



# PUBLIC NOTICE

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## WIRELINE COMPETITION BUREAU APPROVES FURTHER REVISED ALASKA PLAN PERFORMANCE PLAN FOR ARCTIC SLOPE TELEPHONE COOPERATIVE

**WC Docket No. 10-90**  
**WC Docket No. 16-271**

In this Public Notice, the Wireline Competition Bureau (Bureau) approves a revised performance plan for rate-of-return Alaska Plan participant Arctic Slope Telephone Cooperative (ASTAC) (SAC 613001).

In the *Alaska Plan Order*, the Commission provided a one-time opportunity for Alaskan rate-of-return carriers to elect to receive support frozen at adjusted 2011 levels for a 10-year term in exchange for meeting individualized performance obligations—offering voice and broadband services at specified minimum speeds by five-year and 10-year service milestones to a specified number of locations.<sup>1</sup> On December 16, 2016, the Bureau authorized the individualized performance obligations and support amounts for 13 rate-of-return companies in Alaska.<sup>2</sup> The Commission directed the Bureau “to reassess the deployment obligations in the approved performance plans before the end of the fifth year of support,” that is, 2021, and required that “participating carriers update their end-of-term commitments no later than the end of the fourth year of support.”<sup>3</sup> The Commission further delegated to the Bureau the “authority to review and approve modifications that serve the public interest,”<sup>4</sup> including deployment obligations if changes are necessary based on changed circumstances.<sup>5</sup>

On December 23, 2021, the Bureau announced the performance obligations for rate-of-return Alaska Plan carriers as part of the five-year midterm review.<sup>6</sup> As part of its mid-term review, the Bureau approved revised performance obligations for ASTAC,<sup>7</sup> which ASTAC certified to meeting. On

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<sup>1</sup> *Connect America Fund, et al.*, WC Docket No. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 10139 (2016) (*Alaska Plan Order*); 47 CFR § 54.306(b).

<sup>2</sup> *Wireline Competition Bureau Authorizes Alaska Plan Support for 13 Alaskan Rate-of-Return Companies*, WC Docket Nos. 10-90, 16-271, Public Notice, 31 FCC Rcd 13347 (WCB 2016) (*Alaska Plan Wireline Authorization Public Notice*). See also *Connect America Fund*, WC Docket No. 10-90, Order on Reconsideration, 34 FCC Rcd 10109, 10143-44, paras. 93-94 (2019) (imposing additional reporting obligations on Alaska Plan carriers).

<sup>3</sup> *Alaska Plan Order*, 31 FCC Rcd at 10158, para. 61.

<sup>4</sup> *Id.* Carriers with approved plans to maintain existing service levels are subject to biennial review. See *Alaska Plan Order*, 31 FCC Rcd at 10158, paras. 61-62. This midterm review also encompasses the Bureau’s biennial review. 47 CFR § 54.306(b).

<sup>5</sup> *Alaska Plan Order*, 31 FCC Rcd at 10158-59, para. 63.

<sup>6</sup> *Wireline Competition Bureau Announces Performance Obligations for Rate-Of-Return Alaska Plan Recipients After the Midterm Review*, WC Docket Nos. 10-90, 16-271, Public Notice, DA 21-1642 (WCB Dec. 23, 2021) (*Midterm Review Public Notice*).

November 18, 2022, ASTAC submitted updated wireline performance obligations,<sup>8</sup> and supplemented those on December 19, 2022.<sup>9</sup> ASTAC states that it was able to (1) negotiate access to fiber middle mile capacity at a lower rate, allowing ASTAC to offer service at higher speeds, i.e., at least 100/20 Mbps, in many areas, and (2) move service in Atkasuk from satellite to fiber middle mile resulting in an additional 78 newly deployed/upgraded locations by the end of the 10-year term.<sup>10</sup>

We find it is in the public interest to approve ASTAC's revised performance obligations, which are in Appendix A to this Public Notice. Appendix B to this Public Notice provides the minimum number of locations to be reported in the High-Cost Universal Broadband portal, or HUBB, i.e., newly deployed and upgraded locations over the term of the Alaska Plan, by speed and middle-mile, at the five-year and 10-year service milestones. The performance obligations we approve today replace the performance obligations the Bureau approved for ASTAC on December 23, 2021.<sup>11</sup>

For additional information on this proceeding, contact Rebekah Douglas, Wireline Competition Bureau, at [rebekah.douglas@fcc.gov](mailto:rebekah.douglas@fcc.gov) or (202) 418-7931.

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<sup>7</sup> See *Midterm Review Public Notice* at 3, Appendix A. The fifth year of support ended on December 31, 2021.

<sup>8</sup> Letter from Jeffrey H. Smith, VP Public Policy and Advocacy, Vantage Point, Jens Laipeniaks, ASTAC CEO to Marlene Dortch, Secretary, Federal Communications Commission, WC Docket No. 16-271 (filed Nov. 18, 2022) (including Attachment ASTAC WCBs Update DC 111522) (ASTAC *Ex Parte* Letter).

