



# PUBLIC NOTICE

Federal Communications Commission  
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Washington, D.C. 20554

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DA 12-1961

Released: December 5, 2012

## WIRELINE COMPETITION BUREAU SEEKS COMMENT ON AREAS SHOWN AS UNSERVED ON THE NATIONAL BROADBAND MAP FOR CONNECT AMERICA PHASE I INCREMENTAL SUPPORT

WC Docket No. 10-90

**Comment Date: January 4, 2013**

**Reply Comment Date: January 22, 2013**

The Commission recently instructed the Wireline Competition Bureau (Bureau) to seek updates and corrections to the National Broadband Map (NBM) in connection with potential future rounds of Connect America Phase I incremental support.<sup>1</sup> Accordingly, the Bureau has prepared a list of potentially unserved census blocks in price cap territories, published at [http://data.fcc.gov/download/unserved\\_fixed\\_broadband/unserved\\_fixed\\_broadband-master.zip](http://data.fcc.gov/download/unserved_fixed_broadband/unserved_fixed_broadband-master.zip) (download .csv file of census blocks), [https://github.com/fccdata/unserved\\_fixed\\_broadband](https://github.com/fccdata/unserved_fixed_broadband) (view list, make edits, and post in .csv format), and <http://www.fcc.gov/maps/unserved-fixed-broadband> (view map of census blocks). The census blocks on this list are shown on the most recent version of the National Broadband Map (data as of December 2011) as completely or partially unserved by fixed terrestrial broadband with advertised speeds of 3 Mbps downstream and 768 kbps upstream.

As directed by the Commission, the Bureau solicits public input on this list of census blocks. In particular, the Bureau seeks comment on areas where coverage is either overstated (*i.e.*, by omission of unserved census blocks from the list) or understated (*i.e.*, census blocks are listed as unserved when they are in fact served). Commenters claiming that an entity's coverage is overstated are encouraged to serve a copy of their comments on the entity whose service area the commenter is challenging. The Bureau also seeks comment on whether any of the census blocks on the list are served through the Broadband Initiatives Program or the Broadband Technology Opportunities Program. The Bureau additionally seeks comment on whether commenters have brought any changes to the attention of the relevant state mapping

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<sup>1</sup> *Connect America Fund*, WC Docket No. 10-90, Further Notice of Proposed Rulemaking, FCC 12-138, paras. 15-16 (rel. Nov. 19, 2012) (FNRPM). The Bureau acknowledges that there is an ongoing process to collect, verify and publish information twice a year in the National Broadband Map, and the timing of this public notice is not intended to disrupt or supplant that process.

entity or any other entity, and, if they have, to further describe the outcome of any of those discussions.<sup>2</sup> In commenting on this list of potentially unserved census blocks, the above suggested topics are neither exclusive nor exhaustive. Commenters are free to bring any information they deem relevant to the Bureau's attention.

The Bureau has made available various tools on the webpages containing the list of census blocks to allow commenters to review and analyze this list. These tools allow commenters to view a map of populated census blocks that contain unserved locations and to view and edit a list of unserved census blocks. Commenters are encouraged to use these tools in formulating their comments and to provide the Commission an electronic copy of any updates to the list of blocks as a table that contains just changes (*e.g.*, a list of additional blocks and/or a list of blocks that do not belong on the list). The Bureau encourages comments that provide specific, actionable information rather than general statements. Information such as specific census blocks or geocoded locations that are believed to be inaccurate will be especially useful.

The National Telecommunications and Information Administration updates the NBM every six months. If the Commission decides to do an additional round of Phase I funding, and the NBM is updated prior to the adoption of such a final rule in response to the FNPRM, the Bureau may incorporate that update, as well as any other relevant information that commenters provide, into its final list of unserved locations eligible for any additional rounds of Phase I incremental support.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, interested parties may file comments or reply comments on or before the dates indicated above.<sup>3</sup> Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).<sup>4</sup>

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
  - All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12<sup>th</sup> St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.

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<sup>2</sup> The Bureau is relying on the currently published version of the NBM, which is based on data as of December 2011. Thus, in addition to inaccuracies (*e.g.*, a census block is omitted from the list despite being unserved), there may also be subsequent updates that commenters have already relayed to their state mapping entities (*e.g.*, a census block was unserved in 2011, but has since become served). Commenters are encouraged to report both types of changes.

<sup>3</sup> 47 C.F.R. §§ 1.415, 1.419.

<sup>4</sup> See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Red 11322 (1998).

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12<sup>th</sup> Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

**In addition, we request that one copy of each pleading be sent to each of the following:**

- (1) Ryan J. Yates, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, SW, Room 5-B441A, Washington, DC 20554; e-mail: [Ryan.Yates@fcc.gov](mailto:Ryan.Yates@fcc.gov); and
- (2) Charles Tyler, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, SW, Room 5-A452, Washington, DC 20554; e-mail: [Charles.Tyler@fcc.gov](mailto:Charles.Tyler@fcc.gov).

The proceeding this Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.<sup>5</sup> Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

For further information, please contact Ryan Yates, Telecommunications Access Policy Division, Wireline Competition Bureau, at (202) 418-0886 or TTY (202) 418-0484.

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<sup>5</sup> 47 C.F.R. §§ 1.1200 *et seq.*