | 3172 | **3279** |
| Cable South Media III, LLC | Form 477 | 290 | 0 | **290** |
| Cal.net, Inc. | Subsidy Program | 155 | 0 | **155** |
| Cass Cable TV | Form 477 | 212 | 1 | **213** |
| Central Texas Telephone Cooperative, Inc. | Form 477 | 3 | 51 | **54** |
| CenturyLink | Form 477 | 4270 | 1267 | **5537** |
| Chariton Valley Communications Corporation | Subsidy Program | 28 | 0 | **28** |
| Charter Communications, Inc. | Form 477 | 3030 | 1 | **3031** |
| Charter Communications, Inc. | Subsidy Program | 166 | 0 | **166** |
| Cheyenne River Sioux Tribe Telephone Authority | Subsidy Program | 55 | 0 | **55** |
| Cincinnati Bell Inc. | Form 477 | 37 | 0 | **37** |
| Citizens Telephone Cooperative Inc. | Form 477 | 6 | 2 | **8** |
| Citizens Telephone Cooperative Inc. | Subsidy Program | 6 | 0 | **6** |
| Cobalt Ridge LLC | Form 477 | 0 | 16 | **16** |
| Comcast Cable Communications, LLC | Subsidy Program | 424 | 0 | **424** |
| Comcast Corporation | Form 477 | 2913 | 31 | **2944** |
| Consolidated Communications | Form 477 | 729 | 2949 | **3678** |
| Consolidated Telephone Co. | Form 477 | 2 | 0 | **2** |
| Consolidated Telephone Co. | Subsidy Program | 3 | 0 | **3** |
| Coon Valley Farmers Telephone Co., Inc. (CVFT) | Form 477 | 11 | 0 | **11** |
| Cox Communications, Inc. | Form 477 | 4296 | 0 | **4296** |
| Cross Cable Television, L.L.C. | Subsidy Program | 0 | 6 | **6** |
| DFT Communications | Subsidy Program | 4 | 0 | **4** |
| DMCI Broadband | Form 477 | 2072 | 316 | **2388** |
| Daystarr | Form 477 | 25 | 0 | **25** |
| Declaration Networks Group, Inc. dba Neubeam | Form 477 | 681 | 0 | **681** |
| DigitalPath, Inc. | Form 477 | 1261 | 68 | **1329** |
| Door County Broadband | Form 477 | 516 | 3 | **519** |
| Dubois Telephone Exchange Inc. | Other | 0 | 1 | **1** |
| Eastern Colorado Independent Network | Form 477 | 109 | 0 | **109** |
| Edge Broadband | Form 477 | 15 | 0 | **15** |
| Edge Broadband | Subsidy Program | 0 | 0 | **0** |
| Emily Cooperative Telephone Co. | Form 477 | 0 | 11 | **11** |
| Enhanced Telecommunications Corp | Form 477 | 7 | 0 | **7** |
| Enhanced Telecommunications Corp | Subsidy Program | 49 | 0 | **49** |
| FDF Communications Co., dba BPS Networks | Form 477 | 0 | 2227 | **2227** |
| FMTC-13, Inc. dba Omnitel Communications | Subsidy Program | 8 | 0 | **8** |
| Farmers Independent Telephone Company (FITC) | Form 477 | 3 | 3 | **6** |
| Fourway.net | Form 477 | 0 | 1415 | **1415** |
| Frontier Communications | Form 477 | 0 | 16987 | **16987** |
| Frontier Communications | Subsidy Program | 778 | 5452 | **6230** |
| GBT Communications, Inc. | Form 477 | 79 | 20 | **99** |
| Gila River Telecommunications Inc. | Other | 0 | 5 | **5** |
| Grand River Mutual (GRM) Telephone Corporation | Form 477 | 0 | 10 | **10** |
| Grande Communications Networks, LLC | Form 477 | 7 | 0 | **7** |
| Grizzly Broadband, LLC | Form 477 | 192 | 0 | **192** |
| Hamilton Telephone Company | Other | 0 | 6 | **6** |
| Hawaiian Telcom Inc. | Form 477 | 147 | 0 | **147** |
| Heart of Iowa Communications Cooperative, Inc. | Form 477 | 6 | 1 | **7** |
| Hillsboro Telephone Company, Inc. | Form 477 | 30 | 0 | **30** |
| Home Communications, Inc. | Form 477 | 96 | 0 | **96** |
| Horizon Cable, Inc. | Form 477 | 96 | 0 | **96** |
| ImOn Communications | Form 477 | 37 | 0 | **37** |
| Imagine Networks, LLC | Form 477 | 0 | 377 | **377** |
| Indiana - Office of Community and Rural Affairs | Subsidy Program | 741 | 0 | **741** |
| Inland Telephone Company | Other | 0 | 19 | **19** |
| Intelliwave, LLC | Form 477 | 273 | 0 | **273** |
| Joink LLC | Form 477 | 674 | 365 | **1039** |
