



# PUBLIC NOTICE

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**RURAL BROADBAND EXPERIMENT SUPPORT  
AUTHORIZED FOR WINNING BID SUBMITTED BY NEW LISBON BROADBAND AND  
COMMUNICATIONS, LLC**

**WC Docket No. 10-90  
WC Docket No. 14-259**

By this Public Notice, the Wireline Competition Bureau (Bureau) authorizes rural broadband experiment support for New Lisbon Broadband and Communications, LLC (New Lisbon) for the winning bid identified in the Attachment to this Public Notice. The \$37,695.60 in support that we authorize today will bring new broadband service to seven census blocks in rural Indiana.

On December 5, 2014, the Bureau announced the first round of provisionally selected bidders for the rural broadband experiments.<sup>1</sup> On March 4, 2015, the Bureau announced a second round of provisionally selected bidders.<sup>2</sup> The Commission requires provisionally selected bidders to submit, by specified deadlines, and to certify as accurate, certain technical and financial information as well as a letter of credit (LOC) commitment letter from a bank meeting the Commission's requirements, a Bankruptcy Code opinion letter from legal counsel, and proof of eligible telecommunications carrier (ETC) designation in all areas for which they will receive support.<sup>3</sup> Absent waiver, the failure to timely provide such information and materials constitutes default and warrants removal of the bidder's project from any further consideration for RBE support.

On February 24, 2016, after reviewing the post-selection submissions, the Bureau announced that it was ready to authorize support for New Lisbon's winning bid, as identified in the Attachment.<sup>4</sup> As a condition of authorization, New Lisbon was required to submit, by March 7, 2016, at least one acceptable irrevocable stand-by LOC and Bankruptcy Code opinion letter from legal counsel.<sup>5</sup>

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<sup>1</sup> *Wireline Competition Bureau Announces Entities Provisionally Selected for Rural Broadband Experiments; Sets Deadlines for Submission of Additional Information*, WC Docket No. 10-90, Public Notice, 29 FCC Rcd 14684 (WCB 2014).

<sup>2</sup> *See Wireline Competition Bureau Announces Additional Provisionally Selected Bidders for Rural Broadband Experiments and Sets Deadlines for Submission of Additional Information*, WC Docket Nos. 10-90 and 14-259, Public Notice, 30 FCC Rcd 2045 (WCB 2015).

<sup>3</sup> *Connect America et al.*, WC Docket Nos. 10-90 and 14-58, Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8769, 8778-79, 8787-88, paras. 22-23, 52, 54 (2014) (*Rural Broadband Experiments Order*).

<sup>4</sup> *Wireline Competition Bureau Announces Rural Broadband Experiments Support for Provisionally Selected Bid Ready to Be Authorized*, WC Docket Nos. 10-90 and 14-259, Public Notice, 31 FCC Rcd 1247 (WCB 2016).

<sup>5</sup> *Id.*

The Bureau has reviewed New Lisbon’s submissions for its winning bid, including the LOC and Bankruptcy Code opinion letter from New Lisbon’s legal counsel. Based on the representations and certifications in the application, the Bureau now authorizes support for the winning bid listed in the Attachment. A list of the relevant census blocks is available at <https://www.fcc.gov/encyclopedia/rural-broadband-experiments>.

Upon issuance of this Public Notice, the Universal Service Administrative Company (USAC) is directed and authorized to obligate and disburse the support amount identified in the Attachment. USAC shall disburse the support amount to New Lisbon in equal monthly installments over the 10-year term. USAC will make disbursement payments to the account on file for the 498 ID (formerly Service Provider Identification Number) associated with the rural broadband experiment study area code (SAC).

We remind New Lisbon that a winning bidder that has been authorized to receive rural broadband experiment support will default if it fails to meet its build-out obligations to offer service delivering the requisite speed, latency, usage and pricing, fails to keep open and renew its LOC, or fails to fulfill any other term or condition of rural broadband experiment support.<sup>6</sup> Under the terms of the LOC, the Commission will be entitled to draw upon the LOC after a recipient’s default and opportunity to cure.<sup>7</sup> Recipients may also be subject to other sanctions for non-compliance with the terms and conditions of the rural broadband experiments or the Commission’s rules.<sup>8</sup>

We note that price cap carriers that serve the census blocks where the rural broadband experiment winning bidders have been authorized to receive support no longer have a federal high-cost ETC obligation to continue to offer voice in those census blocks pursuant to the forbearance granted in the *December 2014 Connect America Order*.<sup>9</sup>

For further information, please contact Nissa Laughner, Telecommunications Access Policy Division, Wireline Competition Bureau at 202-418-7400 or at TTY (202) 418-0484.

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<sup>6</sup> *Id.* at 8799, para. 90.

<sup>7</sup> *Id.* at 8799, paras. 92–93.

<sup>8</sup> *Id.* at 8800, paras. 94, 96.

<sup>9</sup> *Connect America Fund et al.*, WC Docket Nos. 10-90 et al., Report and Order, 29 FCC Rcd 15644, 15663–71, paras. 50–70 (2014); *see also* 47 CFR § 54.201(d)(3). We will remove these census blocks from the list of census blocks where price cap carriers continue to have the federal high-cost ETC obligation to provide voice service. The “List of Census Blocks Subject to Federal High-Cost Voice Obligations” is available at <https://www.fcc.gov/encyclopedia/price-cap-resources>.

**Attachment  
Winning Bid**

Category One<sup>10</sup>

| <b>Bidder Name</b>                           | <b>State</b> | <b>Selected Bid Project ID</b> | <b>Selected Bid Amount</b> | <b>Census Blocks Covered by Selected Bid</b> | <b>Number of Covered Locations</b> | <b>Study Area Code</b> |
|--|--------------|--------------------------------|----------------------------|--|------------------------------------|------------------------|
| New Lisbon Broadband and Communications, LLC |              |                                |                            |  |                                    |                        |
|  | IN           | 3                              | \$37,695.60                | 7  | 24                                 | 326111                 |

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<sup>10</sup> Recipients authorized to receive support for category one projects must deploy a network capable of delivering 100 Mbps downstream/25 Mbps upstream and offer at least one service plan that provides 25 Mbps downstream/5 Mbps upstream to all eligible locations. For that service plan, recipients must provide usage that is reasonably comparable to usage available for comparable wireline offerings in urban areas, at a price that meets the Commission’s reasonable comparability benchmarks, and latency no greater than 100 milliseconds.