

United States Senate

WASHINGTON, DC 20510

209

March 18, 2022

The Honorable Jessica Rosenworcel
Chairwoman
Federal Communications Commission
45 L Street, N.E.
Washington, DC 20554

Dear Chairwoman Rosenworcel:

We write to you regarding the Rural Digital Opportunity Fund (RDOF) and request information on actions the Federal Communications Commission (FCC) is taking to ensure that the remaining long-form applications to be reviewed by the FCC are evaluated in a timely manner and to provide communities with certainty about the status of their RDOF provider.

Broadband internet is essential for American participation in more and more aspects of everyday life. Approximately 42 million Americans lack reliable broadband access. This is especially significant in rural populations, where an estimated 22 percent of households lack broadband at baseline speeds.¹ This is why Congress has provided additional funding to build out broadband to reach unserved areas and underserved areas.

However, we are hearing from many of our rural constituents who are concerned that they will not be able to benefit from federal funding opportunities because they are still waiting for the FCC to confirm whether certain winning bidders should be authorized to receive RDOF funding in Phase I.

As you know, the Rural Digital Opportunity Fund was intended to bring high-speed fixed broadband service to rural homes and businesses. Last January, we, along with 158 Senators and Representatives, wrote to urge the FCC to thoroughly vet the winning bidders to ensure that they are capable of deploying and delivering the services they committed to providing. Since our letter last year, the FCC has announced that it continues to carefully review long-form applications of winning bidders to ensure they meet the technical, financial, and operational capabilities to comply with program obligations. Just last month, the FCC announced the sixth wave of RDOF funding, authorizing \$1.2 billion to fund new broadband deployments in 32 states.²

¹ FCC (June 8, 2020). "2020 Broadband Deployment Report." Retrieved from: <https://www.fcc.gov/reports-research/reports/broadband-progress-reports/2020-broadband-deployment-report>.

² FCC (January 28, 2022). "Announces Over \$1.2B for Rural Broadband in 32 States." Retrieved from <https://www.fcc.gov/document/fcc-announces-over-12b-rural-broadband-32-states>.

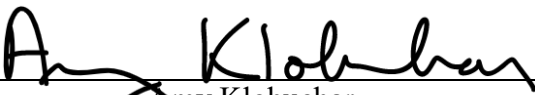
While we appreciate that the FCC has taken action to strengthen oversight of this program, including announcing a new Rural Broadband Accountability Plan,³ there are several communities in our states that still lack certainty about the status of their RDOF provider for a variety of reasons, ranging from questions surrounding eligible telecommunications carrier (ETC) designation to ongoing scrutiny of individual applications that warrant more thorough examination. These communities are concerned that the lack of clarity regarding whether these application will be authorized might undermine their ability to obtain funding through other federal broadband deployment programs. Communities in our states need clear and timely guidance from the FCC that help them to understand the federal funding resources available to them and their eligibility to access different federal resources in order to leverage these historic investments in broadband.

We therefore ask that the FCC provide responses to the following questions by Friday, April 8:

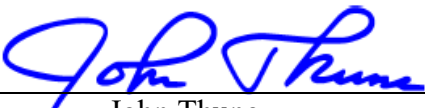
1. The FCC has moved to default the bids of entities that failed to demonstrate eligible telecommunications carrier (ETC) designation, while approving deadline waiver requests of others. Has the FCC defaulted all remaining winning bidders for states in which that entity failed to obtain ETC status? Do any areas remain pending in RDOF Phase I where the winning bidder has failed to obtain ETC designation?
2. Is the FCC coordinating with the National Telecommunications and Information Administration, the Department of Treasury, the U.S. Department of Agriculture, and other federal agencies as it pertains to other federal programs that could be used to serve areas still pending RDOF authorization?
3. In the event that the FCC rejects a winning bidder's long-form application in RDOF Phase I, how does the FCC plan to redistribute those funds and address the lack of service in the affected areas?

Thank you for your attention to this matter, and we look forward to continuing to work with you to develop and implement programs to close the digital divide.

Sincerely,



Amy Klobuchar
United States Senator

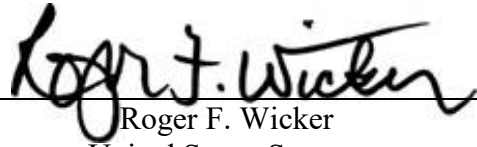


John Thune
United States Senator

³ FCC (January 28, 2022). "FCC Announces Over \$1.2 Billion for Broadband through Rural Digital Opportunity Fund While Adding New Accountability and Transparency Measures." Retrieved from: <https://docs.fcc.gov/public/attachments/DOC-374406A1.pdf>.



Tina Smith
United States Senator



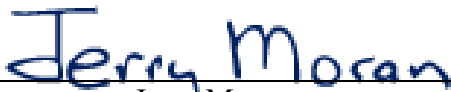
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