| Kraus Electronic Systems Inc | Form 477 | 58 | 0 | **58** |
| L R Communications, Inc. | Form 477 | 603 | 0 | **603** |
| Laffoon Corporation dba Vertical Horizon Networks | Form 477 | 296 | 0 | **296** |
| LakeNet LLC | Subsidy Program | 0 | 35 | **35** |
| Leaco Rural Telephone Cooperative Inc. | Form 477 | 5 | 0 | **5** |
| Lingo Networks LLC | Form 477 | 37 | 0 | **37** |
| Lingo Networks LLC | Subsidy Program | 0 | 10 | **10** |
| Lismore Cooperative Telephone Co. | Form 477 | 512 | 1 | **513** |
| MGW Telephone | Form 477 | 2 | 0 | **2** |
| MGW Telephone | Other | 0 | 3 | **3** |
| MTC Communications Inc. | Form 477 | 61 | 0 | **61** |
| Mahaska Communication Group | Form 477 | 16 | 0 | **16** |
| Mark Twain Communications Company | Form 477 | 512 | 1 | **513** |
| Massillon Cable TV, Inc. | Form 477 | 358 | 84 | **442** |
| Meeker Cooperative Light and Power Association | Form 477 | 0 | 518 | **518** |
| Mei Telecom, Inc. | Form 477 | 10 | 0 | **10** |
| Mescalero Apache Telecom Inc. | Other | 0 | 1 | **1** |
| Michigan Central Broadband Company | Other | 0 | 12 | **12** |
| Mid Century Telephone Cooperative, Inc. & Century Enterprises Inc. | Form 477 | 97 | 0 | **97** |
| Mid-Hudson Cablevision and Mid-Hudson Data Corp. | Form 477 | 39 | 5 | **44** |
| Midcontinent Communications | Form 477 | 467 | 10 | **477** |
| Midcontinent Communications | Subsidy Program | 95 | 0 | **95** |
| Middleburgh Telephone Company | Subsidy Program | 33 | 0 | **33** |
| Mimbres Communications | Form 477 | 0 | 28 | **28** |
| Minnesota WiFi | Form 477 | 0 | 1112 | **1112** |
| Missouri Office of Broadband Development | Subsidy Program | 493 | 0 | **493** |
| Mobius Communications Company | Form 477 | 4 | 0 | **4** |
| Mobius Communications Company | Subsidy Program | 0 | 13 | **13** |
| Monster Broadband | Form 477 | 0 | 281 | **281** |
| Mosaic Telecom | Subsidy Program | 12 | 0 | **12** |
| Myakka Communications | Form 477 | 2 | 0 | **2** |
| Nebraska Public Service Commission | Subsidy Program | 1325 | 0 | **1325** |
| New Knoxville Telephone Company | Form 477 | 146 | 0 | **146** |
| New Lisbon Broadband and Communications, LLC | Subsidy Program | 5 | 0 | **5** |
| Nextwave Wireless LLC | Form 477 | 0 | 1477 | **1477** |
| Night Owl Wireless LLC | Form 477 | 146 | 4 | **150** |
| Nittany Media, Inc. | Form 477 | 0 | 1183 | **1183** |
| North Central Kansas Community Network | Form 477 | 0 | 634 | **634** |
| North Coast Wireless Communications, LLC | Form 477 | 2088 | 0 | **2088** |
| Northwest Community Communications (NCC) | Form 477 | 90 | 1 | **91** |
| Northwest Fiber LLC | Other | 0 | 44 | **44** |
| Ntera LLC | Form 477 | 23 | 1 | **24** |
| Ntera LLC | Subsidy Program | 7 | 0 | **7** |
| OACYS Technology | Form 477 | 232 | 0 | **232** |
| OmniTel Communications, Inc | Subsidy Program | 31 | 0 | **31** |
| One Point Technologies Inc. | Form 477 | 6 | 0 | **6** |
| Pembroke Telephone Cooperative | Subsidy Program | 15 | 0 | **15** |
| Peoples Communication LLC | Form 477 | 5 | 0 | **5** |
| PocketiNet Communications, Inc. | Form 477 | 112 | 0 | **112** |
| Polar Communications Mutual Aid Corporation | Subsidy Program | 0 | 10 | **10** |
| Prairie Hills Wireless, LLC | Form 477 | 126 | 0 | **126** |
| ProValue.Net | Form 477 | 0 | 1670 | **1670** |
| Quantum Internet & Telephone | Form 477 | 0 | 13 | **13** |
| RB3, LLC | Form 477 | 0 | 199 | **199** |
| RC Technologies | Form 477 | 22 | 0 | **22** |
| RT21.net | Form 477 | 0 | 391 | **391** |
| RT21.net | Subsidy Program | 28 | 0 | **28** |
| Randolph Communications | Form 477 | 12 | 0 | **12** |
