

Congress of the United States

Washington, DC 20510

September 17, 2014

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

Dear Chairman Wheeler:

We write to ask you to consider proposals for implementing Phase II of the Connect America Fund ("CAF II") in a manner that extends high speed Internet access to as many unserved and underserved households as possible within currently available annual funding levels.

As you have noted, broadband is an engine of the 21st century economy, and the Federal Communications Commission has a role in ensuring that the opportunities broadband offers reach as far and wide as possible, regardless of where one lives. Those opportunities include ways to encourage economic growth, distance learning, and telemedicine for those living in rural areas of New Mexico and across the nation.

Yet according to the Commission's 2012 Broadband Progress Report, nearly half the New Mexicans living in rural areas lack fixed broadband access. The US Census Bureau notes that about one third of New Mexican households do not have Internet access at home. The most recent National Broadband Map indicates that nearly one fifth of New Mexico residents still lack access to Internet speeds of 10 Mbps or higher. National Broadband Map data further show that New Mexico ranks 47th nationally in broadband speed availability. This highlights how important universal service fund (USF) modernization is for many New Mexicans living on the wrong side of the digital divide.

CAF II thus offers an opportunity to extend broadband to unserved rural households and upgrade service for many living in underserved areas where connection speeds lag behind the national average of 10 Mbps typically available in urban areas. We ask that you consider proposals from broadband providers to extend the life of CAF II and permit some flexibility to ensure service can be extended to as many eligible rural locations as possible.

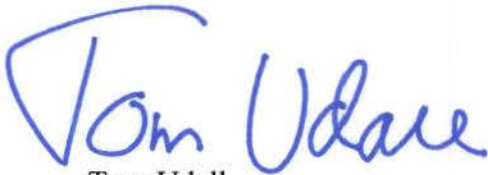
The Commission must also ensure that eligible unserved households are not improperly excluded from CAF II funding. The Commission should recognize that its current broadband mapping data may overstate service availability in New Mexico. For example, we are aware of complaints that some areas currently identified as having fixed broadband coverage may not actually have such service. Households in such areas should not be excluded from CAF II

funding without some means of verifying broadband availability. Moreover, broadband providers in New Mexico could potentially reach more locations if CAF II rules allowed shifting a portion of support to unserved households in partially-served census block areas.

We therefore ask for you to consider CAF II-related proposals from broadband providers that are consistent with Section 254 of the Communications Act, which sets the goal of the Commission's universal service policy as ensuring that consumers in all regions of the country have access to telecommunications and information services that are reasonably comparable to those services provided in urban areas.

Thank you for your consideration within your rules and guidelines. We look forward to continuing to work with you on this important matter.

Sincerely,



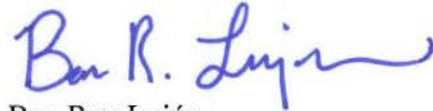
Tom Udall
United States Senator



Martin Heinrich
United States Senator



Stevan Pearce
United States Representative



Ben Ray Luján
United States Representative



Michelle Lujan Grisham
United States Representative