



PUBLIC NOTICE

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WIRELINER COMPETITION BUREAU ANNOUNCES PLAINS INTERNET, LLC, EASTON UTILITIES COMMISSION, AND MSEC COMMUNICATIONS, LLC OPEN CERTAIN KANSAS, MARYLAND, AND TEXAS RDOF CENSUS BLOCK GROUPS TO ELIGIBILITY FOR OTHER FUNDING PROGRAMS

AU Docket No. 20-34
WC Docket No. 19-126
WC Docket No. 10-90

By this Public Notice, the Wireline Competition Bureau (WCB or Bureau) announces that certain Rural Digital Opportunity Fund (RDOF) census block groups (CBG) are now eligible for other funding programs. Specifically, Plains Internet, LLC (Plains) (study area code (SAC) 419049) notified the Commission of its decision to withdraw from the RDOF program in Kansas,¹ Easton Utilities Commission (Easton Utilities) (SAC 189038) notified the Commission of its decision to withdraw from the RDOF program in Maryland,² and MSEC Communications, LLC (MSEC Communications) (SAC 449100) notified the Commission of its decision to withdraw from the RDOF program in Texas.³ These carriers will be subject to non-compliance measures, as described below. Additionally, we refer Plains, Easton Utilities, and MSEC Communications' defaults to the Enforcement Bureau for further consideration.

By announcing in this Public Notice that Plains, Easton Utilities, and MSEC Communications will not meet their RDOF obligations in the eligible census blocks covered by their authorized winning

¹ Letter from Andrew Monroe, Chief Operating Officer, Plains Internet, LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 19-126 et al. (filed May 1, 2026). In October 2021, Plains was authorized to receive \$9,834 in RDOF support over 10 years to serve three model-estimated locations in Kansas. *Rural Digital Opportunity Fund Support Authorized for 469 Winning Bids*, AU Docket No. 20-34 et al., Public Notice, 36 FCC Rcd 14528 (Oct. 2021) (*Plains Authorization Public Notice*).

² Letter from Ted L. Book, Vice President, Easton Velocity, Easton Utilities, to Joseph Calascione, Chief, Wireline Competition Bureau, FCC, WC Docket No. 19-126 et al. (filed May 8, 2026). In September 2021, Easton Utilities was authorized to receive \$189,047.60 in RDOF support over 10 years to serve 909 model-estimated locations in Maryland. *Rural Digital Opportunity Fund Support Authorized for 466 Winning Bids*, AU Docket No. 20-34 et al., Public Notice, 36 FCC Rcd 13574 (Sept. 2021) (*Easton Utilities Authorization Public Notice*).

³ Letter from Kerry Kelton, Chief Executive Officer, MSEC Communications, LLC, to Joseph Calascione, Chief, Wireline Competition Bureau, FCC, WC Docket No. 19-126 et al. (May 14, 2026); Letter from Kerry Kelton, Chief Executive Office, MSEC Communications, LLC, WC Docket No. 19-126 et al. (May 15, 2026). The Rural Electric Cooperative Consortium assigned its Texas winning bids to MSEC Communications. *Long Form Applicants in the Rural Digital Opportunity Fund Phase I Auction (Auction 904)*, AU Docket No. 20-34 et al., Public Notice, 36 FCC Rcd 4140 (WCB/OEA 2021). In January 2022, MSEC Communications was authorized to receive \$4,186,404.50 in RDOF support over 10 years to serve 9,024 model-estimated locations in Texas. *Rural Digital Opportunity Fund Support Authorized for 2,521 Winning Bids*, AU Docket No. 20-34 et al., Public Notice, 37 FCC Rcd 171 (WCB 2022) (*MSEC Communications Authorization Public Notice*).

bids in Kansas, Maryland, and Texas, we take the necessary step to formally announce that the relevant census blocks are eligible for funding from other federal and state funding programs subject to the rules of the other programs, furthering our responsibility to coordinate with other agencies to maximize the deployment of high-quality broadband service across the United States.⁴ To promote the efficient use of broadband funding, a number of funding programs make areas ineligible for broadband deployment funding where a service provider is already subject to an enforceable commitment to serve.⁵ This announcement avoids leaving these areas unserved for the duration of the RDOF deployment terms,⁶ because providers may now have access to alternative funding to serve these areas.

We consider Plains, Easton Utilities, and MSEC Communications to have defaulted on their RDOF service milestones in Kansas, Maryland, and Texas. These carriers will receive no further RDOF

⁴ Broadband Interagency Coordination Act of 2020, Pub. L. No. 116-260, § 904, 134 Stat. 1182, 3214 (codified at 47 U.S.C. § 1308 *et seq.*) (BICA) (requiring the Federal Communications Commission, the Department of Agriculture, and the National Telecommunications and Information Administration to “enter into an interagency agreement requiring coordination between the covered agencies for the distribution of funds for broadband deployment . . .”). On June 25, 2021, the agencies announced that they had entered into an agreement. Press Release, FCC, FCC, NTIA and USDA Announce Interagency Agreement to Coordinate Broadband Funding Deployment (June 25, 2021), <https://www.fcc.gov/document/fcc-ntia-usda-sign-interagency-pact-broadband-funding-deployment>. In an effort to further facilitate broadband deployment funding coordination, on May 9, 2022, the FCC, USDA, and NTIA entered into an interagency agreement with the Department of Treasury. Press Release, FCC, FCC, NTIA, USDA and Treasury Announce Interagency Agreement to Collaborate on Federal Broadband Funding (May 12, 2022), <https://www.fcc.gov/document/fcc-ntia-usda-treasury-announce-broadband-info-sharing-agreement>. In May 2024, the four agencies extended the interagency agreement for an additional four years. Federal Communications Commission, Memorandum of Understanding Between FCC, NTIA, USDA, and Treasury, <https://www.fcc.gov/document/memorandum-understanding-between-fcc-ntia-usda-and-treasury> (Jul. 23, 2024).

