



PUBLIC NOTICE

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WIRELINE COMPETITION BUREAU SEEKS COMMENT ON ARVIG AND BEVCOMM FILING THAT ENHANCED A-CAM SUPPORT OFFERS WERE INCORRECT BECAUSE MIDCO WAS CLASSIFIED AS AN UNSUBSIDIZED COMPETITOR

WC Docket No. 10-90

Comments Due: September 13, 2024

By this Public Notice, the Wireline Competition Bureau (Bureau) seeks comment on the filing submitted by Arvig Enterprises, Inc. (Arvig) and Rural Communications Holding Corporation (BEVCOMM),¹ which claimed that those companies' Enhanced Alternative Connect America Cost Model (Enhanced A-CAM) support offers were incorrectly calculated because Midcontinent Communications (Midco) was incorrectly classified as an unsubsidized competitor offering voice service.²

Background. On August 30, 2023, the Bureau released a Public Notice announcing offers of Enhanced A-CAM support.³ That Public Notice also announced that while there would not be a wholesale challenge process for these offers, interested parties could file comments "regarding whether particular unsubsidized competitors may not be providing the minimum amount of usage set forth in the Urban Rate Survey or whether unsubsidized competitors may not be providing standalone voice service."⁴

In accordance with that Public Notice, Arvig and BEVCOMM submitted comments claiming that Midco does not provide standalone voice service in their Enhanced A-CAM service area. In the comments, Arvig estimates that because Midco was treated as an unsubsidized competitor, and the areas where Midco serves were correspondingly deemed ineligible for Enhanced A-CAM support, Arvig's Enhanced A-CAM offer was reduced by 1,765 locations, which corresponds to a drop of \$1,297,015 in annual support.⁵ For the same reason, BEVCOMM states that its offer in Minnesota was reduced by 1,753 locations, which corresponds to a drop of \$1,532,512 in annual support.⁶ We seek comment on Arvig's and BEVCOMM's assertions. We encourage interested parties that have relevant information to first reach out to the providers involved in this matter before filing comments with the Commission.

¹ Comments of Arvig Enterprises, Inc. (Arvig) and Rural Communications Holding Corporation (BEVCOMM), WC Docket No. 10-90 (filed Jul. 16, 2024) (Arvig Comments).

² *Id.* at 2.

³ *Wireline Competition Bureau Announces Enhanced Alternative Connect America Cost Model Support Amounts Offered to Rate-of-Return Carriers to Expand Rural Broadband*, WC Docket No. 10-90, Public Notice, 38 FCC Rcd 7828 (2023).

⁴ *Id.* at 7835.

⁵ Arvig Comments at 2-3.

⁶ Arvig Comments at 2-3.

Filing Requirements. Interested parties may file comments on or before **September 13, 2024**. All filings should refer to WC Docket Nos. 10-90, Comments may be filed by paper or by using the Commission's Electronic Comment Filing System (ECFS).⁷

- *Electronic Filers:* Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs>.
- *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 courier, or by the U.S. Postal Service. **All filings must be addressed to the Secretary, Federal Communications Commission.**
 - Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
 - Commercial courier deliveries (any deliveries not by the U.S. Postal Service) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
 - Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street NE, 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 or call the Consumer & Governmental Affairs Bureau at 202-418-0530.

Ex Parte Rules. Proceedings in this Notice shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's ex parte rules.⁸ 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 these proceedings should familiarize themselves with the Commission's ex parte rules.

⁷ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

⁸ See 47 CFR §§ 1.1200(a), 1.1206.

For further information, please contact Nathan Egan, Assistant Division Chief, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400 or by email at Nathan.Egan@fcc.gov.