

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

In the Matter of)
Connect America Fund) WC Docket No. 10-90
The Rural Digital Opportunity Fund Auction) AU Docket No. 20-34
(Auction 904))
Rural Digital Opportunity Fund) WC Docket No. 19-126

ORDER

Adopted: June 15, 2026

Released: June 15, 2026

By the Chief, Wireline Competition Bureau:

1. In this Order, the Wireline Competition Bureau (Bureau) grants Wisper ISP, LLC (Wisper) a limited waiver of the Commission’s Rural Digital Opportunity Fund (RDOF) service milestone and non-compliance rules.1 If Wisper timely repays the RDOF support it has received for all the eligible census blocks within the census block groups (CBGs) covered by its authorized Arkansas winning bids, we will relieve Wisper of RDOF obligations to serve these CBGs. This relief will maximize high-cost Universal Service Fund Support while also ensuring that no consumers are stranded without service because every location in the authorized census blocks in these CBGs is able to access broadband offered by another service provider at speeds that meet or exceed RDOF speeds.

I. BACKGROUND

2. RDOF support recipients must offer voice and broadband service meeting the relevant performance requirements to all of the locations in their service areas subject to very limited exceptions.2 Relevant here, an RDOF recipient authorized in 2022 must offer the required services to 40% of the required number of locations by December 31, 2025, and an additional 20% of the required number of locations each year until the RDOF recipient serves 100% of the estimated location total by December 31, 2028.3 The initial required location totals are based on Connect America Cost Model (CAM) estimates.4 The Commission directed the Bureau to use an updated data source to determine the actual number of locations on the ground and publish revised location counts prior to the sixth year service milestone.5 If

1 Petition for Waiver of Wisper ISP, LLC, WC Docket No. 19-126 (filed Mar. 25, 2026) (Wisper Petition).

2 47 CFR § 54.802(c)(1); Rural Digital Opportunity Fund et al., WC Docket No. 19-126 et al., Report and Order, 35 FCC Rcd 686, 709-11, paras. 45-52 (2020) (RDOF Order).

3 47 CFR § 54.802(c)(1); RDOF Order, 35 FCC Rcd at 709, para. 45.

4 RDOF Order, 35 FCC Rcd at 709, para. 45.

5 Id. The Bureau adopted the Broadband Serviceable Location Fabric (Fabric) as the source for the revised location counts. Connect America Fund et al., WC Docket No. 10-90 et al., Order, 40 FCC Rcd 281 (WCB 2025) (High-Cost Fabric Order).

more locations than the original estimated total are identified during the support term, RDOF support recipients will have two more years to serve the additional locations subject to limited exceptions.⁶ The Commission imposes non-compliance measures if the requirements are not met, which includes reporting, support withholding, and support recovery that scales with the extent of non-compliance.⁷

3. On December 7, 2020, the Wisper-CABO 904 Consortium was announced as an RDOF winning bidder and assigned its winning bids in Arkansas to consortium member Wisper.⁸ Wisper was authorized in June 2022 to receive \$68,032.50 in RDOF support over 10 years to offer voice and broadband service at a minimum of 100/20 Mbps speeds to 564 model-estimated locations in Arkansas.⁹

4. *Wisper Petition for Waiver.* On March 25, 2026, Wisper submitted a petition for waiver seeking to be relieved of its RDOF obligation to offer voice and broadband services in all of the eligible census blocks within the CBGs covered by its Arkansas authorized winning bids.¹⁰ Wisper references the Commission's National Broadband Map data to demonstrate that all but two locations in Wisper's Arkansas RDOF service area are depicted as served with broadband at speeds of at least 100/20 Mbps, and submits a letter from a service provider that serves nearby locations and claims it can offer broadband at speeds of 300/300 Mbps to the remaining two locations using its fiber network.¹¹ Moreover, Wisper includes a letter from the Arkansas State Broadband Office (ARConnect) acknowledging and stating that it "does not intend to formally challenge" Wisper's request for relief.¹²

