

# Congress of the United States

Washington, DC 20510

January 19, 2018

The Honorable Ajit Pai  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Dear Chairman Pai:

We write on a matter of great importance to the Commonwealth of Pennsylvania, whose access to critical federal broadband funding through the Connect America Fund Phase II (CAF II) will soon be considered by the Federal Communications Commission (FCC). The FCC has issued a draft order that it intends to consider at its January 30, 2018 open meeting. In this order, the FCC proposes to deny the petition filed with the FCC on April 19, 2017, by the Pennsylvania Public Utility Commission and the Pennsylvania Department of Community and Economic Development.

Recently, Pennsylvania Governor Tom Wolf informed us that he has implemented a formal program under his authority and oversight dedicated to expanding the availability of modern broadband access throughout the Commonwealth, including many rural areas that currently lack broadband access. Under this program, the Governor has established a state broadband office charged exclusively with accelerating the deployment of broadband service to unserved areas within the Commonwealth. Most importantly, the Governor is committed to both the funding and the process to achieve this goal by seeking to match the at-risk CAF II funding that the Commonwealth has requested should be dedicated to Pennsylvania, and by procuring the services of the external broadband specialists that aided in the development of New York's successful broadband program. This will ensure that Pennsylvania has the tools necessary to accomplish its charge in a manner that abides by the FCC's goals and parameters.

Considering this new information, we strongly support the Commonwealth's new efforts to ensure the universal availability of broadband within Pennsylvania. Accordingly, we request that the FCC consider these new funding and resource commitments before finalizing any decision regarding the State's pending request. By doing so, the FCC will provide the State with the time necessary to file a new or amended petition that will outline its enhanced commitments, which will include meeting all FCC requirements, thereby ensuring a technology-neutral, market-based, and cost-effective broadband program.

A state-federal partnership consistent with recent FCC precedent will allow Pennsylvania the opportunity to work with the FCC to maximize the funding opportunities and efficiently utilize scarce CAF II funding. Furthermore, this partnership would facilitate the deployment of broadband services in unserved areas more quickly than the FCC's standalone effort. This will

better serve the public interest and promote the FCC's goal of accelerating broadband deployment to designated areas that lack access.

We represent diverse constituents from Pennsylvania's cities, small towns, rural and suburban areas, and we strongly believe that ensuring access to high-speed Internet for everyone, no matter where they live, is critical for expanding opportunity and promoting economic growth. We remain in agreement that Pennsylvanians should see the benefits of the CAF II funds that were originally designated for them. In light of the Governor's commitment to leveraging federal funds to promote broadband access across Pennsylvania, we urge you to reconsider acting on the Commonwealth's pending petition on January 30 and allow Pennsylvania an opportunity to file a revised plan with the FCC that will aid the State in retaining access to the \$139.6 million in declined CAF II funding for crucial investments in broadband deployment.

Thank you for your thoughtful engagement on this important issue. I appreciate your consideration and look forward to your response.

Sincerely,



Robert P. Casey, Jr.  
United States Senator



Mike Doyle  
United States Representative



Ryan A. Costello  
United States Representative



Robert A. Brady  
United States Representative



Dwight E. Evans  
United States Representative



Brendan F. Boyle  
United States Representative