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STEVAN PEARCE  
Second District, New Mexico

Received & Inspected

MAY 01 2018

FCC Mailroom

April 27, 2018

The Honorable Ajit Pai  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, D.C., 20554

Dear Chairman Pai:

I am writing today to express my disappointment that Mescalero Apache Telecom, Inc. (MATI) was not included in the Federal Communications Commission's (FCC) operating expense relief order (Order) that addresses the high cost of providing broadband on Tribal lands. After over a year of the FCC sitting on the Order that would give a few companies serving Tribal communities relief because of the high cost associated with providing broadband in rural, high cost areas, an additional eligibility requirement was added to the Order that only excludes MATI.

The new eligibility requirement excludes MATI by requiring carriers to deploy 10/1 Mbps broadband to 90 percent of the eligible locations. This stipulation punishes MATI for building out its network to serve as many people as possible; something that policy makers and the FCC have encouraged for years. By disqualifying MATI from operating expense relief, the FCC is giving less incentives for tribes to build out their networks to as many members of their communities as possible. Additionally, MATI is located on the side of a mountain where building out their network to this extent has greatly increased their operating expenses; not reduced them.

No matter how much network a Tribal carrier has built, they still, on average, have higher operational costs. For these reasons, I ask that the FCC reconsider this requirement that is keeping MATI from obtaining the much-needed operating expense relief it needs.

Sincerely,

Steve Pearce  
Congressman

CC: Commissioner Michael O'Rielly