5. Wisper claims that there is good cause to grant its requested relief "because unique and changed circumstances render strict application of the Commission's buildout requirements inconsistent with the underlying purposes of the RDOF program."¹³ Wisper explains that the "deployment by other broadband providers of service to every location" in Wisper's Arkansas service area "eliminat[es] the need for RDOF support."¹⁴ Wisper also clarifies that "[b]ut for the presence of broadband at 100/20 Mbps or better, Wisper would have continued with its deployment" and that its request "constitutes a good-faith effort to honor the Commission's program goals and to ensure that federal support is not used where it is unnecessary."¹⁵ If the Bureau were to grant Wisper's requested relief, Wisper explains that it would return all RDOF support it has received within six months and "forego any remaining support it would have received."¹⁶ Wisper also seeks to close out its letter of credit once the relevant support has been repaid.¹⁷

⁶ 47 CFR § 54.802(c)(1)(i); *RDOF Order*, 35 FCC Rcd at 709-11, paras. 45, 49-50.

⁷ *See, e.g.*, 47 CFR §§ 54.320(c) & (d), 54.804(c)(4)(i), 54.806(b) & (c); *RDOF Order*, 35 FCC Rcd at 713-16, paras. 58-64.

⁸ *Rural Digital Opportunity Fund Phase I Auction (Auction 904) Closes; Winning Bidders Announced; FCC Form 683 Due January 29, 2021*, AU Docket No. 20-34 et al., Public Notice, 35 FCC Rcd 13888 (WCB 2020).

⁹ *Rural Digital Opportunity Fund Support Authorized for 513 Winning Bids; Bid Defaults Announced*, AU Docket No. 20-34 et al., Public Notice, 37 FCC Rcd 7271 (WCB 2022) (*Wisper Authorization Public Notice*).

¹⁰ *See generally* Wisper Petition.

¹¹ *Id.* at 3, Exh. A, Exh. C. *See also* FCC, National Broadband Map, <https://broadbandmap.fcc.gov/home> (last visited June 12, 2026) (National Broadband Map).

¹² Wisper Petition at 3, Exh. B.

¹³ *Id.* at 4.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.* at 2.

¹⁷ *Id.*

II. DISCUSSION

6. Generally, the Commission's rules may be waived for good cause shown.¹⁸ Waiver of the Commission's rules is appropriate only if both: (1) special circumstances warrant a deviation from the general rule, and (2) such deviation will serve the public interest.¹⁹

7. We find good cause to provide a limited waiver of sections 54.320(d)(1), 54.802(c), 54.804(c)(4)(i), and 54.806(c)(1) of the Commission's rules to the extent described herein, to relieve Wisper of its RDOF obligations in Arkansas if it timely repays all of the support it has received for its authorized Arkansas RDOF winning bids.²⁰ If Wisper meets the terms of this limited waiver, we will not impose the additional support recovery required by section 54.806(c) of the Commission's rules.²¹

8. While the Commission's rules require that an RDOF recipient serve 100% of the locations covered by its authorized winning bids subject to only limited exceptions,²² we find special circumstances justify deviating from this requirement in this instance. Wisper is required to deploy broadband at speeds of at least 100/20 Mbps to every location in its RDOF service area.²³ However, based on data submitted by service providers through the Broadband Data Collection and displayed on the National Broadband Map, every location except for two BSLs in Wisper's Arkansas service area is already reported as served by another provider offering broadband at speeds that meet or exceed the RDOF download and upload speeds using fiber or cable technologies.²⁴ For the remaining two BSLs, a provider that reports serving nearby BSLs has also indicated that it is able to offer broadband at speeds of 300/300 Mbps to the two locations using its fiber network.²⁵

9. We also conclude it serves the public interest to provide a limited waiver of the relevant rules and relieve Wisper of its RDOF obligations in Arkansas if it timely repays the support it has already received for the state. First, by stopping Wisper's future RDOF support and recovering the support that Wisper already received, we are able to maximize the public's funds by not spending the limited funds to support the deployment of broadband to consumers that are already capable of receiving service that exceeds the 100/20 Mbps Wisper is required to offer from another service provider.²⁶ This action is consistent with the Commission's "overarching goal of ensuring that finite universal service support is awarded in an efficient and cost-effective manner and does not go toward overbuilding areas that already have service."²⁷ It is also consistent with our previous decision to maximize support by relieving an

¹⁸ 47 CFR § 1.3.

