

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Rural Digital Opportunity Fund	)	WC Docket No. 19-126
	)	
Connect America Fund	)	WC Docket No. 10-90

**COMMENTS OF THE NATIONAL ASSOCIATION OF COUNTIES, THE NATIONAL ASSOCIATION OF DEVELOPMENT ORGANIZATIONS, AND THE RURAL COMMUNITY ASSISTANCE PARTNERSHIP**

The National Association of Counties (“NACo”),<sup>[1]</sup> the National Association of Development Organizations (NADO),<sup>[2]</sup> and the Rural Community Assistance Partnership (RCAP),<sup>[3]</sup> write to offer our collective thoughts with the proposed rule in the above-referenced docket, which was published for comment in the Federal Register on Wednesday, August 21, 2019.

The aforementioned organizations are on the front lines of creating the systems and infrastructure that allow our communities to thrive. We are responsible for community and economic development, education and infrastructure enhancements. We are also tasked with ensuring the stewardship of local resources and protecting the health and well-being of our residents.

We applaud the Commission for taking steps to help provide critical resources aimed at providing low-cost, high-speed internet to rural communities through the Rural Digital Opportunity Fund. However, urge the Commission to consider the challenges outlined below before moving forward with the Fund to ensure these resources are properly leveraged to address the true needs of low-cost, high-speed broadband internet in America.

***1. The data from which these decisions, and many others, are made is inherently flawed.***

As underscored in Commissioner Rosenworcel’s comments during the August 1 Commission meeting, accurate and comprehensive data is the foundation for federal funding decisions and should be prioritized by the Commission. Without complete and correct data, many rural communities will go overlooked and unconnected.

We applaud the Commission for taking steps to rectify this problem in a subsequent ruling, however, we request that the Commission delay implementation of the Fund until substantive changes can be made to the data-collection process. We ask the Commission to enact

substantive changes to the underlying data collection process prior to Phase 1 of the Rural Opportunity Fund to ensure these dollars are properly leveraged throughout communities in most need.

**2. *ETC status is important but should not limit connectivity options for unconnected communities.***

The proposed rule would limit funding eligibility to only “high-cost eligible telecommunications carriers (ETC)... required to offer standalone voice service and offer voice and broadband services at rates that are reasonably comparable to rates offered in urban areas.”[2] Unfortunately, the unintended consequence of this requirement would prevent willing and able entities from providing high-speed broadband internet services solely because they do not provide voice services in addition to broadband.

While we agree with the premise of this provision – aimed at ensuring consumers are provided with substantive services and options - the Commission should consider allowing service providers that do not provide voice service to participate in the competitive bidding process should a non-ETC service provider be the sole option for connecting a community. Additionally, we encourage the Commission to establish a formula to allow fair consideration for non-ETC providers to compete against ETC entities in the overall competitive bidding process.

**3. *Buildout requirements are critical to meaningful connectivity.***

The proposed rule proposed would adopt the same service milestones as found in the Connect America Fund Phase II (CAF II) auction. Unfortunately, there are instances where CAF II awards are preventing further deployment of broadband, as some CAF II winners appear to not be deploying broadband. In these cases, CAF II award stipulations prevent other entities from pursuing broadband deployment in the awarded census blocks. Further exacerbating the situation, the current Form 477 data is being coupled with these awards to overstate broadband availability in rural communities across the country.

Therefore, we fully support the Commission’s alternative to require recipients to build out at least 50 percent of the requisite number of locations by the end of the third year of funding.

**4. *Coordination with USDA’s Broadband Initiative will avoid duplicated efforts..***

The Rural Utility Service of the USDA is providing grants and loans to fund broadband infrastructure in rural communities through its Broadband Initiatives Program. Close coordination with the Program will avoid duplicated efforts and maximize the total impact of Federal investment in this area.

The undersigned organizations commend the Commission's focus on rural broadband and the significant potential of the Rural Digital Opportunity Fund. We appreciate the opportunity to comment on these efforts and urge the Commission to enact these reforms to ensure resources are maximized to the benefit of rural communities across the country.

Sincerely,

The National Association of Counties (NACo)

The National Association of Development Organizations (NADO)

The Rural Community Assistance Partnership (RCAP)

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[1] NACo represents county governments, and provides essential services to the nation's 3,069 counties.

[2] NADO represents the nation's network of Regional Development Organizations (RDOs). RDOs serve as catalysts for regional community development, economic prosperity, and improved quality of life in communities across the country.

[3] RCAP is a national network of non-profit organizations working to provide technical assistance, training, resources, and support to rural communities across the United States, tribal lands, and U.S. territories.

[3] In re Rural Digital Opportunity Fund, WC Docket No. 19-126, Notice of Proposed Rulemaking, FCC 19-77 (Rel. Aug. 2, 2019).