<sup>9</sup> Letter from Jeffrey H. Smith, VP Public Policy and Advocacy, to Marlene Dortch, Secretary, Federal Communications Commission, WC Docket No. 16-271 (filed Dec. 19, 2022) (including Attachment ASTAC Updates Obligations 121622).

<sup>10</sup> *Id.* Other fiber projects are planned for 2023-2025. See ASTAC *Ex Parte* Letter Attachment.

<sup>11</sup> See Appendix A. See also *Midterm Review Public Notice* at 3, Appendix A. See also *Alaska Plan Wireline Authorization Public Notice*, 31 FCC Rcd at 13354, Appendix B; *supra* note 2.

**APPENDIX A  
PERFORMANCE OBLIGATIONS**

**Arctic Slope Telephone Cooperative**

	Note 1	Note 2		Note 3				Note 3	
Middle Mile Facility	Speed to End User	Locations Passed 1/1/15	Locations Passed 1/1/18	Number of Locations At Benchmark 1/1/18	Percent of Locations At Benchmark 1/1/18	Number of Locations At Benchmark Year 5	Percent of Locations At Benchmark Year 5	Number of Locations At Benchmark Year 10	Percent of Locations At Benchmark Year 10
Satellite	1Mb/384k	2,509	398	398	100%	398	100%	320	100%
Hybrid Microwave-Fiber	4Mb/1Mb	206							
Hybrid Microwave-Fiber**	10Mb/1Mb		161	161	100%				
Hybrid Microwave-Fiber***	25Mb/5Mb					161	100%	161	100%
Fiber**	10Mb/1Mb		2,156	2,156	100%				
Fiber***	25Mb/5Mb					2,156	100%		
Fiber***	100Mb/20Mb							2,234	100%
<b>Total</b>		<b>2,715</b>	<b>2,715</b>	<b>2,715</b>		<b>2,715</b>		<b>2,715</b>	

Note 1: Residential speeds. (Initial Filing Note) In Fiber and Hybrid fed markets, ASTAC offers a 10/1Mbps best effort service with a \$24.99/Mo access fee and metered usage (\$2 per GB used up to 100 GB, \$1 per GB after 101 GB and up). In the Satellite fed markets, ASTAC offers best effort speeds up to 1Mbps/384kbps service, including unlimited usage. ASTAC will update the Commission when our product offerings improve, triggered by improved economics\*\* on the middle mile service.

Note 2: Residential and estimated business locations passed in ETC's network as of 12/31/15.

Note 3: Year 1 is 2017

\*\* ASTAC's last mile (FTTH) network is capable of delivering higher broadband speeds in all markets than what is offered, but is limited by middle mile network cost/capacity constraints. ASTAC is able to meet the latency requirements in those markets connected by Fiber and Hybrid Microwave-Fiber middle mile. ASTAC has demonstrated why the reasonably comparable rate requirement and delivered speed metrics are not feasible in any of its markets with use of a simple economic model. We can show that the prohibitive factor continues to be the high cost of middle mile transport.

\*\*\* ASTAC was able to renegotiate a lower rate on middle mile capacity (Asymmetric) which enabled a new 25/5 Mbps service launch in January, 2021. Upload speeds were also improved in all fiber-fed markets. 11/15/22 update: 100/30 Mbps and 50/15 Mbps services were added in fiber-fed markets on June 1st, 2022. In Nuiqsut (Hybrid), only 25/5 Mbps offered due to capacity constraints. ATQ moved from Satellite to Fiber. The 100/30 Mbps service offering is reported under the 100/20 Mbps speed tier per guidance from USAC received 12/2/22.

**APPENDIX B  
HUBB LOCATIONS**

<b>Admin SAC</b>	<b>Carrier Name</b>	<b>Speed (Mbps)</b>	<b>Middle Mile</b>	<b>5 Year Obligation Newly Deployed, Upgraded Locations by Dec. 31, 2021</b>	<b>Minimum Total Locations Certified in the HUBB by Mar. 1, 2022<sup>1</sup></b>	<b>10 Year Obligation Newly Deployed, Upgraded Locations by Dec. 31, 2026</b>	<b>Minimum Total Locations Certified in the HUBB by Mar. 1, 2027</b>
613001	ARTC	25/5	Hybrid	161		161	
613001	ARTC	25/5	Fiber	2156		0	
613001	ARTC	100/20	Fiber	0		2234	
					<b>2317</b>		<b>2395</b>

<sup>1</sup> *Wireline Competition Bureau Announces The HUBB Certification Deadline for Deployed Fixed Locations for Alaska Plan Carriers ADAK, ASTAC, and MTA*, WC Docket Nos. 10-90, 16-271, Public Notice, DA 22-618 (WCB June 7, 2022); *Wireline Competition Bureau Further Extends the HUBB Certification Deadline for Deployed Fixed Locations For Alaska Plan Carriers ADAK, ASTAC, and MTA and Announces New Deadline*, WC Docket Nos. 10-90, 16-271, Public Notice, DA 22-846 (WCB Aug. 10, 2022).