¹⁹ See *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (citing *WAIT Radio v. FCC*, 418 F.2d 1153, 1157-59 (D.C. Cir. 1969), *cert. denied*, 93 S.Ct. 461 (1972)).

²⁰ 47 CFR §§ 54.320(d)(1), 54.802(c), 54.804(c)(4)(i), 54.806(c)(1).

²¹ 47 CFR § 54.806(c).

²² 47 CFR § 54.802(c)(1); *RDOF Order*, 35 FCC Rcd at 709-11, paras. 45-52.

²³ See generally *Wisper Authorization Public Notice*, 37 FCC Rcd 7271. See also Historical Authorized Auction 904 Long-Form Applicants Data, <https://www.fcc.gov/auction/904> ("Results" tab) (last visited June 12, 2026).

²⁴ National Broadband Map; Wisper Petition at 3, Exh. A. See also *Connect America Fund et al.*, WC Docket No. 10-90 et al., Order, DA 26-215, at 6, para. 12 (WCB Mar. 3, 2026) (*Savage Support Recovery Waiver Denial Order*) (noting the reduced risk that a carrier will cease providing service to a location when a carrier makes a business decision to serve a location absent public funding).

²⁵ Wisper Petition at Exh. C.

²⁶ *Id.* at 4 ("The deployment by other broadband providers of service to every location in the SAC at the RDOF-committed performance level means there currently are no unserved locations, thereby eliminating the need for RDOF support.").

RDOF carrier of its obligations in a county where another carrier had been awarded public funds to serve every location in the RDOF carrier's service area in the county at broadband speeds that were at least equivalent to the minimum speeds the RDOF carrier was required to provide.²⁸

10. Second, Wisper explains that it would have otherwise met its RDOF obligations in Arkansas if the relevant locations were not already served by broadband that exceeds Wisper's RDOF obligations.²⁹ Accordingly, this is not a situation where Wisper made a calculated decision to default on its RDOF obligations and now is seeking to avoid the responsibility of paying the required support recovery pursuant to the terms of the RDOF program that it agreed to be subject to by participating in the auction and seeking authorization for its winning bids.³⁰ Instead, Wisper closely coordinated with the Bureau to discuss service availability in Arkansas early on during its deployment and its options for promoting the efficient use of RDOF support. Wisper also consulted ARConnect, which indicated that it would not challenge Wisper's request for relief if the Bureau determined that the service availability data was sufficient grounds for granting relief.³¹ To maximize public broadband funding, the National Telecommunications and Information Administration's Broadband Equity Access and Deployment (BEAD) program made areas ineligible for broadband deployment funding where a service provider is already subject to an enforceable commitment to serve an area, so the presence of Wisper's RDOF obligation may have impacted ARConnect's BEAD funding decisions.³²

11. Third, the relief we provide today is consistent with our longstanding precedent of requiring that post-authorization changes occur at the CBG level, subject only to limited exceptions.³³ By

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²⁷ *RDOF Order*, 35 FCC Rcd at 692, para. 13; Wisper Petition at 4 (noting that “[t]he Commission has consistently empathized the importance of targeting high-cost support to unserved areas, and Wisper’s request advances that objective”).

²⁸ *Connect America Fund et al.*, WC Docket No. 10-90 et al., Order, 39 FCC Rcd 13732 (WCB 2024) (*RiverStreet Deduplication Order*). See also *Connect America Fund et al.*, WC Docket No. 10-90 et al., 39 FCC Rcd 9751 (WCB 2024) (relieving an RDOF provider of its obligation to serve Tribal locations for which the Tribe had also been awarded federal funding to serve and the Tribal government and RDOF carrier “mutually agreed” that the RDOF carrier “should forego the RDOF funding in these areas”).

²⁹ Wisper Petition at 4 (“But for the presence of broadband at 100/20 Mbps or better, Wisper would have continued with its deployment.”). See also *id.* at 2 (“This request is entirely voluntary and does not arise from any contemplated or imminent non-compliance, enforcement action, or potential default.”).

