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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEBSITE: <https://commerce.senate.gov>

July 15, 2021

475

The Honorable Jessica Rosenworcel
Acting Chairwoman
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Dear Acting Chairwoman Rosenworcel:

In December 2020, the Federal Communications Commission (FCC or Commission) completed the Rural Digital Opportunity Fund (RDOF) Phase I auction. This auction tentatively awarded \$9.2 billion to over 300 bidders to deploy high-speed broadband services to approximately 5.2 million unserved homes and businesses in 49 states.¹ Nearly seven months have passed since the auction concluded and the Commission has not distributed any funds to winning bidders.

Today, we write to request a status update on the FCC's long-form application review process. This application review process is critical to ensuring that winning bidders are capable of fulfilling their legal, technical, and financial obligations under the program and can deliver broadband services to rural areas as promised. Notably, the FCC cannot authorize money to winners until it reviews and approves a given provider's long-form application.

We fully support a thorough review of long-form applications and expect the FCC to do so in a timely and transparent manner. Indeed, in January 2021, we joined a letter to then-FCC Chairman Ajit Pai requesting that the agency properly vet winning bidders in a public manner, and that it consider opportunities for public input on the applications.² Despite these requests, the FCC's review process remains unclear. Months have passed since winners submitted their long-form applications, and the agency has remained almost entirely silent about the status of its review and plans to authorize money to winning bidders.

Although we recognize the complexity of this process, the FCC's prolonged evaluation of long-form applications must become more transparent and efficient. Each day that the Commission spends vetting long-form applications is another day that unserved Americans go without the high-speed broadband that is essential to everyday life. We urge the FCC to move

¹ *Rural Digital Opportunity Fund Phase I Auction (Auction 904) Closes*, WC Docket Nos. 20-34, 19-126, 10-90, Public Notice, 35 FCC Rcd 13888 (2020), <https://docs.fcc.gov/public/attachments/DA-20-1422A1.pdf>.

² Letter from 159 Senators and Representatives to the Hon. Ajit Pai, Chairman, FCC (Jan. 19, 2021).

Letter to the Hon. Jessica Rosenworcel
July 15, 2021
Page 2

quickly to finish this process and begin authorizing support to winning bidders. We also ask that you provide the following information by July 29, 2021:

1. To date, of the 417 long-form applications filed, how many long-form applications have been reviewed by the FCC? How many long-form applications have been approved? How many long-form applications have been denied? If any have been denied, please describe why they have been denied.
2. How many FCC staff are participating in the long-form application review process?
3. Does the FCC plan to complete a review of all long-form applications before authorizing funding to the approved winning bidders? Yes or no? If yes, please explain why.
4. Are there any rules or limitations in the RDOF Report and Order that prevent the Commission from authorizing funds on a rolling basis to winning bidders whose long-form applications have been reviewed and found sufficient? If yes, please describe those rules or limitations. If no, please explain why funding has not already been released to those winners whose applications did not present cause for further investigation?
5. What measures is the FCC taking to ensure transparency and accountability in its long-form application review? Please include the factors and metrics the agency is considering in reviewing long-form applications.
6. When do you estimate the FCC will complete its review of all long-form applications and begin authorizing support for all RDOF Phase I auction winners?
7. Will you commit to providing monthly updates to the Senate Committee on Commerce, Science, and Transportation on the status of the FCC's review of the long-form applications?

Thank you for your attention to this important matter.

Sincerely,



Roger F. Wicker
Ranking Member
Committee on Commerce, Science,
and Transportation
United States Senate



John Thune
Ranking Member
Subcommittee on Communications, Media,
and Broadband
United States Senate