



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

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WIRELINE COMPETITION BUREAU PUBLISHES CENSUS BLOCKS, AND COMMENCES CHALLENGE PROCESS, FOR SECOND ROUND OF CONNECT AMERICA PHASE I

WC Docket No. 10-90

Challenges Due: September 27, 2013

Responses Due: October 28, 2013

By this public notice, the Wireline Competition Bureau (Bureau) publishes a list of all census blocks that price cap carriers have requested funding to serve as part of the second round of Connect America Phase I and announces the start of the Phase I challenge process to determine whether or not the requested census blocks are unserved.¹

When price cap carriers elected to receive support as part of the second round of Phase I, they were required to submit a list of census blocks where they propose to use the requested support.² However, the Commission's Electronic Comment Filing System (ECFS) converts all filings into .pdf format, which can make analysis of submitted data difficult. Therefore, to aid the public in reviewing these records, the Bureau has compiled a list of all census blocks that price cap carriers indicated in their Phase I second round submissions. This machine readable list of the requested census blocks is available at http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-323008A1.xlsx.³ Each census block listing includes the fifteen digit Federal Information Process Standards code for the block, the relevant state, the name of the carrier that submitted the block, and an indication of whether that carrier is challenging the block in question.

With the publication of this list, the Phase I challenge process begins.⁴ Interested parties have 30 days from the release of this public notice to challenge price cap carriers' Phase I deployment plans by demonstrating that a block in question is already served by fixed Internet access with the requisite speeds. Parties will then have 30 days from the end of the challenge period (60 days from release of this public notice) to respond. We take this opportunity to remind parties that all challenges and responses must be supported by evidence.⁵

¹ *Connect America Fund*, WC Docket No. 10-90, Report and Order, 28 FCC Rcd 7766 (2013) (*Connect America Phase I Second Round Order*); Order on Reconsideration, 28 FCC Rcd 10488 (2013).

² *Connect America Phase I Second Round Order*, 28 FCC Rcd at 7775, para. 23.

³ The Bureau has reviewed all submitted challenges to blocks classified as served by the National Broadband Map, and determined that all such challenges are supported by "some form of documented evidence." *Id.* at 7779, para. 33. However, inclusion on the list of census blocks does not signal that a price cap carrier's challenge will necessarily be granted. The Bureau will consider all of the evidence submitted by parties in making its decision.

⁴ *Id.* at 7776-79, paras. 28-33.

⁵ *Id.* at 7779, para. 33.

The proceeding this Public Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁶ 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.

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 or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Submissions will be publically available online via ECFS.⁷ These documents will also be available for public inspection during regular business hours in the FCC Reference Information Center, which is located in Room CY-A257 at FCC Headquarters, 445 12th Street, SW, Washington, DC 20554. The Reference Information Center is open to the public Monday through Thursday from 8:00 a.m. to 4:30 p.m. and Friday from 8:00 a.m. to 11:30 a.m.

For additional information on this proceeding, contact Ryan Yates (Ryan.Yates@fcc.gov) of the Wireline Competition Bureau, Telecommunications Access Policy Division, (202) 418-7400.

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⁶ 47 C.F.R. §§ 1.1200 *et seq.*

⁷ Documents will generally be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.