| Range Telephone Cooperative Inc. | Other | 0 | 13 | **13** |
| Rapid Systems | Form 477 | 0 | 146 | **146** |
| Reedsburg Utility Commission | Form 477 | 35 | 0 | **35** |
| Regional Media Corporation d/b/a Velocity | Form 477 | 338 | 0 | **338** |
| Resound Networks LLC | Form 477 | 2146 | 0 | **2146** |
| Rock Solid Internet and Telephone | Form 477 | 828 | 0 | **828** |
| Sandhill Connextions LLC | Form 477 | 55 | 1 | **56** |
| Schurz Communications Inc | Form 477 | 8 | 286 | **294** |
| Shenandoah Cable Television LLC | Form 477 | 12 | 0 | **12** |
| Silica Broadband | Form 477 | 1 | 0 | **1** |
| Sjoberg's Inc | Form 477 | 568 | 0 | **568** |
| SkyBest Communications, Inc. | Form 477 | 8 | 6 | **14** |
| Skybeam LLC | Form 477 | 13239 | 2477 | **15716** |
| Socket Telecom LLC | Form 477 | 0 | 5 | **5** |
| Softcom Internet Communications | Form 477 | 0 | 579 | **579** |
| South Central Wireless Inc | Form 477 | 18 | 0 | **18** |
| Spring City Cable | Form 477 | 0 | 169 | **169** |
| Spruce Knob Seneca Rocks Telephone | Form 477 | 364 | 2 | **366** |
| Stanton Telecom Inc. | Form 477 | 11 | 0 | **11** |
| StarVision, Inc. | Form 477 | 29 | 0 | **29** |
| Stowe Communications LLC | Form 477 | 33 | 0 | **33** |
| Surf Broadband LLC | Form 477 | 0 | 4 | **4** |
| TISD Inc. | Form 477 | 1 | 105 | **106** |
| Telegia Communications Inc. | Form 477 | 1199 | 0 | **1199** |
| Thacker-Grigsby Telephone Company Inc. | Form 477 | 110 | 0 | **110** |
| Thacker-Grigsby Telephone Company Inc. | Subsidy Program | 0 | 4 | **4** |
| The Junction Internet LLC | Form 477 | 0 | 1676 | **1676** |
| Totelcom Networks LLC | Form 477 | 44 | 0 | **44** |
| TruVista Communications Inc. | Subsidy Program | 0 | 25 | **25** |
| Tuttle Development Authority | Form 477 | 0 | 45 | **45** |
| United Telephone Company | Subsidy Program | 23 | 0 | **23** |
| Upper Peninsula Telephone Company | Other | 0 | 100 | **100** |
| VTX Communications LLC | Form 477 | 0 | 25 | **25** |
| Vast Broadband & Vexus | Form 477 | 2 | 42 | **44** |
| Vast Broadband & Vexus | Other | 0 | 7 | **7** |
| Verizon | Form 477 | 199 | 0 | **199** |
| Verizon | Subsidy Program | 131 | 0 | **131** |
| Vermont Department of Public Services | Subsidy Program | 42 | 0 | **42** |
| Vernon Communications Cooperative | Subsidy Program | 19 | 0 | **19** |
| Virginia Everywhere, LLC/ "All Points Broadband" | Form 477 | 795 | 236 | **1,031** |
| Vyve Broadband Investments LLC | Form 477 | 218 | 16 | **234** |
| W.T. Services Inc. | Form 477 | 10 | 0 | **10** |
| Wabash Independent Networks Inc. | Form 477 | 21 | 0 | **21** |
| Warp Networks Inc. | Form 477 | 0 | 61 | **61** |
| Washington County Rural Telephone Cooperative | Subsidy Program | 24 | 0 | **24** |
| Watch Communications | Form 477 | 1,197 | 380 | **1,577** |
| WaveDivision Holdings LLC | Form 477 | 1,136 | 9 | **1,145** |
| West Central Telephone Association | Form 477 | 12 | 0 | **12** |
| Western Iowa Wireless | Form 477 | 0 | 759 | **759** |
| White Cloud Communications | Form 477 | 71 | 446 | **517** |
| WiFires Communications LLC | Form 477 | 367 | 0 | **367** |
| Wiggins Telephone Association | Form 477 | 1 | 35 | **36** |
| Wikstrom Telephone Company | Form 477 | 41 | 0 | **41** |
| Wilson Creek Communications LLC | Form 477 | 0 | 204 | **204** |
| Windstream Services LLC | Form 477 | 1,576 | 0 | **1,576** |
| Windstream Services LLC | Subsidy Program | 137 | 0 | **137** |
| Winnebago Cooperative Telecom Association | Form 477 | 3 | 0 | **3** |
| Winnebago Cooperative Telecom Association | Subsidy Program | 19 | 0 | **19** |
