

May 18, 2016

The Honorable Thomas Wheeler  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington D.C. 20554

Dear Chairman Wheeler:

We write this letter in support of a recent submission by the New York Public Service Commission (PSC) and Empire State Development (ESD) regarding the upcoming Connect America Fund II (CAF) auction. Specifically, we believe it is critical that the Federal Communications Commission (FCC) adopt auction rules that would ensure that CAF funds originally allocated to the State of New York are not diverted to other regions. This CAF funding is vitally important to providing broadband to underserved communities in New York and an issue that concerns basic fairness in making sure that funds that had been allocated to New York for that purpose remain in those regions. The Commission's consideration of rules regarding the disbursement of Connect America Fund (CAF) funds is critical to all New York State residents to ensure that they have access to broadband.

Particularly since New York is a state whose citizens and businesses have made net contributions of more than \$1 billion over the past five years to federal Universal Service Fund programs, the Commission must ensure that communities in New York receive this CAF funding. New York and other states should not be unfairly punished and at-risk of losing funding because telecommunications carriers declined their CAF funds. Additionally, the PSC and ESD correctly explained that the Commission's rules should also support state-driven approaches to broadband funding and promote fiscal responsibility by providing CAF funds directly to states that sponsor their own broadband programs. For its part, New York State has dedicated over \$500 million for broadband deployment through its New NY Broadband Program. As the PSC and ESD noted, we believe the FCC should take this opportunity to craft rules to align CAF funding with New York's program to ensure the efficient distribution of USF funds. Partnering with states like New York – that are dedicating their own funds to broadband deployment – would create a positive incentive and encourage other states to create their own broadband funding programs.

We believe the CAF reverse auction can promote broadband deployment in New York and other states and we urge the Commission to adopt fair, equitable and responsible rules to ensure that tens of thousands of New York families are not negatively impacted by the FCC's action. We hope the FCC will join with the State of New York in reaching for the critical goal of providing high quality broadband to all of our residents.

Sincerely,

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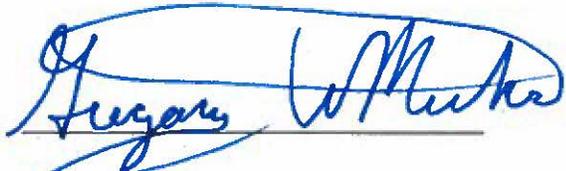
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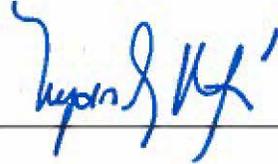
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