

October 4, 2019

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

RE: Special Construction Service Delivery Deadline FCC Form 471# 181028314 FRN
1899053478

Dear Chairman Pai:

We write regarding a request that is pending before the Federal Communications Commission, filed on September 27, 2019 by the Intermountain Education Service District (IMESD) in support of Huntington School District in rural Baker County, Oregon. IMESD is seeking a waiver of the Commission's rules for the service delivery deadline of a special construction funding request.

Huntington School District is located in a rural, remote area of Baker County in Eastern Oregon, and this E-Rate construction project has the potential to be transformational in the school's ability to educate and support its students.

Despite diligent efforts, the IMESD, Huntington School and their partners do not believe it is possible to get the necessary permitting and construction completed in time to have the new connection online and active within the Universal Service Administrative Company (USAC) timelines, even with the granted extension to June 2020. Project permits require coordination with multiple agencies, including the Bureau of Land Management, Federal Highway Administration, U.S. Fish and Wildlife, the Oregon Department of Transportation and others. This project will require the installation of nearly 32 miles of fiber optic cables, and will require access to or installation of 670 utility poles and crosses 15 irrigation canals.

The project contractor estimates that, because of the complex landscapes and multiple permitting authorities involved, securing these permits will take up to 240 days. Once permits are granted, construction could take nine months or longer, depending on extreme weather conditions like winter snow and ice, or potential wildfire. Lightning-caused wildfire is extremely common in Eastern Oregon, and frequent droughts can lead to large, human-caused fires that spread rapidly and consume thousands of acres in the space of a single day. As a small business, the contractor cannot afford to take the risk of moving forward under such uncertainty with significant permitting and construction costs unless the completion timeline is sufficient to get the work done.

The USAC E-Rate Special Construction program is a unique and important opportunity for this small, rural district to finally have high-speed broadband. Currently, the school district uses a

wireless phone company data plan that is insufficient to even allow video streaming, and is certainly inadequate to meet the educational needs of students and staff.

Students in rural Oregon are entitled to a high-quality education and the same opportunities as their urban peers. This is exactly why the Federal Communications Commission adopted Special Construction as part of the 2014 E-rate Modernization Order: to bring educational equality to all students. Rural schools like Huntington should not be prevented from realizing this crucial goal due to obstacles outside their control, such as permitting with multiple agencies and potential for extreme weather circumstances.

We respectfully request that you give full, fair and timely consideration to this applicant's request. Should you have any questions or concerns regarding this request, please contact Kathleen Cathey in Senator Wyden's office at (541) 962-7691 or Jessica Keys in Senator Merkley's office at (541) 278-1129.

Sincerely,



Ron Wyden
United States Senator



Jeffrey A. Merkley
United States Senator