³⁰ See *Connect America et al.*, WC Docket No. 10-90 et al., Order, 40 FCC Rcd 5984, 5990-91, paras. 15-16 (WCB 2025) (declining to grant support recovery relief to an RDOF carrier that claimed a portion of its service area was already served, noting that the RDOF carrier had already defaulted in the relevant areas and “a number of factors led” to the carrier’s “business decision based on its interests to default on its obligations”). See also *Connect America Fund et al.*, WC Docket No. 10-90 et al., Order, DA 25-953, at 6-7, paras. 16-17 (WCB Nov. 18, 2025) (*NAEC and Sandhill Support Recovery Waiver Denial Order*) (explaining “[a]t a minimum, carriers seeking to deduplicate federal funding do so *prior* to defaulting, in a partnership to conserve scarce federal dollars, not after the fact and fully understanding non-compliance measures,” that “in seeking deduplication, carriers may have otherwise been willing to build out to those areas if the alternative were incurring non-compliance measures,” and that “[t]he public interest in avoiding duplicative public support as part of a conversation prior to default is plain—avoid the inefficient duplicative funding while ensuring universal service”).

³¹ Wisper Petition at Exh. B.

³² 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).

³³ See, e.g., *Savage Support Recovery Waiver Denial Order* at 5-6, para. 12; *NAEC and Sandhill Support Recovery Waiver Denial Order* at 7, para. 17. See also *Wireline Competition Bureau Announces Savage Communications*,

(continued....)

requiring that all of the locations in all of the authorized census blocks within the CBGs in Wisper's Arkansas service area are already served by other providers in order to grant relief, we further our objective of ensuring that consumers are not left without access to broadband as a result of this limited waiver. Moreover, this requirement is consistent with the Commission's decision to adopt CBGs as the minimum geographic bidding area for RDOF, requiring carriers seeking authorization to commit to serving all locations within all of the authorized census blocks in the CBGs covered by their winning bids rather than choosing which locations to serve within the CBG. It also reduces the administrative burden on the Commission in making support, location, and service area adjustments to require that carriers seeking this relief demonstrate that an entire RDOF CBG has been overbuilt.

12. As a condition of this waiver, we direct USAC to stop paying Wisper RDOF support in Arkansas.³⁴ We also direct USAC to recover from Wisper all support that has already been disbursed to Wisper for its Arkansas RDOF CBGs as soon as practicable. Wisper will have six months from the date of USAC's invoice to repay the support.³⁵ Once Wisper has timely paid the required support recovery, we will consider Wisper to no longer have RDOF obligations in Arkansas. Wisper will not be subject to any additional support recovery for the locations in the Arkansas RDOF CBGs pursuant to section 54.806(c)(1)(i) or (ii) of the Commission's rules.³⁶ Wisper will also be able to close out its letter of credit covering its authorized winning bids in Arkansas once it timely pays the required support recovery.³⁷

13. If a timely payment is not made, Wisper will retain its Arkansas RDOF obligation, Wisper will remain subject to the Commission's service milestone and non-compliance rules, and support recovery will occur at the end of the deployment period pursuant to section 54.806(c) of the Commission's rules.³⁸ If Wisper then fails to pay the required support recovery at the end of the deployment period, Wisper will potentially be subject to action by the Enforcement Bureau and under federal law concerning debts owed to the government.³⁹

14. Wisper remains subject to all eligible telecommunications carrier (ETC) obligations in its Arkansas RDOF CBGs unless and until it follows the relevant procedures to relinquish its ETC

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FiberLight of Virginia, South Central Connect, Siuslaw Broadband and SW Arkansas Telecommunications & Technology Open Certain RDOF Census Block Groups to Eligibility for Other Funding Programs, WC Docket No. 20-34 et al., Public Notice, DA 26-126, at 3 n.7 (WCB Feb. 5, 2026) (explaining that "a default must occur at the CBG level"); *Rural Digital Opportunity Fund Phase I Auction Scheduled for October 29, 2020; Notice and Filing Requirements and Other Procedures for Auction 904*, AU Docket No. 20-34 et al., Public Notice, 35 FCC Rcd 6077, 6146, para. 213 (2020) (stating that the RDOF minimum geographic area for bidding was "CBGs containing one or more eligible census blocks").