⁵ See, e.g., Department of Commerce, National Telecommunications and Information Administration, Broadband Equity, Access, and Deployment (BEAD) Program Notice of Funding Opportunity at 36-37 & n.52 (May 13, 2022), <https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf> (BEAD Program NOFO) (explaining that any location that is already subject to an enforceable commitment for the deployment of qualifying broadband cannot be treated as unserved or underserved); Department of Commerce, National Telecommunications and Information Administration, Tribal Broadband Connectivity Program Round 2 Notice of Funding Opportunity at 10-11, 28 (July 27, 2023), <https://www.ntia.gov/sites/default/files/2023-07/ntia-tbcp-round2-nofo.pdf> (“A Tribal Government may not certify Tribal Lands covered under an Enforceable Buildout Commitment as defined [in the NOFO] . . . as Unserved”); Department of Agriculture, Rural Utilities Service, Notice of Funding Opportunity for the Community Connect Grant Program for Fiscal Year 2025, 90 Fed. Reg. 1946, 1947 (Jan. 10, 2025) (“Areas already receiving Federal funding to construct terrestrial facilities providing at least 10 Mbps downstream and 1 Mbps upstream service in the project PFSA as of the date of this notice, and which have been reported to the Agency, are ineligible.”); Department of Agriculture, Rural Utilities Service, Rural eConnectivity (ReConnect) Program Notice of Funding Opportunity, 89 Fed. Reg. 13035, 13036 (Feb. 21, 2024) (defining an enforceable commitment to mean “a legally enforceable obligation by any federal, state, or local agency, utilizing Federal Funds, to provide broadband service with speeds of at least 100 megabits per second (Mbps) downstream and 20 (Mbps) upstream”); Department of Treasury, Guidance for the Coronavirus Capital Projects Fund for States, Territories, and Freely Associated States, at 3-4 (Sept. 2021), <https://home.treasury.gov/system/files/136/Capital-Projects-Fund-Guidance-States-Territories-and-Freely-Associated-States.pdf> (“To the extent Recipients are considering deploying broadband to locations where there are existing enforceable federal or state funding commitments for reliable wireline service at speeds of at least 100 Mbps of download speed and 20 Mbps of upload speed, the Recipient should ensure that the Capital Projects Fund grant funding will not be used for costs that will be reimbursed by the other federal or state funding stream(s). That is, Capital Projects Fund grant funds must be used only for complementary purposes.”).

⁶ RDOF recipients authorized in 2021 and 2022 must offer the required service to 100% of their original location total by December 31, 2027 and December 31, 2028, respectively. *Rural Digital Opportunity Fund et al.*, WC Docket No. 19-126 et al., Report and Order, 35 FCC Rcd 686, 709, para. 45 (2020). If more locations than the original estimated are identified during the support term, recipients will have an additional two years to serve the additional locations subject to limited exceptions. *Id.* at 710, para. 49.

auction support payments⁷ and they are subject to support recovery and other non-compliance measures consistent with the Commission's rules.⁸ We will also remove their Kansas, Maryland, and Texas RDOF service areas from the Broadband Funding Map.⁹

These carriers remain subject to all eligible telecommunications carrier (ETC) obligations unless and until they follow the relevant procedures to relinquish their designations.¹⁰ Additionally, they cannot discontinue voice service without Commission approval.¹¹

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⁷ See 47 CFR § 54.804(c)(4) (“Authorization to receive Rural Digital Opportunity Fund support is conditioned upon full and timely performance of all of the requirements set forth in this section, and any additional terms and conditions upon which the support was granted.”). See also *Plains Authorization Public Notice*, 36 FCC Red at 14528-35; *Easton Utilities Authorization Public Notice*, 36 FCC Red at 13574-81; *MSEC Communications Authorization Public Notice*, 37 FCC Red at 171-79. After Plains, Easton Utilities, and MSEC Communications notified WCB of their intent to withdraw from the RDOF support program, WCB instructed USAC to suspend their RDOF support payments. 47 CFR §§ 54.320(c), 54.806(b).

⁸ 47 CFR §§ 54.804(c)(4), 54.320, 54.806(c). Plains, Easton Utilities, and MSEC Communications' decision to withdraw from the RDOF support program and not pursue further support constitutes notification that they will not meet the final service milestone and that they will not come into compliance after a 12-month grace period or at any point during the support term. If a support recipient does not repay the required support recovery amount within six months of receiving an invoice from USAC, the Bureau will authorize USAC to draw on the support recipient's letter of credit. 47 CFR § 54.804(c)(4)(i). Carriers seeking relief from applicable support recovery measures have the option of submitting a request for waiver. 47 CFR § 1.3.

⁹ The census blocks covered by Plains, Easton Utilities, and MSEC Communications' authorized winning bids is available on the “Results” tab of the Auction 904 website at <https://www.fcc.gov/auction/904> in the document “Historical Authorized Auction 904 Long-Form Applicants Data.”

¹⁰ 47 U.S.C. § 214(e)(4).

¹¹ 47 U.S.C. § 214(a); 47 CFR § 63.71.