| Wireless Data Net LLC | Form 477 | 0 | 18 | **18** |
| Woodstock Communications | Form 477 | 1,285 | 3 | **1,288** |
| Worldwide Technologies Inc. d/b/a TurboNet | Subsidy Program | 0 | 0 | **0** |
| XL Broadband Inc. | Form 477 | 0 | 473 | **473** |
| Zirkel Wireless LLC | Form 477 | 0 | 544 | **544** |
| **Total** |  | **63,566** | **58,587** | **122,153** |

1. *Rural Digital Opportunity Fund; Connect America Fund*, Order, 35 FCC Rcd 686, 692-93, at para. 14 (2020) (*Rural Digital Opportunity Fund Order*) (directing the Wireline Competition Bureau to release a preliminary list of eligible census blocks based on the most recent publicly available FCC Form 477 data, which currently are data as of June 30, 2019, and to conduct a limited challenge process). [↑](#footnote-ref-3)
2. *Rural Digital Opportunity Fund Phase I Auction Scheduled for October 29, 2020; Notice and Filing Requirements and Other Procedures for Auction 904*, 35 FCC Rcd 686 (2020) (*Auction 904 Procedures Public Notice*) (adopting census block groups as the minimum geographic area for bidding). [↑](#footnote-ref-4)
3. The then-publicly available June 30, 2019 FCC Form 477 data were used in determining the initial preliminary list of eligible census blocks included revisions filed through February 25, 2020. [↑](#footnote-ref-5)
4. *Wireline Competition Bureau Releases Preliminary List of and Map of Eligible Areas for the Rural Digital Opportunity Fund Auction*, 35 FCC Rcd 2685 (2020) (*Auction 904 Preliminary Eligible Areas Public Notice*). On April 3, 2020, Red Spectrum filed a motion for an extension of the deadline to file challenges.  Red Spectrum, *Motion for Extension of Time Within Which to Submit Comments*, WC Docket Nos. 19-126 & 10-90, AU Docket No. 20-34 (Apr. 3, 2020).  On April 9, 2020, Red Spectrum filed a request to withdraw its motion for an extension, indicating that it would pursue participation in Auction 904.  Red Spectrum, *Request to Withdraw Motion for Extension of Time Within Which to File Comments*, WC Docket Nos. 19-126 & 10-90, AU Docket No. 20-34 (Apr. 9, 2020).  We grant its request to withdraw and dismiss Red Spectrum’s motion as moot. [↑](#footnote-ref-6)
5. Several challengers said they were correcting FCC Form 477 June 2019 or earlier filings. To the extent they were reporting additional census blocks to be removed from the eligible areas list, Commission staff verified these census blocks were included in their FCC Form 477 December filing. [↑](#footnote-ref-7)
6. Auction 904 excludes those census blocks where a terrestrial provider offers voice and 25/3 Mbps broadband service. The Commission defined an unsubsidized competitor as a “facilities-based provider of residential terrestrial fixed voice and broadband service that does not receive high-cost support.” *Connect America Fund et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, 17701, para. 103 (2011), *aff’d sub nom. In re FCC 11-161*, 753 F.3d 1015 (10th Cir. 2014).; *see also* 47 CFR § 54.5 (defining “unsubsidized competitor”). Whether or not a broadband provider offers voice is based on FCC Form 477 subscription data and determined at the state level. *Rural Digital Opportunity Fund Order*, 33 FCC Rcd at 692, para. 13 & n.30. [↑](#footnote-ref-8)
7. *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 692 n.31; *see also*, U.S. Department of Agriculture, ReConnect Loan and Grant Program, <https://www.usda.gov/reconnect>. [↑](#footnote-ref-9)
8. Challenges were filed by: Ben Lomand Connect; Cross Cable Television, L.L.C.; Polar Communications Mutual Aid Corporation; Thacker-Grigsby Telephone Company, Inc.; and TruVista Communications, Inc. [↑](#footnote-ref-10)