³⁴ See *RiverStreet Deduplication Order*, 39 FCC Rcd at 13735, para. 11. See also Wisper Petition at 2, 5.

³⁵ See *RiverStreet Deduplication Order*, 39 FCC Rcd at 13735, para. 11. See also Wisper Petition at 2, 5.

³⁶ 47 CFR § 54.806(c)(1)(i) & (ii); *RDOF Order*, 35 FCC Rcd at 714-15, paras. 60-61. Accordingly, Wisper's Arkansas RDOF CBGs will not be included when the Bureau adopts revised location counts based on the December 2026 Fabric. 47 CFR § 54.802(c); *RDOF Order*, 35 FCC Rcd at 709, para. 45; *High-Cost Fabric Order*, 40 FCC Rcd at 291-92, para. 25. Wisper will also not be subject to the section 54.802(c)(1)(iii) requirement to offer service upon reasonable request to locations that are newly built in its Arkansas RDOF CBGs after the Bureau adopts revised location counts. 47 CFR § 54.802(c)(1)(iii); *RDOF Order*, 35 FCC Rcd at 711, para. 52.

³⁷ 47 CFR § 54.804(c)(1); *RiverStreet Deduplication Order*, 39 FCC Rcd at 13735, para. 11. See also Wisper Petition at 2.

³⁸ See, e.g., 47 CFR §§ 54.320(c), (d), 54.806(b), (c). See also *RiverStreet Deduplication Order*, 39 FCC Rcd at 13736, para. 12.

³⁹ See, e.g., Debt Collection Act of 1982, Pub. L. No. 97-365, 96 Stat. 1749 (codified at 31 U.S.C. § 3701 *et seq.*); Debt Collection Improvement Act of 1996, Pub. L. No. 104-134, 110 Stat. 1321 (codified at 31 U.S.C. §§ 3701-3720E); 47 CFR §§ 54.320(c), 54.806(b).

designation in these areas.⁴⁰ Additionally, Wisper may not discontinue voice service in its Arkansas RDOF CBGs without adhering to the Commission's discontinuance rules.⁴¹

III. ORDERING CLAUSES

15. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 5(c), and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 155(c), 254, and sections 0.91, 0.291, and 1.3 of the Commission's rules, 47 CFR §§ 0.91, 0.291, 1.3, that this Order IS ADOPTED.

16. IT IS FURTHER ORDERED that the petition for waiver filed by Wisper ISP, LLC IS GRANTED and sections 54.320(d)(1), 54.802(c), 54.804(c)(4)(i) and 54.806(c)(1) of the Commission's rules, 47 CFR §§ 54.320(d)(1), 54.802(c), 54.804(c)(4)(i), and 54.806(c)(1), ARE WAIVED to the extent described herein.

17. IT IS FURTHER ORDERED that, pursuant to the limited waiver granted by the Bureau, the Administrator will recover high-cost support from Wisper ISP, LLC as described herein.

18. IT IS FURTHER ORDERED that, pursuant to section 1.102(b)(1) of the Commission's rules, 47 CFR § 1.102(b)(1), this Order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Joseph S. Calascione
Chief
Wireline Competition Bureau

⁴⁰ 47 U.S.C. § 214(e)(4).

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

Appendix

Eligible Census Blocks within the Census Block Groups Covered by Wisper ISP, LLC's Arkansas Rural Digital Opportunity Fund Authorized Winning Bids

050554804002001	050554808013000
050554804002002	050554808013002
050554804002023	050554808013003
050554804002024	050554808013005
050554804002028	050554808013008
050554804002038	050554808013010
050554804002041	050554808013024
050554804003006	050554808021003
050554804003008	050554808021021
050554804004016	050634902003014
050554804004036	050690021032004
050554804004038	050690021032020
050554804004051	050690021032023
050554804004052	050690021032029
050554804004084	050930101001001
050554804004099	050930101001002
050554804004112	050930101001009
050554805003001	050930101001011
050554805003002	050930101001014
050554805003003	050930101001015
050554805003014	050930101001016
050554805003047	051239605004003
050554805003064	051239605004015
050554805003066	051450707001002
050554805003071	051450707001021
050554805003074	051450707001027
050554805003075	051450709001001
050554805003077	051450709001020