

United States Senate  
WASHINGTON, DC 20510

March 29, 2012

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street S.W.  
Washington, D.C. 20554

**0426**

Dear Chairman Genachowski:

We write today in regards to the petition for waiver submitted by Big Bend Telephone Company of Alpine, TX, pertaining to the *USF/ICC Transformation Order* (Report and Order and Further Notice of Proposed Rulemaking, WC Docket No. 10-90, et al.) When the Commission adopted its new Universal Service Fund (USF) rules, it created a waiver process whereby carriers can demonstrate that the reduced USF support levels would threaten their financial viability and imperil universal service to the customers they serve. As the Commission evaluates Big Bend's petition, we are hopeful it will find that the company's unique circumstances make it worthy of a waiver.

Big Bend serves the very large and very rural Trans-Pecos region of Texas, including 485 miles of the U.S.-Mexico border. Its 17,593 square mile service territory is larger than nine states, yet the biggest town in the area is Presidio, population 4,426. This extremely rugged terrain is so sparsely populated that Big Bend serves just 0.3 wireline customers per square mile. Such low-density and mountainous geography presents unique challenges for deploying and maintaining a communications network at current USF support levels, let alone at the reduced levels adopted in the order.

It is our understanding that Big Bend is the only terrestrial telephone service in the area to rely solely on its own facilities. The two wireless telephone carriers and the one small cable company in the area rely exclusively on Big Bend's backhaul and middle mile facilities. These other services would be at risk should the new USF rules negatively impact Big Bend, and the Commission identified such a lack of alternative terrestrial services as a key consideration in the waiver process.

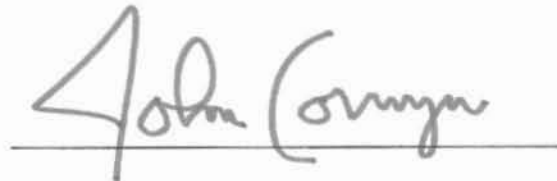
Big Bend also provides critical communications services to numerous Department of Homeland Security facilities and to many state and local law enforcement offices. With two international ports of entry and approximately one quarter of the U.S.-Mexico border in its territory, any disruption to those services could have unacceptable consequences for national security and public safety.

We understand that the Commission must be judicious in its granting of waivers from the *USF/ICC Transformation Order* lest excessive waivers undermine the larger reforms set forth in the order. We also believe, however, that the Commission wisely recognized there may be certain unique circumstances where the new USF rules could actually undermine universal service. In our estimation, Big Bend's situation is unique, and we urge the Commission to carefully and seriously consider Big Bend's waiver petition.

Please treat this letter in conformance with all applicable procedural rules and ethical guidelines.

Sincerely,

Handwritten signature of Kay Bailey Hutchison in cursive script, written over a horizontal line.

Handwritten signature of John Cornyn in cursive script, written over a horizontal line.