9. Frontier Comments at Appx. 1. Frontier also filed a supplement to its challenge, noting certain census blocks that were included in error and other census blocks that were left out of its original challenge filing. Letter from Diana Eisner, Director, Federal Regulatory, Frontier Communications, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 19-126 at 1 (filed June 18, 2020) (Frontier Challenge Supplement). [↑](#footnote-ref-11)
10. *See* NRECA and WISPA Joint Comments at 1-2 (stating that “[w]e find it difficult to believe that Frontier was able to provide voice and 25/3 Mbps service in each of these 16,000 census blocks in just eight months, and question how this is possible. . . .”); NTCA Comments at 2 (agreeing with WISPA and NRECA it is hard to believe that Frontier deployed to 16,000 locations in a short period of time); Buckeye Hills Regional Council Comments at 1-2 (stating that “Frontier . . . demonstrates a clear strategy of de minimis deployments in which just one or two households in a large rural census block are served” “leaving 80-95% of households stranded”); Conexon Comments (arguing that it finds “Frontier’s challenges to be uneven, odd, and almost incomprehensible”); SBI Comments at 1 (finding that “[it is almost] impossible to believe [Frontier’s claim], SBI set out to see whether Frontier offers 25/3 Mbps service in the challenged census blocks that are within or overlap SBI’s service area in Arizona and New Mexico.”). [↑](#footnote-ref-12)
11. NRECA and WISPA Joint Comments at 2 (quoting Letter from AJ Burton, Vice President, Federal Regulatory, Frontier Communications, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90 (filed Jan. 15, 2020)). [↑](#footnote-ref-13)
12. SBI Comments at 2-4. [↑](#footnote-ref-14)
13. Buckeye Hills Regional Council Comments at 1, 10-12. [↑](#footnote-ref-15)
14. Letter from AJ Burton, Vice President, Federal Regulatory, Frontier Communications, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 19-126 (filed May 1, 2020). [↑](#footnote-ref-16)
15. Frontier Challenge Supplement at 1. [↑](#footnote-ref-17)
16. Letter from AJ Burton, Vice President, Federal Regulatory, Frontier Communications, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 19-126 (filed May 26, 2020). [↑](#footnote-ref-18)
17. *Id.* [↑](#footnote-ref-19)
18. Frontier included state subsidy grants not belonging to Frontier in the following states: Arizona, Indiana, Iowa, Minnesota, North Carolina, and Wisconsin. However, for Wisconsin, Frontier did not provide the census blocks. Frontier Comments at 1-2, Appx. 2. [↑](#footnote-ref-20)
19. *Id.* Frontier provided state funded grants census blocks by running “addresses through Pitney Bowes Geocoding software to identify the census blocks.” [↑](#footnote-ref-21)
20. We similarly decline to exclude blocks identified by Lingo Networks, LLC that it claimed were subsidized by the Appalachian Regional Commission in which Lingo is not the recipient of funding absent filings by either the funding recipient or the subsidizing entity itself. Lingo Networks, LLC Subsidized Census Blocks Comments at 1. [↑](#footnote-ref-22)
21. FDF Communication d/b/a BPS Networks Comments. [↑](#footnote-ref-23)
22. Letter from Lisa Winberry, Manager and Secretary, FDF Communication d/b/a BPS Networks, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 19-126 at 2-3 (filed May 6, 2020) (FDF Response). [↑](#footnote-ref-24)
23. Missouri Attorney General Comments at 2; *see also* Joint Comments of SEMO Electric Cooperative, GoSEMO, LLC, Pemiscot-Dunklin Electric Cooperative, Inc., PD Fiber, LLC and Mississippi County Electric Cooperative, Inc Rural Arkansas Electric Cooperative Comments at 1-2 (stating that “BPS deliberately misrepresented the broadband and voice services offered by the Company in an attempt to keep approximately $100 million of RDOF Phase I subsidies away from its competitors . . . .”); City of Puxico Comments at 1-2 (agreeing with Joint Comments that the Commission should deny BPS’s challenge and investigate its claims); Holloway Distributing Inc. Comments at 2 (supporting Joint Commenters that that BPS’s challenge makes claims “in order to block other companies . . . from [obtaining] these federal subsidies.”); Missouri Farm Bureau Federation Comments at 1 (disagreeing with BPS’s challenge filing that the “challenge cannot be accepted at face-value and [must be investigated]”). [↑](#footnote-ref-25)
24. FDF Response at 3. [↑](#footnote-ref-26)
25. *Id.* [↑](#footnote-ref-27)
26. Arrowhead Electric Cooperative, Inc. Comments (rec. May 28, 2020). [↑](#footnote-ref-28)
27. Inland Telephone Company Comments. [↑](#footnote-ref-29)
28. AT&T Services Inc. Comments at Exh. B. [↑](#footnote-ref-30)
29. CTS Telecom Inc. Comments at Attach. A. [↑](#footnote-ref-31)
30. *Auction 904 Preliminary Eligible Areas Public Notice*, 35 FCC Rcd at 2688 (“The Bureau will not entertain challenges from parties seeking to establish that a census block is unserved if the census block is reported as served on a certified Form 477 as of June 30, 2019 or later”). [↑](#footnote-ref-32)
31. Edge Broadband Comments at Exh. A (identifying three census block groups but no specific census blocks as subsidized in Wisconsin); Worldwide Technologies Inc. d/b/a TurboNet Comments (identifying two census block groups, mislabeled as census blocks, for which it claims a broadband grant award from the State of Missouri). Regardless, even if Worldwide Technologies had properly identified the census blocks for which it asserts were awarded a grant from Missouri, its challenge would not affect the outcome of the challenge process. Because we have accepted a challenge identifying the census blocks subsidized by Missouri using data received directly from the state, see Missouri Office of Broadband Development Comments at 1, we would therefore have denied any census blocks challenged by Worldwide Technologies that do not also appear in the data received from Missouri. [↑](#footnote-ref-33)
32. Mobius Communications Company Comments at 1; *but see* Nebraska Public Service Commission Comments at Attach. [↑](#footnote-ref-34)
33. LakeNet LLC Comments at 1 (challenging census blocks based upon award of a provisional grant from the State of Michigan). [↑](#footnote-ref-35)
34. *See Rural Digital Opportunity Fund, Connect America Fund*, WC Docket Nos. 19-126, 10-90, Order, DA 20-664 (WCB June 25, 2020) (removing census blocks in which Charter will deploy broadband subject to its settlement agreement with the State of New York). [↑](#footnote-ref-36)
35. The Commission used the study area boundaries filed and certified by the carriers in determining eligible areas. To the extent a rate-of-return carrier claims its boundary is incorrect, such disputes should be resolved through updates to its study area boundary data. [↑](#footnote-ref-37)
36. *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 691, at para. 12. [↑](#footnote-ref-38)
37. For the count of challenged block in this table, we have excluded blocks identified in Form 477 or Subsidy Program challenges that were not eligible in the preliminary eligible areas list. [↑](#footnote-ref-39)